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OFFICE OF PERSONNEL MANAGEMENT

5 CFR Parts 302, 332, and 337

[Docket ID: OPM–2017–0004]

RIN 3206–AO24

Shared Certificates and Pooled Hiring Actions

AGENCY: U.S. Office of Personnel Management.

ACTION: Interim rule with request for comments.

SUMMARY: The U.S. Office of Personnel Management (OPM) is issuing an interim rule to improve hiring efficiency across federal agencies, modify provisions pertaining to how an appointing authority (*i.e.,* the head of a Federal agency or department) may share a competitive certificate with one or more appointing authorities, implement provisions to allow an appointing authority to share an excepted service certificate with one or more appointing authorities, and implement provisions regarding OPM-led hiring actions which allow federal agencies to utilize competitive and excepted service certificates for occupations common to many agencies.

DATES:

Effective date. This interim rule is effective October 15, 2026,

Comments due: Comments must be received on or before November 16, 2026.

ADDRESSES: *You may submit comments by using the Federal Rulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments.

All submissions must include the agency name and docket number or RIN for this **Federal Register** document. Please arrange and identify your comments about the regulatory text by subpart and section number. If your comments relate to the supplementary information, please refer to the heading and page number in the supplementary section. All comments must be received by the end of the comment period for them to be considered. All comments and other submissions received generally will be posted at *https://regulations.gov* as they are received, without change, including any personal information provided. However, OPM retains discretion to redact personal or sensitive information, including but not limited to personal or sensitive information pertaining to third parties.

A summary of this rule may be found in the docket for this rulemaking at *www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Michael Mahoney (202) 936–3265 or by email at *employ@opm.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

On March 18, 2016, the Competitive Service Act of 2015 (the ''Act'') was enacted as Public Law 114–137 (*https://www.govinfo.gov/content/pkg/PLAW-114publ137/pdf/PLAW-114publ137.pdf*). The Act allows an ''appointing authority'' to share a competitive certificate issued under delegated examining procedures with one or more ''appointing authorities'' to make an appointment to a position that is in the same occupational series, grade level (or equivalent), and duty location during the 240-day period beginning on the date of issuance of the certificate of eligibles. OPM issued implementing regulations, which became effective February 17, 2017 (see 82 FR 5335; RIN 3206–AN46). Since that time, OPM's Human Resources Solutions and agencies using shared certificates have provided feedback on how to improve these provisions. OPM has considered that input in the context of Executive Order (E.O.) 14170, ''*Reforming the Federal Hiring Process and Restoring Merit to Government Service*'' [1] signed by the President on January 20, 2025, and the OPM-Executive Office of the President (EOP) joint implementing guidance of May 29, 2025, titled ''Merit Hiring Plan,'' [2] with the aim of making these provisions more efficient for agencies and applicants alike. OPM is modifying these rules to create greater efficiencies for hiring agencies. These changes include:

- Expanding the application of the three-considerations rule in 5 CFR 332.405 to allow a manager or selecting official in a receiving agency to use/apply a decision(s) by a hiring manager(s) in other agencies to remove applicants from further consideration. We are revising § 332.405(d) to remove the bar on applying the rule to shared certificates and, in its place, to codify the limitation of the rule to certificates issued using numerical rating;
- Expanding the application of veterans' pass over procedures to allow a veteran passed over by the original hiring agency (or OPM in the case of thirty percent or more disabled veterans) to be removed from consideration by a receiving agency;
- Adding language which reminds agencies of their obligations with respect to individuals who have selection priority (*e.g.,* displaced employees eligible under Reemployment Priority List (RPL), Career Transition Assistance Plan (CTAP), Interagency Career Transition Assistance Plan (ICTAP), and workers' compensation provisions);
- Clarifying that an original hiring agency may share a certificate with other agencies simultaneously;
- Modifying the requirement that receiving agencies must work a shared certificate independently. The modification allows a receiving agency to leverage another agency's pass-over or three-considerations decision.
- Including language which reminds agencies that pass overs of disabled veterans with a thirty percent or more compensable disability must be sent to OPM for adjudication;
- Removing a reference to collective bargaining units to attune the rules with a statutory amendment which removed the reference with the CSA; and
- Expanding the application of shared certificates to positions filled in the excepted service.

II. Comments Received on the 2017 Interim Final Rule and OPM Responses

OPM received five comments on the interim final rule published on January 18, 2017 (82 FR 5335; Docket ID OPM–2017–0004), from a Federal agency, a nonprofit organization, and three individual members of the public. Because this rule reissues the 2017 interim regulations with modifications,

[1] E.O. 14170, 90 FR 8621 (Jan. 30, 2025).

[2] U.S. Office of Personnel Management & White House Domestic Policy Council, Merit Hiring Plan (May 29, 2025), *https://www.opm.gov/chcoc/transmittals/2025/Merit%20Hiring%20Plan%205-29-2025%20FINAL.pdf.*

OPM has considered those comments in developing this rule and responds to them here. Comments are identified by their *Regulations.gov* comment numbers.

Comment (OPM–2017–0004–0002): An individual commenter supported the rule's focus on drawing talent into the Federal Government but questioned what would motivate an original hiring agency to share a certificate and suggested a mandate or quota requiring each hiring agency to share at least three certificates per year.

Response: OPM declines to adopt a sharing mandate or quota by regulation. The Competitive Service Act is permissive: 5 U.S.C. 3318 provides that an appointing authority ''may'' share a certificate, and a regulatory quota would be inconsistent with that discretionary framework. This rule instead addresses the commenter's underlying concern by reducing the burden of sharing—permitting simultaneous sharing, permitting the sharing of assessment scores, and allowing receiving agencies to leverage another agency's pass-over or three-considerations decision—and by establishing OPM-led pooled hiring actions, which systematically make a single hiring action available to multiple agencies. OPM notes that it has recently set, via guidance, a governmentwide goal of at least 60% of selections made from shared certificates (including OPM-led pooled hiring actions and agency certificates shared under 5 U.S.C. 3318(b)) for all new external competitive-service hires, measured as a share of external selections during Fiscal Year 2027.[3]

Comment (OPM–2017–0004–0003): A Federal agency posed six operational questions: (1) how agencies would identify other agencies' need for the same hires in advance of an announcement; (2) whether a receiving agency could access applicants in a lower category than the one certified; (3) the effect of the 240-day shared-certificate period on OPM's 80-day hiring cycle model; (4) whether an original hiring agency may decline to share a certificate with a particular agency, and any reporting mechanism or repercussions for declining; (5) what happens if two agencies select the same candidate; and (6) how candidates who are no longer available are removed from shared certificates.

Response: Sharing remains within the discretion of the original hiring agency, including the choice of agencies with which to share; there is no reporting mechanism or repercussion for declining to share. The OPM-led pooled hiring provisions in new § 332.409 and new subpart F of part 302, together with the Merit Hiring Plan's direction that agencies collaborate with OPM to identify sharing opportunities and the Annual Staffing Plan process created by E.O. 14356 (*Ensuring Continued Accountability in Federal Hiring*),[4] provide the advance mechanism for identifying common hiring needs that the commenter described. A receiving agency must use the certificate in its original form and may not re-rate or re-rank applicants, so it may not reach into a category other than as certified. The 240-day period is fixed by statute and does not alter the 80-day time-to-hire goal; indeed, the changes in this rule allowing receiving agencies to leverage pass-over and three-considerations decisions are designed to shorten the time receiving agencies need to work a certificate. Where more than one agency seeks the same candidate, the candidate may elect which offer to accept, and this rule requires notations on the certificate and prompt notification of errors, while under pooled hiring actions OPM will notify all participating agencies when an applicant is removed from further consideration. Remaining operational details are addressed in the Delegated Examining Operations Handbook and implementing guidance.

Comment (OPM–2017–0004–0004): An organizational commenter recommended that OPM (1) remove the requirement that applicants ''opt in'' to having their applications shared and adopt an opt-out default; (2) remove ''duty location'' from the conditions for using a shared certificate; (3) add language encouraging timely hiring decisions and expedited sharing; and (4) set a clear date for agencies to report to OPM on their use of the authority, with annual reporting thereafter. The commenter also encouraged OPM to promote staffing-system interoperability, enable USAJOBS searches for announcements with shared certificates, pilot the authority for mission-critical occupations, engage the CHCO Council and other interagency councils, and train agencies.

Response: OPM declines to replace the opt-in structure. Requiring an applicant's affirmative consent before his or her application and personal information are disseminated to agencies to which the applicant did not apply protects applicant privacy, and this rule retains that structure. OPM also declines to remove ''duty location'': the Competitive Service Act itself limits use of a shared certificate to positions in the same occupational series, grade level, and duty location, so that condition cannot be removed by regulation. OPM agrees with the objective of timely action and has addressed it operationally rather than through hortatory language—this rule permits simultaneous sharing and allows receiving agencies to leverage another agency's pass-over and three-considerations decisions, both of which expedite use of shared certificates. OPM declines to codify a fixed reporting date in regulation; the recordkeeping and documentation requirements of this rule create the audit trail necessary for OPM oversight, and OPM collects usage information through its oversight functions under 5 U.S.C. 1104. The commenter's remaining suggestions are operational and outside the scope of this rulemaking, but OPM has acted consistent with their aims, including through OPM-led pooled hiring actions for occupations common across agencies, as described in section V of this preamble.

Comment (OPM–2017–0004–0005): An individual commenter recommended that certificate sharing be mandatory rather than discretionary (''shall'' rather than ''may''), subject to limits such as sharing only the top three candidates for each position or submitting an overall certificate quarterly, and suggested a quota of shared certificates.

Response: OPM declines to make sharing mandatory or to impose a quota, for the reasons stated in response to comment OPM–2017–0004–0002: the statute is permissive, and a mandate would impose burden where no cross-agency need exists. OPM believes the OPM-led pooled hiring provisions of this rule better achieve the commenter's aim of making talent systematically available across the Government from a single hiring action.

Comment (OPM–2017–0004–0006): An individual commenter, a veteran, supported the concept but expressed concern that agencies and their components would not follow the rules, described being passed over in favor of another candidate notwithstanding his veterans' preference, and urged OPM to examine agency policies and agreements and enforce the rules so applicants receive fair consideration.

Response: Veterans' preference protections apply fully to shared certificates, and this rule strengthens the documentation that supports enforcement: objections and pass-over requests must be resolved before a certificate is shared, pass overs of

[3] See OPM, Guidance on Annual Staffing Plans (July 30, 2026), available at *https://www.opm.gov/chcoc/latest-memos/guidance-on-annual-staffing-plans.pdf.*

[4] 90 FR 48387 (Oct. 20, 2025).

preference eligibles with a compensable service-connected disability of thirty percent or more must be adjudicated by OPM, sustained pass overs must be notated on the certificate, and both original and receiving agencies must maintain records sufficient to reconstruct their use of the certificate. These requirements support OPM's oversight of agency compliance under 5 U.S.C. 1104(b). Concerns about specific hiring actions are outside the scope of this rulemaking and may be pursued through applicable complaint and appeal procedures.

III. Changes to Shared Certificates in the Competitive Service Under the CSA (§ 332.408)

OPM is reissuing the interim regulations published on January 18, 2017, with the following modifications:

Section 332.408(b)(1)(iv) has been amended to include a reference to OPM as the entity which must resolve pass over requests of thirty percent or more disabled veterans with a service-connected disability. This also requires an original hiring agency to notate the certificate when it has sustained, or received OPM approval to sustain, a pass-over of a preference eligible veteran.

A new paragraph (b)(2) in § 332.408 provides that an original hiring agency may apply the three-consideration rule in § 332.405 to a certificate issued under § 332.402 and must make a notation next to the name of any applicant it removed from further consideration; the paragraphs that follow in § 332.408(b) are renumbered accordingly.

OPM is also revising § 332.405(d). The existing paragraph (d) provides that the three considerations rule does not apply to shared certificates. Because this rule permits an original hiring agency to apply the rule to a certificate it intends to share and permits a receiving agency to rely on that agency's decision, the existing bar is inconsistent with the amendments made in this rule and is removed. In its place, OPM is codifying the limitation of the rule to certificates issued using numerical rating, which OPM has previously stated but has not until now set out in regulatory text. See 90 FR 43135, 43138 (Sept. 8, 2025).

Section 1107 of Public Law 115–232 added the three-considerations provision at 5 U.S.C. 3318(e), which governs selections using numerical ratings, while at the same time amending 5 U.S.C. 3319 without adding a comparable provision for category rating. Section 3319 incorporates provisions of section 3318 where Congress intended them to apply, see 5 U.S.C. 3319(c)(5) and (c)(6)(A) and (B), and it does not incorporate section 3318(e). Congress also addressed separately, and more narrowly, the circumstances in which a preference eligible may be dropped from further consideration under category rating, providing for discontinuation of certification only where the preference eligible has been three times considered and passed over from a standing register, and only after advance notice. See 5 U.S.C. 3319(c)(6)(C). OPM is stating the limitation in regulatory text so that it applies uniformly to an agency's own certificates, to shared certificates, and to certificates issued in OPM-led pooled hiring actions.

OPM is updating renumbered § 332.408(b)(3) to clarify that an original hiring agency may, but is not required to, share the assessment scores of certified applicants with receiving agencies. OPM is making this update to provide agencies with more information when considering shared applicants with the aim of boosting interest and use of shared certificates.

Renumbered § 332.408(b)(4) is revised to clarify that an original hiring agency may share a certificate with one or more agencies, either sequentially or simultaneously. OPM is making this change to reduce delays in time-to-hire that would otherwise result if agencies could only share certificates sequentially. In the interim rule effective February 17, 2017 (82 FR 5335), OPM discussed simultaneous use and coordination of certificates by receiving agencies but did not squarely address simultaneous sharing by the original hiring agency. Because the CSA does not prohibit an original hiring agency from sharing a certificate with several agencies at the same time, OPM finds no basis to limit an agency from doing so. Paragraph (c)(4)(i) in § 332.408, discussed below, addresses how receiving agencies work a certificate that has been shared simultaneously.

OPM is amending § 332.408(c)(2) to remind receiving agencies of their responsibilities with respect to Reemployment Priority Lists (RPL) and Career Transition Assistance Plans (CTAP), in accordance with 5 CFR part 330, subparts B and F, respectively, before using a shared certificate.

OPM is amending § 332.408(c)(3)(i) by removing the reference to collective bargaining obligations. OPM is making this change in accordance with Public Law 115–232, section 1107,[5] which removed the reference from section 2(b)(4) of the Competitive Service Act of 2015.

OPM is also revising § 332.408(c)(3)(ii) to provide that an agency may not give internal candidates an application period longer than 10 business days. Sections 3318(b)(4)(B) and 3319(c)(5)(B) of title 5, U.S. Code, each direct the other appointing authority to ''provide up to 10 business days'' for its employees to apply for the position. OPM is conforming the regulatory text to the statutory period so that the same limit applies whether the shared certificate was issued using numerical rating or category rating procedures. As under the 2017 interim rule, this time limit may not be waived or extended.

OPM is adding new subparagraph (c)(4)(ii) in § 332.408 to provide that a receiving agency may, but is not required to, consider an applicant passed over by another agency in accordance with paragraph (b)(1)(iv) or an applicant who received three bona fide considerations by another agency in accordance with paragraph (b)(2). The flexibility to allow a receiving agency(s) to leverage an original hiring agency's three-consideration decision is consistent with 5 U.S.C. 3318(e) and 5 CFR 332.405. In the statute and the codified regulations, ''appointing officer'' is not specific to a particular agency.

OPM is modifying current § 332.408(c)(4)(i) which requires a receiving agency to consider applicants independently of the actions of another agency with which the certificate is shared simultaneously. The modified provision provides an exception which allows a receiving agency to apply another agency's pass-over or three-considerations decision as described in new paragraph (c)(4)(ii). In the interim rule effective February 17, 2017 (82 FR 5335), OPM noted, ''Congress did not define precisely what it means to ''share'' the certificate. One possible approach is that when the original hiring agency ''shares'' the certificate with other agencies they must simultaneously work the certificate in a coordinated fashion, accounting for declinations, failures to respond, selections, and so on as if they were integrated arms of the same employer. (This is how the process might work when a department shares a certificate among a number of its different components.) Another possible approach is that each of the other agencies may work the certificate

[5] John S. McCain National Defense Authorization Act for Fiscal Year 2019, Public Law 115–232, sec. 1107, 132 Stat. 1636 (Aug. 13, 2018) (amending section 2 of the Competitive Service Act of 2015), *https://www.congress.gov/115/plaws/publ232/PLAW-115publ232.pdf.*

independently, as if the certificates had been referred from the top of a register or inventory. Neither of these approaches is compelled by the text of the statute and as such OPM has determined that the most reasonable approach, and the one that best effectuates Congress's apparent purpose, is the latter of the two.''

OPM has reconsidered its original position and determined this change will allow agencies to use the shared certificate process more efficiently. It will do so by relieving a receiving agency from having to replicate the pass-over or three-considerations process when another agency already has done so. Though certificates may be shared simultaneously, the timing of when they are worked by each receiving agency may differ within the 240-day period depending on capacity, need, or urgency to fill the position, internal priorities, etc. For this reason, we are providing that a receiving agency may coordinate with another agency only for the purpose of leveraging another agency's pass-over or three-considerations decision.

OPM's revised approach satisfies the standards governing a change in agency position. *See Motor Vehicle Mfrs. Ass'n of the U.S., Inc.* v. *State Farm Mut. Auto. Ins. Co.,* 463 U.S. 29, 41–43 (1983); *FCC* v. *Fox Television Stations, Inc.,* 556 U.S. 502, 515–16 (2009). OPM acknowledges that it is modifying the position adopted in the 2017 interim rule and is doing so consciously rather than *sub silentio.* The new position is permissible under the statute: as the 2017 preamble itself recognized, neither the coordinated approach nor the fully independent approach is compelled by the text of the Competitive Service Act, which does not prescribe how simultaneously shared certificates must be worked. The revised rule retains independent consideration as the general requirement and adds only a narrow, discretionary exception permitting a receiving agency to leverage another agency's pass-over or three-considerations decision—an accommodation consistent with 5 U.S.C. 3318(e), which refers to consideration by ''an appointing officer'' without confining the relevant considerations to a single agency.

There are also good reasons for the change, and OPM believes the new policy is better: nearly a decade of experience administering shared certificates, together with feedback from OPM's Human Resources Solutions and from agencies using shared certificates, has demonstrated that requiring each receiving agency to replicate a pass-over or three-considerations process that another agency has already completed adds time and administrative burden without a corresponding benefit to applicants or to merit-based selection. In addition, eliminating that duplication directly advances the efficiency objectives of E.O. 14170 and the Merit Hiring Plan. Finally, the change does not disturb serious reliance interests that would require a more detailed justification. *See Encino Motorcars, LLC* v. *Navarro,* 579 U.S. 211, 221–22 (2016).

The independence requirement in current § 332.408(c)(4)(i) is a procedural direction to agencies about how a shared certificate is to be worked. It confers no entitlement on applicants to duplicative consideration by every receiving agency. The exception is permissive rather than mandatory, so a receiving agency remains free to consider any applicant notwithstanding another agency's action. And applicants' substantive protections are unchanged: a pass-over of a preference eligible may be leveraged only where the original hiring agency has sustained the pass-over, or received OPM approval to sustain it in the case of a disabled veteran with a thirty percent or more service-connected disability, in accordance with paragraph (b)(1)(iv) and as notated on the certificate, and a three-considerations decision may be leveraged only as to an applicant who has received three bona fide considerations for the same position, as documented on the certificate under paragraph (b)(2).

IV. Shared Certificates in the Excepted Service (New Subpart E to Part 302)

A. Background and Purpose

The excepted service encompasses those positions in the Federal civil service that are not in the competitive service or the Senior Executive Service. Positions in the excepted service are organized under several schedules, including Schedule D—which covers Pathways Program positions for students and recent graduates—and Schedule Policy/Career—which covers career positions of a confidential, policy-determining, policy-making, or policy-advocating character not normally subject to change as a result of a Presidential transition. Employment in the excepted service is governed by 5 U.S.C. 2103 and the regulations set forth at 5 CFR parts 213 and 302.

OPM notes there are differences between the competitive and excepted services. One of these is the use of the term ''certificate.'' A certificate is a competitive service term defined in 5 CFR 332.102 as a list of qualified eligibles from which an appointing officer selects one or more applicants for appointment. For purposes of new subpart E in part 302, OPM is adopting the term certificate as defined in the competitive service.

Another difference lies in how agencies are required to consider employees and former employees involuntarily separated due to downsizing. In the competitive service, agencies must adhere to the requirements of Reemployment Priority List (RPL), Career Transition Assistance Plans (CTAP), and Interagency Career Transition Assistance Plans (ICTAP) in 5 CFR part 330 subparts B, F, and G, respectively, before considering other applicants from outside the hiring agency's workforce. RPL, CTAP, and ICTAP apply when filling positions in the competitive service. CTAP applies in the excepted service only if the hiring agency's CTAP plan specifically provides for selection priority in the excepted service (§ 330.607(c)(5)).

Another difference between the two services is the provision which allows an appointing officer to not consider an eligible candidate who has been given bona fide consideration by one or more hiring managers for three separate appointments from the same or different certificates for the same position (*i.e.,* the same title, series, and grade). This is known as ''three-considerations'' and is codified in § 332.405 of the competitive service but not in the excepted service.

The three-considerations provision applies in conjunction with numerical ranking (*i.e.,* rule of many) but not category rating. See Reinvigorating Merit-Based Hiring Through Candidate Ranking in the Competitive and Excepted Service, 90 FR 43135, 43138 (Sept. 8, 2025) (''The three considerations rule applies to the rule of many, not to category rating. The Act did not apply this provision to category rating.''). Because the excepted service utilizes a parallel numerical rating provision (§ 302.302(b)(1)), OPM establishes that agencies may use § 332.405 in conjunction with a shared certificate in the excepted service where applicants were assigned numerical scores under that paragraph. Consistent with the competitive service, the three-considerations rule does not apply to an excepted service certificate on which applicants were placed in quality categories under § 302.302(b)(2).

Currently, 5 CFR part 302 establishes the procedures Federal agencies must follow when filling excepted service positions, including eligibility standards, application and rating procedures, and selection requirements. This interim rule adds a new subpart E to part 302 to create a framework for

agencies to share certificates of eligibles generated under the excepted service examining process—a practice analogous to existing certificate-sharing authorities in the competitive examining context—thereby reducing duplicative recruitment efforts, lowering hiring costs, and expanding qualified applicant pools across the Federal Government.

B. Legal Authority

This rule is issued pursuant to 5 U.S.C. 1103, 1104, 3301, and 3302, which vest in OPM the authority to prescribe regulations governing the examination, selection, and appointment of individuals in the Federal civil service. Section 1103(a)(5) charges the Director of OPM with executing, administering, and enforcing the civil service rules and regulations and the laws governing the civil service, and section 1104(b)(1) requires OPM to establish standards for, and oversee, the performance of delegated personnel management functions. Sections 3301 and 3302 authorize the President to prescribe regulations for the admission of individuals into the civil service and to make exceptions from the competitive service when warranted; by E.O. 10577 (Civil Service Rule I and 5 CFR 1.1, 5.1, and 6.1), the President has directed OPM to administer those authorities, including the designation of excepted service schedules and the regulation of appointments within them.

The provisions governing shared use of competitive service certificates rest on the Competitive Service Act of 2015, Public Law 114–137, which amended 5 U.S.C. 3318 and 3319 to authorize an appointing authority to share a certificate of eligibles—whether issued under numerical rating and ranking or under alternative (category) rating—with one or more other appointing authorities for selection to positions in the same occupational series, grade level (or equivalent), and duty location, within 240 days of issuance. Section 2(d) of the Act directs the Director of OPM to issue an interim final rule with comment to carry out its amendments, supplying both the substantive authority and the procedural vehicle for the amendments to § 332.408. Section 1107 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Public Law 115–232, subsequently amended section 2 of the Act, and this rule conforms OPM's regulations to that amendment.

OPM's authority to establish parallel certificate-sharing procedures for the excepted service derives from several sources. Positions in the excepted service are defined at 5 U.S.C. 2103 and are excepted from the competitive service under 5 U.S.C. 3302 and Civil Service Rule VI (5 CFR part 6), and OPM regulates appointments to those positions under 5 CFR parts 213 and 302. Part 302 itself implements, among other authorities, 5 U.S.C. 3320, which requires that the nominating or appointing authority select for excepted service and District of Columbia government positions ''in the same manner and under the same conditions'' required for the competitive service by the Veterans' Preference Act provisions codified at 5 U.S.C. 3308 through 3318. Because Congress has thus directed that excepted service selection track competitive service selection mechanics—including the examination, certification, consideration, and pass-over provisions those sections contain—OPM may, by regulation, make available in the excepted service the same certificate-sharing, three-consideration, and pass-over procedures Congress authorized for the competitive service, while preserving the veterans' preference protections that section 3320 makes applicable of its own force.

The OPM-led pooled hiring provisions rest on OPM's retained, non-delegated examining authority. Under 5 U.S.C. 1104(a)(2), OPM's delegation of examining functions to agencies is discretionary, not mandatory; OPM retains full authority to conduct competitive examinations itself, for one agency or for many, under 5 U.S.C. 1103, 3301, 3302, and 3304 and Civil Service Rule II (5 CFR 2.1). Nothing in the delegation framework limits OPM to single-agency examining, and conducting a single examination whose results serve multiple agencies with a common hiring need is a straightforward exercise of the central examining function Congress vested in OPM. The assessment components of pooled hiring actions are conducted consistent with 5 U.S.C. 3304, as amended by the Chance to Compete Act of 2024 (Pub. L. 118–188), which requires examinations that permit direct assessment of job-related skills and competencies. The direct hire provisions in new § 337.206 implement 5 U.S.C. 3304(b)(3), under which OPM authorizes direct hire appointments upon a determination of severe candidate shortage or critical hiring need, and OPM's attendant authority to prescribe the conditions under which such appointments are made.

Finally, while E.O. 14170 and the Merit Hiring Plan do not themselves supply rulemaking authority, they direct the policy this rule implements, and the rule effectuates the merit system principle that the Federal workforce be used efficiently and effectively, 5 U.S.C. 2301(b)(5).

C. Overview of the Provisions for Sharing Certificates in the Excepted Service

Agencies will share certificates in the excepted service in a manner similar to how certificates are shared in the competitive service under § 332.408. A description of this process and regulatory provisions to implement them follows:

OPM is placing these provisions in 5 CFR part 302 subpart E and relabeling this subpart ''Shared use of an excepted service certificate.'' OPM is redesignating current subpart E, ''Appeals,'' as a new subpart G, and is placing the OPM-led pooled hiring provisions in a new subpart F.

OPM is adding provisions which allow agencies to share certificates for excepted service positions when the original hiring agency is using either the numerical list option or category rating option in accordance with § 302.401(a)(2) and (3), respectively. OPM is adopting this flexibility in accordance with 5 U.S.C. 3320[6] which states that appointments in the excepted service shall be filled ''in the same manner and under the same conditions'' as positions filled in the competitive service. Current regulations in 5 CFR 332.408 allow for competitive service shared certificates to be used in conjunction with both numerical ranking and category rating procedures at §§ 332.402 and .404, and part 337 subpart C, respectively. Because the same examining methods exist for filling positions in the excepted service, OPM believes the same efficiencies can be realized in excepted service hiring. OPM believes this approach is consistent with the intent of the CSA and 5 U.S.C. 3304(a)(3), (c)(1) and (4), and accords with 5 U.S.C. 3320, and promotes efficiency within excepted service hiring.

OPM is limiting the application of shared certificates in the excepted service to positions filled under excepted service Schedule D—Pathways Programs, and Schedule Policy/Career. OPM does not include positions in Schedule A of the excepted service for purposes of shared certificates because Schedule A is defined as ''Positions other than those of a confidential or policy-determining character for which it is impracticable to examine.'' Furthermore, 5 CFR 213.3102 states ''Examining for this purpose means application of the qualification standards and requirements established

[6] 5 U.S.C. 3320.

for the competitive service.'' The absence of governmentwide qualification standards for Schedule A positions makes sharing certificates cumbersome and difficult, which undermines the efficiency this flexibility is designed to create.

These rules allow an original hiring agency to flag with a designated code any applicant(s) to which the original hiring agency applied the three-consideration rule. For these purposes, OPM is allowing an agency to apply the three-consideration rule in § 332.405 to an excepted service certificate on which applicants were assigned numerical scores under § 302.302(b)(1). A receiving agency may apply the three-consideration rule to any applicant flagged by the original hiring agency with the designated code. Thus, a receiving agency will have its choice: it can leverage the original hiring agency's three-consideration determination or make its own determinations when applying this rule.

The excepted service provisions also allow a receiving agency to apply a sustained pass over of a preference eligible veteran made by another agency for the same hiring action. OPM is adopting this on the basis that all agencies using the certificate will be using the same qualification standard for the position being filled.

The excepted service shared certificate rules do not require a receiving agency to consider internal candidates before making a selection from a shared certificate. OPM's rationale is that the eligibility for Schedule D and Policy/Career positions is specific; Schedule D applicants must be eligible under the Pathways Program Internship Program (see 5 CFR part 362, subpart B) or the Pathways Program Recent Graduate (see 5 CFR part 362 subpart C). This significantly limits the number of agency employees who could participate in these programs. Keeping the requirement for Schedule Policy/Career positions but not Schedule D positions would be confusing and lead to inefficient application of this flexibility.

The excepted service provisions provide that an original hiring agency may share a certificate with one agency at a time, or several agencies simultaneously.

OPM is establishing the competitive service provision that allows a receiving agency in the excepted service to use another agency's pass-over or three-considerations decisions. Our rationale is the same as that for the competitive service: to obviate the need for each agency to replicate these processes when another agency has already done so. The premise for sharing certificates in either service is to make hiring more efficient for agencies using the same certificate to fill a position in the same occupational series, at the same grade level (or a corresponding rate or level of pay for a position excluded from the General Schedule), with the same full performance level, and in the same duty location as was listed on the original hiring agency's certificate.

Each receiving agency will still be responsible for establishing a unique instance of a case file to document that agency's use of the certificate. This will be helpful in the event a receiving agency must later reconstruct its hiring actions. Allowing multiple agencies to use certificates independently of one another also supports the timeliest and practical implementation of these provisions and minimizes the risk of error associated with multiple agencies simultaneously working the same certificate.

D. Section-by-Section Analysis of New Subpart E of Part 302

Section 302.501—General Authority

Section 302.501 establishes the foundational authority and conditions applicable to all certificate-sharing activity under this subpart. Under § 302.501(b), a hiring agency may share an excepted service certificate issued for filling positions under Schedule D and Schedule Policy/Career with one or more Federal agencies, for positions filled on a permanent or time-limited basis. Time-limited positions remain subject to the conditions set forth in § 213.104. Shared use may encompass full-time and other-than-full-time positions, including part-time, seasonal, on-call, and intermittent positions, ensuring broad flexibility in workforce management.

In § 302.501(c), OPM establishes a 240-day time limit on all actions taken on a shared certificate, measured from the date on which the original hiring agency issued the certificate. This limit may not be extended. OPM establishes the 240-day duration to attune to the similar provision in the competitive service for the purpose of ensuring that shared certificates do not remain in active use for an indefinite period and that applicants on the certificate do not remain subject to potential selection for an unreasonable duration. We believe standardizing this duration will promote efficient use in both service and eliminate confusion among practitioners that might otherwise occur with different time limits.

Section 302.501(d) establishes documentation and safeguarding obligations. Both the original hiring agency and any receiving agency must maintain sufficient documentation to permit reconstruction of their respective use of the certificate, and must safeguard examination materials, assessment materials, and applicant information in accordance with § 300.201. This requirement supports accountability and enables OPM oversight of agency compliance.

Paragraphs (e) and (f) of § 302.501 provide general compliance reminders: all sharing activity must comply with part 302, and agencies must keep records of instances of sharing and use of shared certificates, establishing a clear audit trail.

Section 302.502—Requirements for the Original Hiring Agency

Section 302.502 sets forth the conditions and obligations governing the original hiring agency's decision to share an excepted service certificate and its conduct in doing so. These provisions are designed to ensure that certificate sharing is carried out in a manner that respects applicant consent, preserves veteran preference rights, and maintains the integrity of the original examining process.

Conditions Precedent to Sharing (§ 302.502(a)). An original hiring agency may share a certificate issued under § 302.302 only if six conditions are satisfied:

- The original hiring agency itself intends to use the certificate for its own hiring needs (§ 302.502(a)(1)), ensuring that shared certificates are not generated solely for the benefit of other agencies.
- The agency informed applicants at the time of the announcement that the resulting certificate *may* be used by one or more hiring agencies (§ 302.502(a)(2)), consistent with transparency and due notice principles.
- The agency provided applicants an opportunity to *opt in* to having their applications and personal information shared with other agencies (§ 302.502(a)(3)). This opt-in structure protects applicant privacy and ensures that personal data is not disseminated to agencies without the individual's affirmative consent.
- All objections to eligibles and requests to pass over preference eligible veterans have been resolved in accordance with subpart D of part 302, or by OPM in the case of a disabled veteran with a 30% or more service-connected disability (§ 302.502(a)(4)). The agency must notate on the certificate the name of any preference eligible it successfully passed over, preserving a clear record for receiving agencies.

• The original hiring agency either made a selection from the certificate or documented its reason for making no selection (§ 302.502(a)(5)), preventing agencies from sharing a certificate they have declined to use without explanation.

• The agency determined that sharing complies with part 302 and applicable agency policy (§ 302.502(a)(6)).

New § 302.502(b)permits the original hiring agency to apply the three-consideration rule of § 332.405 during its use of the certificate on which applicants were assigned numerical scores under § 302.302(b)(1), and to remove candidates accordingly, with required notations on the certificate before sharing; the paragraphs that follow are renumbered accordingly.

Obligations in Sharing (§ 302.502(c) through (e)). When sharing a certificate, the original hiring agency must transmit all documentation related to the certificate's creation, including the job analysis, testing and examination materials, the job opportunity announcement or applicable public notification, and applications as relevant. The agency may share certified applicants' assessment scores but must share the certificate in its original form to preserve the original candidate ordering. The agency must safeguard personally identifiable information during transmission and must redact the names of applicants who did not opt in, ensuring those individuals cannot be considered by receiving agencies.

An original hiring agency may share a certificate with one or more agencies, either sequentially or simultaneously (§ 302.502(d)), providing flexibility in multi-agency hiring efforts. If the original hiring agency discovers an error that may affect selections by a receiving agency, it must notify each affected agency promptly (§ 302.502(e)).

Section 302.503—Requirements for Receiving Agencies

Section 302.503 establishes the conditions and procedures governing receiving agencies' use of shared certificates, with particular attention to position compatibility, applicant notification, selection procedures, and safeguards against further redistribution.

Eligible Vacancies (§ 302.503(a)). A receiving agency may use a shared certificate only to fill a vacancy in the *same occupational series,* at the *same grade level* (or corresponding pay rate or level), with the *same full-performance level,* and in the *same duty location* as specified on the original hiring agency's certificate. If the original certificate was issued for an interdisciplinary position, the receiving agency may use it to fill an interdisciplinary position. Before use, the receiving agency must independently verify through its own job analysis that the minimum qualification requirements—including any selective placement factors—and the competencies, knowledge, skills, and abilities used for the original position remain appropriate for the position to be filled. This verification requirement ensures that shared certificates are not misapplied to positions with materially different requirements.

Notification to Applicants (§ 302.503(b)). Before using a shared certificate, a receiving agency must notify eligible applicants that it has received their names and application materials and intends to consider them for employment. The notification must identify the receiving agency, position title, occupational series, grade level or equivalent, and duty location. This requirement ensures that applicants are informed of the expanded use of their application materials prior to any employment consideration, consistent with principles of transparency and individual notice.

Section 302.503(c)(1) clarifies that these requirements do not affect agencies' right to fill a position from any appropriate source under §§ 330.102 and 335.103. Section 302.503(c)(2) requires that, before considering other candidates, a receiving agency must first provide for priority consideration for individuals entitled to it under §§ 302.303 and 302.304.

Selection Procedures (§ 302.503(d)). Section 302.503(d)(1) permits—but does not require—a receiving agency to consider applicants designated as having been passed over or as having received three bona fide considerations, affording the agency discretion in these cases. Under § 302.503(d)(2), the receiving agency may *not* reassess applicants for rating or ranking purposes, preserving the integrity of the original agency's examining process and preventing double examination.

Time Limit and Prohibition on Further Sharing. Section 302.503(e) confirms that a receiving agency has 240 days from the date of original certificate issuance to make selections—consistent with the governmentwide limit established in § 302.501(c). Section 302.503(f) expressly prohibits the receiving agency from sharing or distributing the shared certificate to any other Federal agency, ensuring that certificate sharing remains a controlled, bilateral transaction between the original hiring agency and its designated receiving agency or agencies, and does not become an uncontrolled daisy-chain distribution.

V. OPM-Led Pooled Hiring Actions

A. General Overview

OPM is establishing regulatory frameworks for OPM-led pooled hiring actions for both excepted service and competitive service positions, under which OPM will centrally recruit and preliminarily assess applicants or prepare and provide ready-made certificates to participating agencies which will use OPM-generated lists and certificates to make selections consistent with existing hiring authorities and protections. These rules memorialize OPM's current use of pooled hiring actions. OPM-led pooled hiring actions are a governmentwide hiring approach designed to allow multiple agencies to select from a single hiring action rather than each agency running separate announcements and creating individual or agency-specific certificates for the same occupation. The goal of these actions is to eliminate duplication of effort and resources, shorten the time-to-hire, improve the applicant experience, and increase the number of hires made from a single certificate. OPM uses this process for jobs filled under competitive examining procedures, direct hire authority (DHA), and when filling positions in the excepted service.

OPM, under its general authority governing admission of individuals into the executive branch of the civil service, may recruit and conduct examining for positions to be filled by multiple federal agencies. 5 U.S.C. 3301, 3302, and 3304. OPM-led pooled hiring actions utilize one announcement, an assessment process in accordance with 5 U.S.C. 3304(a)(3), (c)(1) and (4), one common certificate, and enable multiple agencies to hire from the same talent pool. These actions are a common-certificate hiring strategy that leverages OPM's experience, efficiency, policy and examining expertise with respect to competitive examining, excepted service hiring procedures, or direct hire authority and applies this expertise to cross-agency hiring needs. The aim of these actions is to maximize hiring outcomes from a single recruitment effort. Key features of OPM-led pooled hiring rules include:

• OPM may recruit, screen applicants for minimum requirements and qualifications, and provide lists of applicants who meet these requirements to agencies which will conduct the technical assessment process and certify applicants;

• OPM may recruit, assess applicants for both minimum requirements and

qualifications and technical qualifications, certify applicants for selection, and provide ready-made certificates to agencies from which to make selections;

- OPM may screen applicants for eligibility under the Career Transition Assistance Plan (CTAP), or the Interagency Career Transition Assistance Plan (ICTAP), or both, and provide lists of these eligibles to agencies;
- Allow agencies to apply the three-consideration rule in § 332.405, on certificates issued using numerical rating, such that a manager or selecting official in one agency may use/apply a decision by a hiring manager in another agency to remove applicants from further consideration;
- Allow a hiring manager in one agency to apply a pass over of a preference eligible veteran made by another hiring agency (or by OPM in the case of a preference eligible veteran with a thirty percent or more disability); and
- OPM may conduct these actions for hiring under competitive examining procedures, direct hire authority, or positions in the excepted service.

Both shared certificates and OPM-led pooled hiring actions create efficiencies within the hiring process, support merit system principles, and support several tenets of E.O. 14170 and the Merit Hiring Plan. The E.O. directed that ''recruitment and hiring processes'' become ''more efficient and focused on serving the Nation.'' Section I.D. of the Merit Hiring Plan speaks to ''. . . the use of validated assessments, talent pools, and shared certificates.'' The Merit Hiring Plan notes that ''OPM has already begun this process by centralizing hiring actions for common occupations such as Budget Analysts, Human Resources Specialists, and Information Technology positions. This allows applicants to apply once for roles at many agencies and allow agencies to select qualified candidates from a single shared certificate.'' The Merit Hiring Plan also states that, ''Agencies should collaborate with OPM to identify hiring actions that will use shared certificates or lists of eligible candidates external to the agency as both the originating and receiving agency (such as pursuant to the Competitive Service Act of 2015 (5 U.S.C. 3318–19) and other hiring authorities), so that OPM can assist in connecting agencies for the purposes of certificate sharing.'' All of this supports Merit System Principles, which state, *inter alia,* ''Recruitment should be from qualified individuals from appropriate sources in an endeavor to achieve a work force from all segments of society, and selection and advancement should be determined solely on the basis of relative ability, knowledge and skills, after fair and open competition which assures that all receive equal opportunity.'' 5 U.S.C. 2301(b)(1).

B. How OPM-Led Pooled Hiring Works in the Excepted Service (New Subpart F)

For the excepted service, new subpart F of part 302 authorizes OPM to issue excepted service certificates, permits agencies to make selections from those certificates in accordance with applicable law and regulation, and requires agencies to continue to meet all applicable requirements relating to priority reemployment and veterans' preference, including those in §§ 302.103, 302.303, 302.304, and 302.401. Under § 302.603, OPM may recruit applicants, determine whether they meet minimum requirements and qualifications and provide lists of qualified applicants to agencies, while agencies remain responsible for conducting technical assessments in accordance with the Merit Hiring Plan and 5 U.S.C. 3304(a)(3), (c)(1) and (4), preparing and issuing their own certificates under part 302, and applying existing mechanisms such as the three-consideration rule and pass-over procedures for preference eligibles, with notice to OPM so that OPM can notify all participating agencies when an applicant has been removed from further consideration. Section 302.604 permits OPM to create and issue one or more ready-made certificate(s) for pooled excepted service hiring and to establish policies governing the timeframe for agency selections, while retaining requirements that agencies satisfy all applicable priority reemployment and veterans' preference obligations and follow the three-consideration rule and pass-over procedures, with OPM informing all participating agencies when an applicant or veteran has been removed from further consideration.

Section-by-Section Analysis of Subpart F

Subpart F authorizes OPM to conduct pooled hiring for excepted service positions by recruiting applicants, determining their minimum qualifications, and providing lists or certificates that may be used by one or more agencies. Agencies retain responsibility for technical assessments, selections, and compliance with existing legal requirements, including priority reemployment, the three-consideration rule, and protections for preference eligibles.

Section 302.601—General Authority

Section 302.601 establishes that OPM may issue lists of qualified applicants to agencies, or excepted service certificates, that can be used by single or multiple agencies under part 302. It provides that agencies may conduct technical assessments and certification on lists of qualified applicants, or make selections from OPM-issued certificates consistent with applicable law and regulation, reinforcing that pooled hiring operates within existing statutory and regulatory hiring frameworks.

Section 302.602—Definitions

Section 302.602 defines *OPM-led pooled hiring action* to mean a hiring approach under which OPM will (1) centrally recruit and provide agencies with lists of applicants who meet minimum requirements and qualifications for hiring agencies to conduct the technical assessment, certification, and selection processes, or (2) centrally recruit, screen applicants for minimum requirements and qualifications, conduct the technical assessment and certification processes, and provide agencies with ready-made certificates of qualified applicants to make selections.

Section 302.603—Lists of Qualified Applicants

Section 302.603 explains that OPM may recruit applicants and determine whether they meet minimum requirements and qualifications, then provide agencies with lists of qualified candidates. Agencies remain responsible for conducting technical assessments, issuing their own certificates, and ensuring that all requirements related to applicants eligible for priority reemployment (including those in §§ 302.103, 302.303, 302.304, and 302.401) are satisfied.

Section 302.603 also permits agencies to apply the three-consideration rule under § 332.405, on certificates on which applicants were assigned numerical scores under § 302.302(b)(1), with a requirement to notify OPM so that OPM can inform all participating agencies when an applicant has been removed from further consideration under that rule. An agency may, but is not required to, consider an applicant who has already received three bona fide considerations by another agency; similarly, when an agency passes over a preference eligible and that pass over is sustained, it must notify OPM so that OPM can inform participating agencies that the veteran has been removed from further consideration, and any agency may—but is not required to—consider

an applicant previously passed over under § 302.401 and the Delegated Examining Operations Handbook.

Section 302.604—OPM-Created Certificates for Pooled Hiring

Section 302.604 authorizes OPM to issue one or more excepted service certificates for a given hiring instance under the procedures of part 302. When an agency uses an OPM-generated certificate, it may not reassess applicants for rating or ranking purposes, ensuring that OPM's central assessment governs how applicants are ordered on the certificate.

Section 302.604 further allows OPM to establish policies governing the timeframe within which an agency using an OPM certificate may make a selection, including any extensions. Agencies using these certificates must still meet all applicable requirements for applicants eligible for priority reemployment (referencing §§ 302.103, .303, .304, and .401), may apply the three-consideration rule with notice to OPM (so OPM can notify all participating agencies of removals from consideration), and must notify OPM when a pass over of a preference eligible is sustained so that OPM can remove the veteran from further consideration for all participating agencies, which may but are not required to consider such applicants thereafter.

C. How OPM-Led Pooled Hiring Works in the Competitive Service (§ 332.409)

For competitive service positions, new § 332.409 establishes parallel authority for OPM-led pooled hiring actions conducted under delegated examining procedures, permitting OPM to issue lists of qualified applicants or ready-made competitive service certificates for use by one or more agencies. Under paragraph (c), OPM may recruit applicants, determine whether they meet minimum qualifications, and provide agencies with lists of qualified applicants, including identifying applicants with ICTAP eligibility who must receive selection priority consistent with 5 CFR part 330, subpart G, before other applicants from an OPM-generated certificate. Participating agencies remain responsible for conducting technical assessments and issuing certificates under parts 332 and 337 and are required to satisfy all applicable Reemployment Priority List (RPL), CTAP, and ICTAP requirements before making selections.

Paragraph (d) authorizes OPM to issue one or more competitive certificates for a hiring instance and to establish policies specifying the timeframe within which agencies may make selections and any extensions, while providing agencies with ICTAP-eligible lists and requiring each agency to clear RPL and CTAP in accordance with 5 CFR part 330 before selecting from an OPM-generated certificate. As with the excepted service framework, agencies using pooled competitive examining certificates remain subject to the three-consideration rule and pass-over requirements for preference eligibles; agencies must notify OPM when invoking the three-consideration rule or when a pass over is sustained, and OPM will notify all participating agencies when an applicant has been removed from further consideration, while allowing agencies discretion, consistent with law and the Delegated Examining Operations Handbook, to consider applicants who have received three bona fide considerations or been subject to a sustained pass over.

Analysis of § 332.409

Section 332.409 authorizes OPM to conduct pooled hiring for competitive service positions by issuing lists of qualified applicants or competitive service certificates that may be used by multiple agencies under delegated examining procedures. Agencies make selections from these OPM-issued certificates in accordance with existing law and regulation, while remaining responsible for technical assessments, their own certificates, and for clearing applicable Reemployment Priority List (RPL), CTAP, and ICTAP requirements before selecting from the pooled lists.

Paragraph (a): General Authority

Paragraph (a) provides that OPM may issue lists of qualified applicants or competitive service certificates for use by one or more agencies operating under delegated examining procedures. It further states that agencies may make selections from these certificates consistent with applicable law and regulation, making clear that pooled hiring is an optional mechanism that functions within the existing competitive examining framework.

Paragraph (b): Definitions

Paragraph (b) defines OPM-led pooled hiring action to mean a hiring approach under which OPM will (1) centrally recruit and provide agencies with lists of applicants who meet minimum requirements and qualifications for hiring agencies to conduct the technical assessment, certification, and selection processes, or (2) centrally recruit, screen applicants for minimum requirements and qualifications, conduct the technical assessment and certification processes, and provide agencies with ready-made certificates of qualified applicants to make selections. OPM at its discretion may provide agencies with lists of applicants eligible under 5 CFR part 330, subpart F, subpart G, or both.

Paragraph (c): Lists of Qualified Applicants

Paragraph (c) explains that OPM may recruit applicants, determine minimum qualifications, and provide agencies with lists of qualified applicants. As part of this pooled process, OPM will provide agencies with a list of applicants with ICTAP eligibility, who must be selected before other applicants from the OPM-generated certificate, consistent with 5 CFR part 330, subpart G.

Participating agencies remain responsible for conducting technical assessments and issuing certificates under this part and part 337, and must satisfy all applicable requirements related to RPL, CTAP, and ICTAP before making selections. The paragraph also allows an agency to apply the three-consideration rule under § 332.405, on certificates issued under § 332.402, with an obligation to notify OPM so that OPM can inform all participating agencies when an applicant has been removed from further consideration; agencies may, but are not required to, consider applicants who have already received three bona fide considerations by another agency, and similarly must notify OPM when a pass over of a preference eligible is sustained so that OPM can notify participating agencies and remove the veteran from further consideration, while leaving each agency the discretion to consider applicants previously passed over under § 332.406 and the Delegated Examining Operations Handbook.

Paragraph (d): OPM-Created Certificates for Pooled Hiring

Paragraph (d) authorizes OPM to issue one or more competitive certificates for a hiring instance under delegated examining procedures. When an agency uses an OPM-generated certificate, it may not reassess applicants for rating or ranking, ensuring that OPM's assessment governs the order of candidates.

Paragraph (d) also permits OPM to establish policies specifying the timeframe within which agencies using an OPM certificate may make selections, including any extensions. In addition, OPM will provide agencies with a list of ICTAP-eligible applicants who must be selected before other applicants from the OPM-generated certificate, and each agency must clear RPL and CTAP before

selecting from the certificate, while still being able to invoke the three-consideration rule on certificates issued under § 332.402 and to follow pass-over procedures for preference eligibles—again with notice to OPM so that it can inform all participating agencies and remove such applicants from further consideration, while allowing agencies the discretion to consider applicants who have been subject to three considerations or a sustained pass over.

D. OPM-Issued Direct Hire Certificates (§ 337.206)

OPM is also adding a new § 337.206 to subpart B of part 337, and redesignating existing § 337.206 (Terminations, modifications, extensions, and reporting) as § 337.207, to address OPM-issued certificates used in connection with direct hire authority as part of OPM-led pooled hiring. Paragraph (a) authorizes OPM to issue direct hire certificates in conjunction with any direct hire authority authorized under subpart B of part 337. Paragraph (b) requires OPM to provide participating agencies information concerning applicants entitled to priority consideration under 5 CFR part 330, subpart G, who applied to the pooled announcement, and requires each agency to provide those applicants selection priority in accordance with that subpart. Paragraph (c) requires each agency using an OPM-issued direct hire certificate to satisfy its Reemployment Priority List and Career Transition Assistance Plan obligations under 5 CFR part 330, subparts B and F, before making a selection from the certificate. Paragraph (d) provides that agencies may not assess applicants for purposes of determining relative qualifications through rating and ranking, consistent with the limitations on assessment applicable under direct hire authority, but may select among qualified candidates on the basis of relative qualifications. Paragraph (e) provides that these requirements apply to OPM-issued direct hire certificates notwithstanding § 337.201(a).

Paragraph (d)'s two clauses reflect the distinction, inherent in the direct-hire framework, between assessment and selection. Under 5 U.S.C. 3304(b)(3), direct-hire appointments are made without regard to 5 U.S.C. 3309 through 3318, the provisions governing numerical rating, additional points for preference eligibles, and certification of eligibles in rank order. Because those provisions do not apply, agencies using direct-hire authority may not rate and rank applicants: assigning scores, categories, or ordinal standing would reconstruct a competitive-examining process without the preference and certification safeguards that ordinarily accompany one, and paragraph (d) carries that assessment-stage limitation forward for OPM-issued direct-hire certificates.

That limitation, however, has sometimes been misread to require selecting officials to treat every qualified candidate as interchangeable, as though any job-related comparison at the point of selection were forbidden. Neither 5 U.S.C. 3304(b)(3) nor subpart B of part 337 compels that result: the statute lifts the examining procedures of sections 3309 through 3318; it does not direct agencies to disregard merit when choosing among qualified candidates. Paragraph (d) therefore makes explicit that, once qualifications have been established, a selecting official may weigh the relative qualifications of qualified candidates—for example, depth and relevance of experience, education, and demonstrated competencies—in making a selection.

A selection-stage comparison of this kind is not rating and ranking within the meaning of paragraph (d): it assigns no scores, establishes no ordered register or certificate, occurs only after the certificate has been issued, and creates no entitlement to selection in any particular order. This clarification harmonizes direct-hire procedures with the merit system principle that selection should be determined on the basis of relative ability, knowledge, and skills (5 U.S.C. 2301(b)(1)) and with the direction of E.O. 14170 and the Merit Hiring Plan that agencies select the best-qualified candidates, while preserving the streamlined character of direct hiring that 5 U.S.C. 3304(b)(3) is designed to provide.

VI. Regulatory Analysis

A. Statement of Need

OPM is issuing this interim rule to implement the provisions of E.O. 14170, the Merit Hiring Plan, and 5 U.S.C. 2301(b)(5). These provisions emphasize efficiency and an effective use of the federal workforce. The modifications to the shared certificates provisions are responsive to agency feedback on the limitations of current § 332.408. This interim rule is needed to reinvigorate the use of shared certificates, broaden its applicability to excepted service hiring, and attune these rules with the Merit Hiring Plan and the Chance to Compete Act, 5 U.S.C. 3304(a) and (c). The OPM-led pooled hiring provisions memorialize current OPM hiring practices thereby creating transparency and consistency for high-demand occupations or those common across federal agencies. Pooled hiring actions enable a more efficient and effective hiring system. They eliminate duplication and variation of outcomes for the same hiring need across government and provide agencies with ready-made lists of applicants from which to make selections. They increase efficiency and expedite the hiring process by increasing the number of selections made from one certificate.

B. Impact

OPM is issuing these provisions to improve the efficiency and effectiveness of hiring across the federal landscape. OPM-led hiring actions leverage OPM's extensive expertise with respect to examining while alleviating agencies from having to replicate the process for the same hiring action. This will result in economies of scale when it comes to filling the same high-demand positions across government. Another impact will be that this approach reduces the time to hire. Agencies are provided ready-made certificates and pools of qualified applicants from which to make selections or conduct technical assessments and certify candidates. Applicants need only apply one time to the original job announcement or notification and can be considered by multiple agencies instead of applying to each agency separately. All of these outcomes will mean a more effective, twenty-first century hiring process for agencies and applicants.

These provisions are expected primarily to improve efficiency and consistency in Federal hiring while preserving existing protections and priority programs for affected applicants. The impact of this rule is as follows:

Expected Operational Impacts

- Centralized recruitment and preliminary qualification screening by OPM should reduce duplicative agency recruiting efforts and help agencies access broader, shared pools of qualified applicants for excepted and competitive service positions.
- Use of OPM-generated lists and certificates for multiple agencies is expected to shorten time-to-hire and support more consistent application of qualification standards and rating and ranking procedures.
- Agencies will retain responsibility for technical assessments and selections, so any changes to internal workflows are expected to be incremental and focused on integrating OPM-issued lists and certificates into existing hiring processes.

Impacts on Preference and Priority Candidates

- The provisions are designed to maintain, rather than reduce, protections for preference eligibles and applicants covered by priority and transition programs.
- Agencies must continue to satisfy all applicable requirements related to priority reemployment (for excepted service) and RPL, CTAP, and ICTAP (for competitive service) before making selections, and OPM will identify ICTAP-eligible applicants who must be selected in accordance with 5 CFR part 330.
- Existing veterans' preference protections, including the pass-over procedures for preference eligibles and the three-consideration rule, remain in place, with additional coordination through OPM notification to ensure that all participating agencies act consistently when an applicant is removed from further consideration.

Impacts on Agencies and Applicants

- For agencies, the pooled hiring model is expected to provide greater flexibility and access to ready candidate pools, potentially improving the speed and quality of hiring decisions without imposing fundamentally new obligations beyond integrating OPM-led processes and notification requirements.
- For applicants, the ability for multiple agencies to use shared OPM-generated lists and certificates may increase opportunities for consideration across agencies from a single application, while ensuring that those subject to priority and preference rules continue to receive the protections required by statute and regulation.

C. Regulatory Alternatives

OPM considered minor regulatory changes to current rules at 5 CFR 332.408. We determined this approach did not support Merit System Principles and the Administration initiatives mentioned above. OPM opted for a more expansive approach aimed at producing a more efficient and effective hiring system for federal agencies, job applicants, and taxpayers. We determined the wording in 5 U.S.C. 3301, 3302, and 3320 allows us to expand the use of shared certificates under the Competitive Service Act of 2015, as amended, for positions filled in the excepted service using rating or ranking selection methods.

As OPM's use of pooled hiring actions has grown, we believe there is benefit to memorializing in regulation the provisions which govern this approach. This provides for a standardized and transparent system of rules to the benefit of hiring agencies and applicants. Under these provisions, applicants essentially apply once and become part of a pool of talent available for consideration by several federal agencies. Agencies are able to access candidates who have already been assessed and found qualified for similar positions, grades, and locations. This eliminates duplication of effort and resources. OPM determined the benefits of regulating far outweigh the alternative.

D. Costs

This interim rule will affect the operations of over 80 Federal agencies—ranging from cabinet-level departments to small independent agencies. OPM will provide guidance on implementing this rule in various forms: fact sheets, frequently asked questions, and podcasts. OPM estimates that this rulemaking will require individuals employed by these agencies to train human resources (HR) practitioners and hiring managers on its use. For this cost analysis, OPM assumed an average salary rate of Federal employees performing this work using the rate in 2025 for GS–14, step 5, from the Washington, DC, locality pay table ($161,486 annual locality rate and $77.38 hourly locality rate). We assumed that the total dollar value of labor, which includes wages, benefits, and overhead, is equal to 200 percent of the wage rate, resulting in an assumed labor cost of $154.76 per hour. To comply with the regulatory changes in the interim rule, affected agencies will need to review the rule and update their policies and procedures where necessary. We estimate that, in the first year following publication of the interim rule, doing so will require an average of 100 hours of work by employees per agency with an average hourly cost of $154.76. This work would result in estimated costs in that first year of implementation of about $15,476 per agency, and about $1,238,080 in total governmentwide. In addition, OPM estimates that agencies will train human resources practitioners and hiring managers on these procedures, as contemplated by the guidance OPM will issue with this rule; assuming approximately 10,000 individuals governmentwide require an average of 2 hours of training at the same loaded hourly rate of $154.76, first-year training costs are approximately $3,095,200. OPM further estimates that agencies will update staffing-system configurations, applicant-notification templates, and case-file procedures to accommodate shared and OPM-issued certificates, at an average of 40 hours per agency, or approximately $495,232 governmentwide. Total estimated first-year costs are therefore approximately $4.8 million. OPM invites comment, accompanied by data, on these estimates. Some agencies may incur additional costs because they have to establish excepted service employment policies where none existed. We do not believe this rulemaking will substantially increase the ongoing administrative costs to agencies (including the administrative costs of using these new procedures and training new staff) because the rulemaking streamlines existing procedures and processes.

E. Benefits

The benefits of the interim rule are many. This interim rule supports Administration efforts to improve hiring processes across federal agencies. These rules will prevent agencies from ''reinventing the wheel'' for every job opening, which will reduce the time to hire and allow agencies to tap into existing pools of top-tier talent. By streamlining the hiring process, these rules make federal hiring more efficient and beneficial for hiring agencies and applicants.

F. Severability

If any provision of the interim sections or its application to any person, act, or practice is held invalid, the remainder of the subpart or the application of its provisions to any person, act, or practice shall not be affected thereby.

VII. Waiver of Notice of Proposed Rulemaking

Section 2(d) of Public Law 114–137, the Competitive Service Act of 2015 (''CSA''), directs that ''the Director of the Office of Personnel Management shall issue an interim final rule with comment to carry out the amendments made by this section.'' On January 18, 2017, OPM published an interim final rule to implement the amendments made by the CSA. Based on experience with the rule, these amendments to § 332.408 and related provisions of part 332 governing shared use of competitive service certificates are issued as an interim final rule with comment pursuant to this express statutory directive, and the general notice-and-comment requirement of 5 U.S.C. 553(b) is statutorily waived as to those provisions.

With respect to the new framework for shared use of excepted service certificates (5 CFR part 302, subpart E) and OPM-led pooled hiring actions

(§§ 302.601 and 332.409), which are not amendments compelled by the CSA, OPM separately finds good cause under 5 U.S.C. 553(b)(B) to issue these provisions without prior notice of proposed rulemaking. OPM currently uses pooled hiring approaches and coordinated excepted-service referral practices administratively, and agencies have structured ongoing and planned hiring actions—including centralized hiring for Budget Analyst, Human Resources Specialist, and Information Technology positions referenced in the Merit Hiring Plan—around the expectation that these practices will continue without interruption. Requiring a delay for notice and comment before formalizing these existing practices in regulation would be impracticable and contrary to the public interest, because it would create uncertainty for agencies and applicants currently relying on these hiring mechanisms and could require unwinding hiring actions already underway.

OPM-led pooled hiring actions are in active use for occupations common across the Government, with announcements open, certificates outstanding, and applicants awaiting selection as of the date of this rule. Interposing a notice-and-comment cycle before these provisions take effect would suspend or cast doubt on selections from those certificates, prejudice applicants who applied in reliance on the announced process, and delay the filling of high-need positions; those results would be impracticable to administer and contrary to the public interest.

In addition, these provisions are procedural and organizational in character: they govern the internal mechanics by which OPM and Federal agencies refer, share, and act upon lists and certificates of eligibles, and they impose no new substantive burden on applicants, whose rights—including veterans' preference, priority reemployment, and career transition protections—are preserved in full.

Accordingly, OPM has also concluded that these provisions fall within the exception for rules of agency organization, procedure, or practice under 5 U.S.C. 553(b)(A), which independently permits issuance without prior notice and comment. Codifying these existing practices now, rather than only after a comment cycle, also serves the public interest by providing applicants and agencies immediately with the transparency and uniformity of published rules. OPM is nonetheless requesting public comment on all provisions of this interim rule, including the excepted-service and pooled-hiring provisions, and will consider all comments received in determining whether to modify these provisions in a subsequent final rule.

VIII. Regulatory Compliance

1. Regulatory Review

OPM has examined the impact of this rule as required by E.O.s 12866 and 13563, which direct agencies to assess all costs and benefits of available regulatory alternatives and, if a regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health, and safety effects, distributive impacts, and equity). A regulatory impact analysis must be prepared for rules that have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities. This rulemaking does not reach that threshold but has otherwise been designated as a ''significant regulatory action'' under section 3(f) of E.O. 12866, as supplemented by E.O. 13563. This rulemaking is not considered an E.O. 14192 regulatory action because it imposes no more than de minimis costs.

2. Regulatory Flexibility Act

The Director of the Office of Personnel Management certifies that this regulation will not have a significant impact on a substantial number of small entities because it applies only to Federal agencies and employees.

3. Federalism

This rule will not have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, no Federalism Assessment is required.

4. Civil Justice Reform

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

5. Unfunded Mandates Reform Act of 1995

Section 202 of the Unfunded Mandates Reform Act of 1995 (UMRA) requires that agencies assess anticipated costs and benefits before issuing any rule that would impose spending costs on State, local, or tribal governments in the aggregate, or on the private sector, in any 1 year of $100 million in 1995 dollars, updated annually for inflation. That threshold is currently approximately $206 million. This rulemaking will not result in the expenditure by State, local, or tribal governments, in the aggregate, or by the private sector, in excess of the threshold. Thus, no written assessment of unfunded mandates is required.

6. Congressional Review Act

OMB's Office of Information and Regulatory Affairs has determined this rule does not meet the criteria for a ''major rule'' as defined in 5 U.S.C. 804(2).

7. Paperwork Reduction Act (PRA)

Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act of 1995, as amended, (44 U.S.C. 3501 *et seq.*), unless that collection of information displays a currently valid Office of Management and Budget (OMB) Control Number.

List of Subjects

5 CFR Part 302

Government employees, Reporting and recordkeeping requirements.

5 CFR Part 332

Government employees.

5 CFR Part 337

Government employees, Veterans.

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.

U.S. Office of Personnel Management.

Jerson Matias,

Federal Register Liaison.

Accordingly, for the reasons stated in the preamble, OPM amends 5 CFR parts 302, 332, and 337 as follows:

PART 302—EMPLOYMENT IN THE EXCEPTED SERVICE

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

Authority: 5 U.S.C. 1103, 1302, 3301, 3302, 3318, 3320, 8151, and E.O. 10577, 3 CFR 1954–1958 Comp., p. 218, unless otherwise noted.

Subpart E—Appeals [Redesignated as Subpart G]

§ 302.501 [Redesignated]

■ 2. Redesignate subpart E as subpart G and § 302.501 as § 302.701.

■ 3. Add a new subpart E to read as follows:

Subpart E—Shared Use of Excepted Service Certificates

Sec.

302.501 General authority.
302.502 Requirements for the original hiring agency.
302.503 Requirements for receiving agencies.

§ 302.501 General authority.

(a) Certificate has the meaning given in § 332.102 of this chapter.

(b) A hiring agency may share an excepted service certificate issued for filling positions under Schedules D and Policy/Career with one or more Federal agencies for positions to be filled on a permanent or time-limited basis. Positions filled on a time-limited basis are subject to § 213.104 of this chapter. Positions may be full-time or other than full-time, including part-time, seasonal, on-call, and intermittent positions.

(c) All actions taken on a shared excepted service certificate must occur within 240 days after the date on which the original hiring agency issued the certificate. This period may not be extended.

(d) The original hiring agency and any receiving agency using a shared excepted service certificate must maintain sufficient documentation to reconstruct their respective use of the certificate and must safeguard examination materials, assessment materials, examination results, assessment results, and applicant information in accordance with § 300.201 of this chapter.

(e) All actions taken on a shared excepted service certificate must comply with this part.

(f) Agencies sharing excepted service certificates must keep records of the instances of sharing these certificates and/or using shared excepted service certificates.

§ 302.502 Requirements for the original hiring agency.

(a) An original hiring agency may share an excepted service certificate issued under § 302.302 with one or more receiving agencies if:

(1) The original hiring agency intends to use the excepted service certificate for its own hiring needs;

(2) The original hiring agency informed applicants that the resulting excepted service certificate may be used by one or more hiring agencies;

(3) The original hiring agency provided applicants an opportunity to opt-in to have their applications and other personal information shared with one or more hiring agencies;

(4) The original hiring agency's objections to eligibles or requests to pass over preference eligibles have been resolved in accordance with subpart D of this part, or by OPM in the case of a disabled veteran with a thirty percent or more service-connected disability. The original hiring agency must notate on the excepted service certificate next to the name of any preference eligible veteran whom the agency successfully passed over;

(5) The original hiring agency either made a selection from the excepted service certificate or documented its reason for making no selection; and

(6) The original hiring agency determined that sharing the excepted service certificate complies with this part and any applicable agency policy.

(b) The original hiring agency may apply the three-consideration rule in § 332.405 during its use of an excepted service certificate on which applicants were assigned numerical scores under § 302.302(b)(1) and remove candidates from consideration accordingly. The three-consideration rule does not apply to an excepted service certificate on which applicants were placed in quality categories under § 302.302(b)(2). Before sharing the certificate with another agency, the original hiring agency must notate the certificate next to the name of any applicant removed from consideration under § 332.405. For purposes of this subpart, § 332.405 applies as if the position were being filled in the competitive service.

(c) When sharing an excepted service certificate, the original hiring agency must share all documentation pertaining to the creation of that certificate, including but not limited to the job analysis, testing and examination materials, the job opportunity announcement or applicable public notification, and applications, as relevant, and must safeguard any personally identifiable information not needed for effective use of the certificate by the receiving agency. The original hiring agency may share the assessment scores of certified applicants. The original hiring agency must share the excepted service certificate of eligibles in its original form in order to retain the original ordering of the certificate; must safeguard any personally identifiable information from unauthorized access during the transmission process; and must redact the names of applicants who did not opt-in to the shared certificate, and who therefore may not be considered by the receiving agency.

(d) The original hiring agency may share an excepted service certificate of eligibles with one or more agencies, one agency at a time or multiple agencies simultaneously.

(e) If the original hiring agency determines that it has made an error that may affect selections by a receiving agency or agencies, it must notify each affected receiving agency.

§ 302.503 Requirements for receiving agencies.

(a) *Eligible vacancies.* A receiving agency may use a shared excepted service certificate to fill a vacancy in the same occupational series, at the same grade level (or corresponding rate or level of pay for a position excluded from the General Schedule) with the same full-performance level, and in the same duty location as was listed on the original hiring agency's certificate. If the original hiring agency's excepted service certificate is for an interdisciplinary position as described in the *Delegated Examining Operations Handbook,* the receiving agency may use it to fill an interdisciplinary position. The receiving agency must verify through its job analysis that the minimum qualification requirements (including use of any selective placement factors) and the competencies, or knowledge, skills, and abilities, that were used for the original position are appropriate for the position to be filled.

(b) *Notification to applicants.* Before using a shared excepted service certificate, a receiving agency must notify eligible applicants who opted-in that it has received their names and application materials and intends to consider them for employment. The notification must identify the agency, position title, occupational series, grade level or equivalent, and duty location.

(c) *Limitations.* (1) Nothing in this paragraph affects agencies' right to fill a position from any appropriate source under §§ 330.102 and 335.103 of this chapter.

(2) Before considering other candidates, a receiving agency must first provide for the consideration for selection required for individuals entitled to priority consideration under §§ 302.303 and 302.304.

(d) *Selection from the shared certificate.* A receiving agency may consider candidates referred on the shared excepted service certificate.

(1) A receiving agency may, but is not required to, consider any applicant designated on the certificate as being passed over under § 302.502(a)(4), or as

having received three bona fide considerations under § 302.502(b).

(2) The receiving agency may not reassess the applicants for purposes of rating/ranking.

(e) *Time limit on selection.* The receiving agency has 240 days from the date the certificate was issued (in the original hiring agency) to select individuals from the shared excepted service certificate.

(f) *Limit on further sharing by the receiving agency.* The receiving agency may not share or distribute the shared certificate to another Federal agency.

■ 4. Add subpart F to read as follows:

Subpart F—OPM-Led Pooled Hiring Actions

Sec.
302.601 General authority.
302.602 Definitions.
302.603 Lists of qualified applicants.
302.604 OPM-created certificates for pooled hiring.

§ 302.601 General authority.

(a) OPM may issue lists of qualified applicants for which agencies shall conduct technical assessments and certify applicants for selection, to one or more agencies under this part; or

(b) OPM may issue excepted service certificates to one or more agencies which may make selections in accordance with this part.

§ 302.602 Definitions.

In this subpart:

Certificate has the meaning given in § 332.102 of this chapter.

OPM-led pooled hiring action means a hiring approach under which OPM will (1) centrally recruit and provide agencies with lists of applicants who meet minimum requirements and qualifications for hiring agencies to conduct the technical assessment, certification, and selection processes, or (2) centrally recruit, screen applicants for minimum requirements and qualifications, conduct the technical assessment and certification processes, and provide agencies with ready-made excepted service certificates of qualified applicants to make selections.

Participating agency means an agency that receives a list of qualified applicants or an excepted service certificate from OPM under this subpart for a given OPM-led pooled hiring action.

§ 302.603 Lists of qualified applicants.

(a) OPM may recruit applicants, determine minimum qualifications, and provide lists of qualified applicants to agencies.

(b) Agencies are responsible for conducting technical assessments and issuing excepted service certificates in accordance with this part.

(c) Agencies must satisfy all applicable requirements pertaining to applicants eligible for priority consideration in accordance with §§ 302.103, 302.303, 302.304, and 302.401.

(d) An agency may apply the three-consideration rule under § 332.405 of this subchapter to an excepted service certificate on which applicants were assigned numerical scores under § 302.302(b)(1) and must notify OPM when doing so. The three-consideration rules does not apply to an excepted service certificate on which applicants were placed in quality categories under § 302.302(b)(2). OPM will notify all participating agencies when an applicant has been removed from further consideration under the three-consideration rule. An agency may, but is not required to, consider any applicant who received three bona fide considerations from another agency in accordance with § 332.405 of this subchapter and identified as such by OPM. For purposes of this subpart, § 332.405 of this subchapter applies as if the position were being filled in the competitive service.

(e) An agency which passes over a preference eligible must notify OPM when the pass-over is sustained. OPM will notify all participating agencies when a pass-over request has been sustained, and the veteran is removed from further consideration. An agency may, but is not required to, consider any applicant notified that he or she was being passed over by another agency in accordance with § 302.401(b), the Delegated Examining Operations Handbook, and identified as such by OPM.

§ 302.604 OPM-created certificates for pooled hiring.

(a) OPM may issue one or more excepted service certificates for a hiring instance under the procedures of this part.

(b) An agency using an OPM-generated excepted service certificate may not reassess applicants for purposes of rating or ranking.

(c) OPM may establish a policy for the timeframe within which an agency using a certificate may make a selection, and any extensions to this timeframe.

(d) Agencies must satisfy all applicable requirements pertaining to applicants eligible for priority consideration in accordance with §§ 302.103, 302.303, 302.304, and 302.401.

(e) An agency may apply the three-consideration rule under § 332.405 of this subchapter to an excepted service certificate on which applicants were assigned numerical scores under § 302.302(b)(1) and must notify OPM when doing so. The three-consideration rule does not apply to an excepted service certificate on which applicants were placed in quality categories under § 302.302(b)(2). OPM will notify all participating agencies when an applicant has been removed from further consideration under the three-consideration rule. A participating agency may, but is not required to, consider any applicant who received three bona fide considerations from another agency in accordance with § 332.405 and identified as such by OPM.

(f) An agency which passes over a preference eligible must notify OPM when the pass-over is sustained. OPM will notify all participating agencies when a pass-over request has been sustained, and the veteran is removed from further consideration. An agency may, but is not required to, consider any applicant notified that he or she was being passed over by another agency in accordance with § 302.401(b), the Delegated Examining Operations Handbook, and identified as such by OPM.

PART 332—RECRUITMENT AND SELECTION THROUGH COMPETITIVE EXAMINATION

■ 5. The authority citation for part 332 continues to read as follows:

Authority: 5 U.S.C. 1103, 1104, 1302, 2108, 3301, 3302, 3304, 3312, 3317, 3318, 3319; sec. 2(d), Pub. L. 114–137, 130 Stat. 310; E.O. 10577, 19 FR 7521, 3 CFR 1954–1958 Comp., p. 218.

■ 6. Amend § 332.405 by revising paragraph (d) to read as follows:

§ 332.405 Three considerations for appointment.

* * * * *

(d) *Applicability.* The three considerations rule applies only to a certificate of eligibles issued under § 332.402. The rule does not apply to a certificate of eligibles issued under § 337.303 of this chapter.

■ 7. Revise § 332.408 to read as follows:

§ 332.408 Shared use of a competitive certificate.

(a) *General authority.* (1) A hiring agency may share a competitive service certificate issued under its delegated examining authority with one or more hiring agencies for a position(s) to be filled on a permanent or term basis. Positions filled on a term basis are subject to the provisions of 5 CFR part

316, subpart C. Positions may be full-time or other than full-time (*i.e.,* part-time, seasonal, on-call, and intermittent).

(2) Another Federal agency may make a selection from a certificate shared with it under paragraph (b) of this section only after it has considered individuals it is required to consider when filling positions from within its own workforce and other internal applicants under paragraph (c) of this section.

(3) All actions taken on a shared certificate must be made within the 240-day period beginning on the date the original hiring agency issued the certificate of eligibles. This period cannot be extended.

(4) The original hiring agency and any receiving agency using a shared certificate must each maintain case file documentation sufficient for each agency to reconstruct its own use of the certificate in accordance with the *Delegated Examining Operations Handbook,* and must safeguard testing and examination materials, examination results, and the names of applicants from disclosure to other persons in accordance with § 300.201 of this chapter.

(5) All actions taken on competitive certificates must be done in accordance with the *Delegated Examining Operations Handbook* and all applicable regulations in this part and part 337 of this chapter.

(6) Agencies sharing certificates must keep records of the instances of sharing certificates and/or using shared certificates.

(b) *Requirements for the original hiring agency.* (1) A hiring agency may share a competitive certificate it has issued under § 332.402 (for traditional rating and ranking) or under 5 CFR 337.303 (for category rating) with one or more hiring agencies for use in filling a position(s) if:

(i) The original hiring agency intends to use the certificate for its own hiring;

(ii) The original hiring agency has provided notice within the job opportunity announcement for the original vacancy that the resulting list of eligible candidates may be used by one or more hiring agencies;

(iii) The original hiring agency provided an opportunity for applicants to opt-in to have their applications and other personal information shared with one or more hiring agencies;

(iv) The original hiring agency's objections to eligibles or requests to pass over preference eligibles on the certificate under § 332.406 or § 337.304 of this chapter have been resolved by that agency's Delegated Examining Unit, or by OPM in the case of a disabled veteran with a thirty percent or more service-connected disability. The original hiring agency must notate on the certificate next to the name of any preference eligible veteran whom the agency successfully passed over.

(v) The original hiring agency has either made a selection from the certificate or has made no selection from the certificate, and has documented its reason for non-selection; and

(vi) The Delegated Examining Unit of the original hiring agency has closed and audited the certificate in accordance with the procedures in the *Delegated Examining Operations Handbook.*

(2) The original hiring agency may apply the three-consideration rule in § 332.405 during its use of a certificate issued under § 332.402 and remove candidates from consideration accordingly. The three-consideration rule does not apply to a certificate issued under § 337.303 of this chapter. Before sharing the certificate with another agency, the original hiring agency must notate the certificate next to the name of any applicant removed from consideration under § 332.405.

(3) When sharing a certificate of eligibles, the original hiring agency must share all documentation pertaining to the creation of that certificate, including but not limited to the job analysis, testing and examination materials, the job opportunity announcement, and applications, as relevant, and must safeguard any personally identifiable information not needed for effective use of the certificate by the receiving agency. The original hiring agency may share the assessment scores of certified applicants. The original hiring agency must share the certificate of eligibles in its original form in order to retain the original ordering of the certificate; must safeguard any personally identifiable information from unauthorized access during the transmission process; and must redact the names of applicants who did not opt-in to the shared certificate, and who therefore may not be considered by the receiving agency.

(4) The original hiring agency may share a certificate of eligibles with one or more agencies, one agency at a time or multiple agencies simultaneously.

(5) If the original hiring agency determines that it has made an error that may affect selections by a receiving agency or agencies, it must notify each affected receiving agency.

(c) *Requirements for the receiving agency*—(1) *Vacancies that may be filled.* A receiving agency may use a shared certificate to fill a vacancy in the same occupational series, at the same grade level (or a corresponding rate or level of pay for a position excluded from the General Schedule), with the same full performance level, and in the same duty location as was listed on the original hiring agency's certificate. If the original hiring agency's certificate is for an interdisciplinary position as described in the *Delegated Examining Operations Handbook,* the receiving agency may use it to fill an interdisciplinary position. The receiving agency must verify through its job analysis that the minimum qualification requirements (including use of any selective placement factors) and the competencies, or knowledge, skills, and abilities, that were used for the original position are appropriate for the position to be filled.

(2) *Notification to individuals who applied to the original vacancy.* Before using a shared certificate, a receiving agency must notify the list of candidates of its receipt of their names and application materials and its intention of considering them for a position. The receiving agency must also inform these individuals of its requirement to consider its own employees as well as other individuals the agency is required to consider pursuant to 5 CFR part 330, subparts B and F, before consideration of anyone on the shared certificate. At a minimum, the notification must include the agency, position title, series, grade level or equivalent, and duty location.

(3) *Consideration of internal candidates.* Before making a selection from a shared certificate, a receiving agency must provide notice of its intent to fill the available position(s) to its own employees and other individuals the agency is required to consider, to provide these internal candidates the opportunity to apply consistent with the provisions of part 335 of this chapter, and to review the qualifications of the internal candidates.

(i) Nothing in this paragraph affects agencies' right to fill a position from any appropriate source under §§ 330.102 and 335.103 of this chapter.

(ii) Agencies are prohibited from providing an application period any longer than 10 business days for internal candidates. This time limit cannot be waived or extended.

(iii) Before considering other candidates, a receiving agency must first provide for the consideration for selection required for individuals covered under its Reemployment Priority List and its Career Transition Assistance Plan under part 330, subparts B and F, of this chapter.

(4) *Selection from the shared certificate.* After considering internal

candidates, a receiving agency may consider candidates referred on the shared certificate.

(i) Except as provided in paragraph (c)(4)(ii) of this section, the receiving agency must consider candidates on a shared certificate independently of the actions of any other agency with which the certificate is simultaneously shared under paragraph (b)(4) of this section.

(ii) The receiving agency may, but is not required to, consider any applicant designated on the certificate as being passed over under paragraph (b)(1)(iv) of this section, or as having received three bona fide considerations under paragraph (b)(2) of this section.

(iii) The receiving agency may not reassess the applicants for purposes of rating/ranking.

(iv) The receiving agency must provide selection priority to individuals eligible under the Interagency Career Transition Assistance Plan under part 330, subpart G, of this chapter, who applied to the original job announcement.

(5) *Time limit on selection from a shared certificate.* The receiving agency has 240 days from the date the certificate was issued (in the original hiring agency) to select individuals from the shared certificate.

(6) *Limit on further sharing by the receiving agency.* The receiving agency may not share or distribute the shared certificate to another Federal agency.

■ 8. Add § 332.409 to read as follows:

§ 332.409 OPM-led pooled hiring actions for competitive examining.

(a) *General authority.* (1) OPM may issue lists of qualified applicants or competitive service certificates for use by one or more agencies under delegated examining procedures.

(2) Agencies may conduct technical assessments and certify applicants on lists of qualified applicants or make selections from certificates issued under this section in accordance with applicable law and regulation.

(b) *Definitions.* The following terms apply to this section:

OPM-led pooled hiring action means a hiring approach under which OPM will:

(1) Centrally recruit and provide agencies with lists of applicants who meet minimum requirements and qualifications for hiring agencies to conduct the technical assessment, certification, and selection processes; or

(2) Centrally recruit, screen applicants for minimum requirements and qualifications, conduct the technical assessment and certification processes, and provide agencies with ready-made certificates of qualified applicants to make selections. OPM at its discretion may provide agencies with lists of applicants eligible under 5 CFR part 330, subpart F, subpart G, or both.

Participating agency means an agency that receives a list of qualified applicants or a competitive service certificate from OPM under this section for a given OPM-led pooled hiring action.

(c) *Lists of qualified applicants.* (1) OPM may recruit applicants, determine minimum qualifications, and provide lists of qualified applicants to agencies.

(i) OPM will provide agencies with a list of eligible applicants with Interagency Career Transition Assistance Plan (ICTAP) eligibility who must be selected before other applicants from the OPM-generated certificate in accordance with 5 CFR part 330, subpart G.

(2) Participating agencies are responsible for conducting technical assessments and issuing certificates in accordance with this part and part 337 of this chapter.

(3) Agencies must satisfy all applicable requirements relating to Reemployment Priority List (RPL), Career Transition Assistance Plan (CTAP), and ICTAP before making selections.

(4) An agency may apply the three-consideration rule under § 332.405 to a certificate issued under § 332.402 and must notify OPM when doing so. The three-consideration rule does not apply to a certificate issued under § 337.303 of this chapter. OPM will notify all participating agencies when an applicant has been removed from further consideration under the three-consideration rule. An agency may, but is not required to, consider any applicant who received three bona fide considerations from another agency in accordance with § 332.405 and identified as such by OPM.

(5) An agency which passes over a preference eligible must notify OPM when the pass-over is sustained. OPM will notify all participating agencies when a pass-over request has been sustained, and the veteran is removed from further consideration. An agency may, but is not required to, consider any applicant notified that he or she was being passed over by another agency in accordance with § 332.406, the Delegated Examining Operations Handbook, and identified as such by OPM.

(d) *OPM-created certificates for pooled hiring.* (1) OPM may issue one or more competitive certificates for a hiring instance under delegated examining procedures.

(2) An agency using an OPM-generated certificate may not reassess applicants for purposes of rating or ranking.

(3) OPM may establish a policy for the timeframe within which an agency using a certificate may make a selection, and any extensions to this timeframe.

(4) OPM will provide agencies with a list of ICTAP-eligible applicants who must be selected before other applicants from the OPM-generated certificate in accordance with 5 CFR part 330, subpart G.

(5) Each agency using the certificate must clear RPL and CTAP before making a selection from the certificate in accordance with 5 CFR part 330, subparts B and F.

(6) An agency may apply the three-consideration rule under § 332.405 to a certificate issued under § 332.402 and must notify OPM when doing so. The three-consideration rule does not apply to a certificate issued under § 337.303 of this chapter. OPM will notify all participating agencies when an applicant has been removed from further consideration under the three-consideration rule. A participating agency may, but is not required to, consider any applicant who received three bona fide considerations from another agency in accordance with § 332.405 and identified as such by OPM.

(7) An agency which passes over a preference eligible must notify OPM when the pass over is sustained. OPM will notify all participating agencies when a pass over request has been sustained, and the veteran is removed from further consideration. An agency may, but is not required to, consider any applicant notified that he or she was being passed over by another agency in accordance with § 332.406, the Delegated Examining Operations Handbook, and identified as such by OPM.

PART 337—EXAMINING SYSTEM

■ 9. The authority citation for part 337 continues to read as follows:

Authority: 5 U.S.C. 1104(a), 1302, 2302, 3301, 3302, 3304, 3319, 5364; E.O. 10577, 3 CFR 1954–1958 Comp., p. 218; 33 FR 12423, Sept. 4, 1968; and 45 FR 18365, Mar. 21, 1980; 116 Stat. 2135, 2290; 117 Stat. 1392, 1665; and E.O. 13833.

§ 337.206 [Redesignated]

■ 10. Redesignate § 337.206 as § 337.207.

■ 11. Add a new § 337.206 to read as follows:

§ 337.206 Special rules for OPM.

(a) OPM may issue direct hire certificates in conjunction with any direct hire authority authorized under subpart B of this part.

(b) OPM will provide participating agencies information concerning applicants entitled to priority consideration under part 330, subpart G, of this chapter who applied to the pooled announcement, and each agency must provide such applicants selection priority in accordance with that subpart.

(c) Each agency using an OPM-issued direct hire certificate must clear RPL and CTAP before making a selection from the certificate in accordance with 5 CFR part 330, subparts B and F.

(d) Agencies using OPM-issued direct hire certificates may not assess applicants for purposes of determining relative qualifications through rating and ranking, but may select among qualified candidates on the basis of relative qualifications.

(e) The requirements of this section apply to OPM-issued direct hire certificates notwithstanding § 337.201(a).

[FR Doc. 2026–18828 Filed 9–14–26; 8:45 am]

BILLING CODE 6325–39–P

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 330

[Docket ID: OPM–2025–0107]

RIN 3206–AO86

Reduction in Force; Correction

AGENCY: Office of Personnel Management.

ACTION: Final rule; correcting amendment.

SUMMARY: The Office of Personnel Management (OPM) is correcting a final rule that appeared in the **Federal Register** on August 3, 2026, and became effective on September 2, 2026. That rule revised OPM's reduction in force regulations and made related revisions to the Career Transition Assistance Plan (CTAP) regulations. An amendatory instruction in the rule inadvertently resulted in the removal of two paragraphs from the definition of ''displaced''. This document restores those paragraphs.

DATES: Effective September 15, 2026.

FOR FURTHER INFORMATION CONTACT: Mr. Aaron Gottesman at (202) 606–0960 or by email at *employ@opm.gov.*

SUPPLEMENTARY INFORMATION:

Background

On August 3, 2026, OPM published a final rule titled ''Reduction in Force'' at 91 FR 49178 (FR 2026–15665), effective September 2, 2026. Among other things, the final rule revised the definitions of ''displaced'' and ''surplus'' in 5 CFR 330.602 to replace references to career and career-conditional (tenure group I or II) employees with references to employees in the competitive service tenure group.

Need for Correction

Amendatory instruction 11 of the final rule, at 91 FR 49217, directed that paragraph (1) of the definition of ''displaced'' in § 330.602 be revised, and set out only the introductory text of that paragraph as the revised text. OPM intended to revise only the introductory text of paragraph (1), and to leave paragraphs (1)(i) and (1)(ii) of the definition unchanged. As published, however, instruction 11 had the effect of removing paragraphs (1)(i) and (1)(ii), which describe the circumstances under which a competitive service employee is ''displaced'' for purposes of CTAP: receipt of a reduction in force separation notice under 5 CFR part 351, or receipt of a notice of proposed removal under 5 CFR part 752 for declining a directed geographic relocation outside the local commuting area. Without these paragraphs, the definition is incomplete. This document corrects the error by revising paragraph (1) of the definition of ''displaced'' in its entirety, restating the introductory text as revised by the final rule and restoring paragraphs (1)(i) and (1)(ii) as they read before the final rule.

The revision of paragraph (1) of the definition of ''surplus'' in instruction 11 was published as intended and is not affected by this correction.

Administrative Procedure Act

OPM finds that good cause exists under 5 U.S.C. 553(b)(B) to issue this correcting amendment without prior notice and opportunity for public comment. This document makes no substantive change to the regulations. It restores regulatory text that was in effect before September 2, 2026, that OPM did not propose to remove, and that the final rule did not discuss removing; notice and comment are therefore unnecessary. For the same reasons, OPM finds good cause under 5 U.S.C. 553(d)(3) to make this correction effective upon publication.

List of Subjects in 5 CFR Part 330

Administrative practice and procedure, Armed forces reserves, District of Columbia, 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.

Accordingly, 5 CFR part 330 is corrected by making the following correcting amendment:

PART 330—RECRUITMENT, SELECTION, AND PLACEMENT (GENERAL)

■ 1. The authority citation for part 330 continues to read as follows:

Authority: 5 U.S.C. 1104, 1302, 3301, 3302, 3304, and 3330; E.O. 10577, 3 CFR, 1954–58 Comp., p. 218; Section 330.103 also issued under 5 U.S.C. 3327; Subpart B also issued under 5 U.S.C. 3315 and 8151; Section 330.401 also issued under 5 U.S.C. 3310; Subparts F and G also issued under Presidential Memorandum on Career Transition Assistance for Federal Employees, September 12, 1995; Subpart G also issued under 5 U.S.C. 8337(h) and 8456(b). § 330.1301 also issued under 5 U.S.C. 9201–9206 and Pub. L. 116–92, sec. 1122(b)(1).

Subpart F—Agency Career Transition Assistance Plan (CTAP) for Local Surplus and Displaced Employees

■ 2. Amend § 330.602 by revising paragraph (1) of the definition of ''displaced'' to read as follows:

§ 330.602 Definitions.

* * * * *

Displaced * * *

(1) A current competitive service employee in the competitive service tenure group at grade GS–15 (or equivalent) or below (or another qualifying competitive service appointment, as determined by OPM) who:

(i) Received a reduction in force (RIF) separation notice under part 351 of this chapter and has not declined an offer under part 351, subpart G, of this chapter of a position with the same type of work schedule and a representative rate at least as high as that of the position from which the employee will be separated; or

(ii) Received a notice of proposed removal under part 752 of this chapter for declining a directed geographic relocation outside of the local

commuting area (*e.g.,* a directed reassignment or change in duty station).

* * * * *

[FR Doc. 2026–18800 Filed 9–14–26; 8:45 am]

BILLING CODE 6325–39–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2026–4632; Project Identifier MCAI–2026–00036–A; Amendment 39–23455; AD 2026–17–11]

RIN 2120–AA64

Airworthiness Directives; Pilatus Aircraft Ltd. Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain Pilatus Aircraft Ltd. (Pilatus) Model PC–24 airplanes. This AD was prompted by a report that a solid-state relay (SSR) used in the left-hand (LH) windshield heating system may allow reverse current flow when in the OFF position. This AD requires modification of the airplane and replacement of the affected SSR with a serviceable part. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective October 20, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of October 20, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2026–4632; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For European Union Aviation Safety Agency (EASA) material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: *ADs@easa.europa.eu;* website: *easa.europa.eu.* You may find this material on the EASA website at *ad.easa.europa.eu.*
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 1100 Main, Kansas City, MO 64105. For information on the availability of this material at the FAA, call (817) 222–5110. It is also available at *regulations.gov* under Docket No. FAA–2026–4632.

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

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain Pilatus Model PC–24 airplanes. The NPRM was published in the **Federal Register** on May 13, 2026 (91 FR 26949). The NPRM was prompted by EASA AD 2026–0008, dated January 15, 2026 (EASA AD 2026–0008) (also referred to as the MCAI), issued by EASA, which is the Technical Agent for the Member States of the European Union. The MCAI states that the PC–24 windshield de-fog (low power windshield heating) is switched ON and OFF by an SSR. The affected part allows current to flow in reverse direction when it is in the OFF position. If, during a dual generator failure, the emergency windshield heat button is pushed, the batteries power the windshield heating. The batteries also power the electrical power distribution units (EPDU) 1 and 3 via the affected part. A reversal of current flow could cause the function of the emergency windshield heat to fail when required. As a result, the LH side window may not be fully de-fogged, and ice may not be cleared from either the LH or the right-hand windshield.

In the NPRM, the FAA proposed to require modification of the airplane and replacement of the affected SSR with a serviceable part. The FAA is issuing this AD to address the unsafe condition on these products.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2026–4632.

Discussion of Final Airworthiness Directive

Comments

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

Conclusion

These products have been approved by the civil aviation authority of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, that authority has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data, considered any comments received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. Except for minor editorial changes, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2026–0008, which specifies procedures for replacement of the LH windshield heating SSR with a serviceable part. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

Costs of Compliance

The FAA estimates that this AD affects 168 airplanes of U.S. registry.

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

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Replace SSR and cables (125 airplanes)	5 work-hours × $85 per hour = $425	$1,032	$1,457	$182,125
Replace SSR (43 airplanes)	2.5 work-hours × $85 per hour = $212.50	32	244.50	10,513.50

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

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2026–17–11 Pilatus Aircraft Ltd.: Amendment 39–23455; Docket No. FAA–2026–4632; Project Identifier MCAI–2026–00036–A.

(a) Effective Date

This airworthiness directive (AD) is effective October 20, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Pilatus Aircraft Ltd. Model PC–24 airplanes, certificated in any category, as identified in European Union Aviation Safety Agency AD 2026–0008, dated January 15, 2026 (EASA AD 2026–0008).

(d) Subject

Joint Aircraft System Component (JASC) Code 3040, Windshield/Door Rain/Ice Removal.

(e) Unsafe Condition

This AD was prompted by a report that a solid-state relay used in the left-hand windshield heating system may allow reverse current flow when in the OFF position. The FAA is issuing this AD to prevent failure of the emergency windshield heat function. The unsafe condition, if not addressed, could result in a failure of the emergency windshield heat function, which could result in the loss of outside visibility.

(f) Compliance

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

(g) Required Actions

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2026–0008.

(h) Exceptions to EASA AD 2026–0008

(1) Where EASA AD 2026–0008 refers to its effective date, this AD requires using the effective date of this AD.

(2) This AD does not adopt the ''Remarks'' section of EASA AD 2026–0008.

(i) No Reporting Requirement

Although the material referenced in EASA AD 2026–0008 specifies to submit certain information, this AD does not include that requirement.

(j) Alternative Methods of Compliance (AMOCs)

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

(k) Additional Information

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

(l) Material Incorporated by Reference

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

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

(i) European Union Aviation Safety Agency (EASA) AD 2026–0008, dated January 15, 2026.

(ii) [Reserved]

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

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 1100 Main, Kansas City, MO 64105. For information on the availability of this material at the FAA, call (817) 222–5110.

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

Issued on August 21, 2026.

Paul R. Bernado,

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

[FR Doc. 2026–18848 Filed 9–14–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–3987; Project Identifier AD–2025–00017–R; Amendment 39–23466; AD 2026–19–01]

RIN 2120–AA64

Airworthiness Directives; MD Helicopters, LLC Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is superseding Airworthiness Directive (AD) 2024–23–

06, which applied to certain MD Helicopters, LLC Model 369, 369A, 369D, 369E, 369F, 369FF, 369H, 369HE, 369HM, 369HS, 500N, and 600N helicopters. AD 2024–23–06 required repetitively inspecting the torque tube assembly and roller bearings, and depending on the results, replacing parts or accomplishing additional inspections. Since the FAA issued AD 2024–23–06, the FAA has determined that additional torque tube assemblies are affected by this unsafe condition. This AD continues to require the actions of AD 2024–23–06 and expands the applicability. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective October 20, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2025–3987; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Eduardo Orozco-Duran, Aviation Safety Engineer, FAA, 3960 Paramount Boulevard, Lakewood, CA 90712; phone: (562) 627–5264; email: *eduardo.orozco-duran@faa.gov*.

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2024–23–06, Amendment 39–22885 (89 FR 91248, November 19, 2024) (AD 2024–23–06). AD 2024–23–06 applied to certain MD Helicopters, LLC Model 369, 369A, 369D, 369E, 369F, 369FF, 369H, 369HE, 369HM, 369HS, 500N, and 600N helicopters. AD 2024–23–06 was prompted by a report of a seized and damaged roller bearing assembly in the torque tube assembly of an MD Helicopters, LLC Model 369E helicopter. AD 2024–23–06 required repetitively inspecting the torque tube assembly and roller bearings, and depending on the results, replacing parts or accomplishing additional inspections.

The NPRM was published in the **Federal Register** on November 18, 2025 (90 FR 51596). The NPRM was prompted by a report that additional torque tube assemblies are affected by the same unsafe condition addressed in AD 2024–23–06 and should be included in the AD action. In the NPRM, the FAA proposed to continue to require the actions of AD 2024–23–06, and also proposed to expand the applicability to include all MD Helicopters, LLC Model 369, 369A, 369D, 369E, 369F, 369FF, 369H, 369HE, 369HM, 369HS, 500N, and 600N helicopters, regardless of the torque tube part number. The FAA is issuing this AD to prevent failure of the torque tube assembly, which, if not addressed, could result in reduced controllability and loss of control of the helicopter.

Discussion of Final Airworthiness Directive

Comments

The FAA received comments from the Citizens Rulemaking Alliance. The following presents the comments received on the NPRM and the FAA's response to each comment.

Request To Justify Forgoing Notice and Comment or Issue an NPRM

The Citizens Rulemaking Alliance requested that, absent justification for finding good cause to bypass notice and comment procedures, the FAA either convert this action to an NPRM with a 30-day comment period or defer the effective date by 30 to 60 days while maintaining a parallel safety alert or special airworthiness information bulletin and highlighting voluntary compliance with the service information. The commenter asserted the FAA has not adequately justified use of the good cause exemption to bypass notice and comment and the 30-day delayed effective date.

The FAA notes the comment was submitted in response to an NPRM for which the FAA provided a 45-day comment period. This final rule is effective 35 days after its publication in the **Federal Register**. Therefore, the FAA did not change this AD as a result of this comment.

Request To Supplement the AD Docket With Supporting Data

The Citizens Rulemaking Alliance requested that the FAA add to the AD docket the FAA's risk assessment, the background report data, the dates of the triggering service information and any foreign authority AD, and a summary of alternatives considered and rejected for safety reasons. The commenter stated that this will allow commenters to address safety tradeoffs while preserving urgent mitigation if warranted.

The FAA has assessed and disclosed the background and basis for this rulemaking in the preamble of the NPRM, including a discussion of the previous AD, a description of the unsafe condition, and the FAA's rationale for the required actions on additional torque tube assemblies. This information was available to the public during the 45-day comment period provided by the NPRM.

The FAA evaluated the alternative of not promulgating this AD but ultimately determined that this alternative would create a significant safety hazard. Relying on voluntary compliance or existing requirements would leave the unsafe condition unaddressed and would not ensure an acceptable level of safety. Accordingly, the FAA has determined that promulgating this AD is necessary to ensure an acceptable level of safety.

Since the FAA has assessed and disclosed the basis for this rulemaking in the preamble of the NPRM, there is no service material or foreign authority AD related to this rulemaking action, and the commenter did not provide additional safety data for the FAA to consider in its analysis, it is not necessary to provide additional information in the AD docket.

Request To Comply With the Paperwork Reduction Act (PRA)

The Citizens Rulemaking Alliance requested that the FAA revise the proposed AD to comply with the PRA if reporting is required, or remove any reporting provisions and stay enforcement until PRA requirements are satisfied. The commenter stated that the PRA requires providing the applicable Office of Management and Budget (OMB) control number(s), required PRA statements, and burden estimates in the AD and docket. If reporting is not required, the commenter requested the FAA clarify that in the AD.

The FAA notes that this AD does not require reporting. If an AD were to require reporting, the preamble of the AD would include a paragraph titled ''Paperwork Reduction Act'' that would provide the applicable OMB control number, required PRA statements, and the estimated time to collect the required information (burden). Any costs associated with the reporting requirement would be included in the Costs of Compliance section in the preamble of the AD. Therefore, the FAA did not change this AD as a result of this comment.

Request To Make Incorporation by Reference (IBR) Materials Reasonably Available

The Citizens Rulemaking Alliance stated that the FAA's current practices for IBR frequently fail to meet the legal and regulatory standards for reasonable availability. The commenter called on the FAA to guarantee that all IBR materials are easily and freely accessible to the public and affected parties for both commenting and compliance purposes. They also requested that this access be documented in the rulemaking record. Further, the commenter requested that, if reasonable availability cannot be assured, enforcement of the incorporated by reference requirements be deferred until it is assured.

The FAA notes that this AD does not incorporate by reference any material. All required actions and compliance times are contained within the regulatory text of this AD. Therefore, the FAA did not change this AD as a result of this comment.

Request To Consider Impact on Small Entities

The Citizens Rulemaking Alliance requested that the FAA either provide the factual basis for its Regulatory Flexibility Act (RFA) certification that the AD will not have a significant economic impact on a substantial number of small entities or prepare an initial regulatory flexibility analysis and seek input from the Office of Advocacy from the Small Business Administration (SBA).

The FAA has considered the AD's impact on small businesses and provides the following analysis.

The Regulatory Flexibility Act of 1980, Public Law 96–354, 94 Stat. 1164 (5 U.S.C. 601–612), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104–121, 110 Stat. 857, Mar. 29, 1996) and the Small Business Jobs Act of 2010 (Public Law 111–240, 124 Stat. 2504, Sept. 27, 2010), requires Federal agencies to consider the effects of the regulatory action on small business and other small entities and to minimize any significant economic impact. The term ''small entities'' comprises small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

Small Entities to Which This AD Applies

The FAA used the definition of small entities in the RFA for this analysis. The RFA defines small entities as small businesses, small governmental jurisdictions, or small organizations. In 5 U.S.C. 601(3), the RFA defines ''small business'' to have the same meaning as ''small business concern'' under section 3 of the Small Business Act. The Small Business Act authorizes the SBA to define ''small business'' by issuing regulations.

The SBA has established size standards for various types of economic activities, or industries, under the North American Industry Classification System (NAICS). These size standards generally define small businesses based on the number of employees or annual receipts. The following table provides the SBA size standards for all industries with at least one entity [1] impacted by this AD. Note that the SBA definition of a small business applies to the parent company and all affiliates as a single entity.

SMALL BUSINESS SIZE STANDARDS

NAICS	NAICS description	Size standard
111199	All Other Grain Farming	$2,500,000.
111332	Citrus, Except Orange, Groves	$4,000,000.
111998	All Other Miscellaneous Crop Farming	$2,500,000.
112519	Other Aquaculture	$3,750,000.
114111	Finfish Fishing	$25,000,000.
115112	Soil Preparation, Planting, and Cultivating	$9,500,000.
115116	Farm Management Services	$15,500,000.
115210	Support Activities for Animal Production	$11,000,000.
115310	Support Activities for Forestry	$11,500,000.
212321	Construction Sand and Gravel Mining	500 Employees.
213111	Drilling Oil and Gas Wells	1,000 Employees.
213112	Support Activities for Oil and Gas Operations	$47,000,000.
221111	Hydroelectric Power Generation	50,000 Employees.
221122	Electric Power Distribution	1,100 Employees.
236115	New Single-family Housing Construction	$45,000,000.
236220	Commercial and Institutional Building Construction	$45,000,000.
237110	Water and Sewer Line and Related Structures Construction	$47,000,000.
237130	Power and Communication Line and Related Structures Construction	$45,000,000.
237210	Land Subdivision	$34,000,000.
237310	Highway, Street, and Bridge Construction	$45,000,000.
238210	Electrical Contractors and Other Wiring Installation Contractors	$19,000,000.
238220	Plumbing, Heating, and Air Conditioning Contractors	$19,000,000.
238910	Site Preparation Contractors	$19,000,000.
238990	All Other Specialty Trade Contractors	$19,000,000.
321113	Sawmills	550 Employees.
325920	Explosives Manufacturing	750 Employees.
325998	All Other Miscellaneous Chemical Product and Preparation Manufacturing	650 Employees.
332912	Fluid Power Valve and Hose Fitting Manufacturing	1,000 Employees.
334413	Semiconductor and Related Device Manufacturing	1,250 Employees.
336212	Truck Trailer Manufacturing	1,000 Employees.
336320	Motor Vehicle Electrical and Electronic Equipment Manufacturing	1,000 Employees.

[1] The FAA does not have entity data for, or the entity was identified as a foreign business, 45 of the 680 affected helicopters. Those helicopters are excluded from this analysis. The number of affected helicopters has been updated in this final rule to reflect the current fleet.

SMALL BUSINESS SIZE STANDARDS—Continued

NAICS	NAICS description	Size standard
336390	Other Motor Vehicle Parts Manufacturing	1,000 Employees.
336411	Aircraft Manufacturing	1,500 Employees.
336413	Other Aircraft Parts and Auxiliary Equipment Manufacturing	1,250 Employees.
423430	Computer and Computer Peripheral Equipment and Software Merchant Wholesalers	250 Employees.
423820	Farm and Garden Machinery and Equipment Merchant Wholesalers	175 Employees.
423860	Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers	175 Employees.
423990	Other Miscellaneous Durable Goods Merchant Wholesalers	1,250 Employees.
441110	New Car Dealers	200 Employees.
481111	Scheduled Passenger and Cargo Airlines Serving Western Alaska	1,500 Employees.
481112	Scheduled Freight Air Transportation	1,500 Employees.
481211	Nonscheduled Chartered Passenger Air Transportation	1,500 Employees.
481212	Nonscheduled Chartered Freight Air Transportation	1,500 Employees.
481219	Other Nonscheduled Air Transportation	$25,000,000.
484110	General Freight Trucking, Local	$34,000,000.
488119	Other Airport Operations	$40,000,000.
488190	Other Support Activities for Air Transportation	$40,000,000.
488210	Support Activities for Rail Transportation	$34,000,000.
488330	Navigational Services to Shipping	$47,000,000.
523910	Miscellaneous Intermediation	$47,000,000.
531110	Lessors of Residential Buildings and Dwellings	$34,000,000.
531120	Lessors of Nonresidential Buildings	$34,000,000.
531190	Real Estate Holding and Specific Asset (Aircraft) Management	$34,000,000.
531210	Offices of Real Estate Agents and Brokers	$15,000,000.
531311	Residential Property Managers	$12,500,000.
531312	Management of Nonresidential Real Estate	$30,000,000.
531320	Offices of Real Estate Appraisers	$9,500,000.
531390	Other Activities Related to Real Estate	$19,500,000.
532112	Passenger Car Leasing	$34,000,000.
532411	Commercial Air, Rail, and Water Transportation Equipment Rental and Leasing	$45,500,000.
532412	Construction, Mining and Forestry Machinery and Equipment Rental and Leasing	$40,000,000.
532490	Other Commercial and Industrial Machinery and Equipment Rental and Leasing	$40,000,000.
541110	Offices of Lawyers	$15,500,000.
541211	Offices of Certified Public Accountants	$26,500,000.
541330	Engineering Services	$25,500,000.
541511	Custom Computer Programming Services	$34,000,000.
541611	Administrative Management and General Management Consulting Services	$24,500,000.
541715	Research and Development in the Physical, Engineering, and Life Sciences	1,000 Employees.
541720	Research and Development in the Social Sciences and Humanities	$28,500,000.
541810	Advertising Agencies	$22,500,000.
541922	Commercial Photography	$9,000,000.
551112	Offices of Other Holding Companies	$45,500,000.
561710	Exterminating and Pest Control Services	$17,500,000.
561730	Landscaping Services	$9,500,000.
562111	Solid Waste Collection	$47,000,000.
611430	Professional and Management Development Training	$15,000,000.
611512	Flight Training	$34,000,000.
624230	Emergency and Other Relief Services	$41,500,000.
712110	Museums	$34,000,000.
713990	All Other Amusement and Recreation Industries	$9,000,000.
811210	Electronic and Precision Equipment Repair and Maintenance	$34,000,000.
813211	Grantmaking Foundations	$40,000,000.
813410	Civic and Social Organizations	$9,500,000.
921110	Executive Offices	50,000 Employees.
921120	Legislative Bodies	50,000 Employees.
922110	Law Enforcement	50,000 Employees.
922120	Law Enforcement	50,000 Employees.
922160	Fire & Rescue	50,000 Employees.
922190	Other Justice, Public Order, and Safety Activities	50,000 Employees.
924110	Government	50,000 Employees.
924120	Government	50,000 Employees.
926140	Government	50,000 Employees.
928110	Government	50,000 Employees.
928120	International Affairs	50,000 Employees.

To identify small entities, the FAA first identified the primary NAICS of the entity or parent company, and then used data from different sources (*e.g.,* company annual reports, Bureau of Transportation Statistics) to determine whether the entity meets the applicable size standard. The FAA provides the estimated number of small entities affected by this AD:

ESTIMATED NUMBER OF SMALL ENTITIES

NAICS category	Number entities	Number of affected aircraft	Small business entities	Percent small entities
All Other Grain Farming	1	1	1	100
Citrus, except Orange, Groves	1	1	1	100
All Other Miscellaneous Crop Farming	1	2	1	100
Other Aquaculture	1	1	1	100
Finfish Fishing	2	2	1	50
Soil Preparation, Planting, and Cultivating	9	12	9	100
Farm Management Services	1	1	1	100
Support Activities for Animal Production	3	6	3	100
Support Activities for Forestry	3	4	3	100
Construction Sand and Gravel Mining	1	1	1	100
Drilling Oil and Gas Wells	1	1	1	100
Support Activities for Oil and Gas Operations	1	1	1	100
Hydroelectric Power Generation	1	4	0	0
Electric Power Distribution	1	1	1	100
New Single-family Housing Construction	2	2	2	100
Commercial and Institutional Building Construction	2	7	2	100
Water and Sewer Line and Related Structures Construction	1	1	1	100
Power and Communication Line and Related Structures Construction	1	6	0	0
Land Subdivision	3	3	2	67
Highway, Street, and Bridge Construction	2	2	2	100
Electrical Contractors and Other Wiring Installation Contractors	1	11	1	100
Plumbing, Heating, and Air Conditioning Contractors	1	1	1	100
Site Preparation Contractors	1	1	1	100
All Other Specialty Trade Contractors	1	1	0	0
Sawmills	1	1	1	100
Explosives Manufacturing	1	1	1	100
All Other Miscellaneous Chemical Product and Preparation Manufacturing	1	1	0	0
Fluid Power Valve and Hose Fitting Manufacturing	1	1	1	100
Semiconductor and Related Device Manufacturing	1	1	1	100
Truck Trailer Manufacturing	1	1	0	0
Motor Vehicle Electrical and Electronic Equipment Manufacturing	1	1	1	100
Other Motor Vehicle Parts Manufacturing	1	1	1	100
Aircraft Manufacturing	6	16	2	33
Other Aircraft Parts and Auxiliary Equipment Manufacturing	3	3	3	100
Computer and Computer Peripheral Equipment and Software Merchant Wholesalers	1	1	1	100
Farm and Garden Machinery and Equipment Merchant Wholesalers	1	1	0	0
Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers	3	4	3	100
Other Miscellaneous Durable Goods Merchant Wholesalers	1	1	0	0
New Car Dealer	1	1	1	100
Scheduled Passenger and Cargo Airline Serving Western Alaska	1	3	1	100
Scheduled Freight Air Transportation	2	2	2	100
Nonscheduled Chartered Passenger Air Transportation	79	165	75	95
Nonscheduled Chartered Freight Air Transportation	8	16	8	100
Other Nonscheduled Air Transportation	17	35	15	88
General Freight Trucking, Local	1	1	1	100
Other Airport Operations	4	4	4	100
Other Support Activities for Air Transportation	31	60	30	97
Support Activities for Rail Transportation	1	1	1	100
Navigational Services to Shipping	1	1	1	100
Miscellaneous Intermediation	2	2	2	100
Lessors of Residential Buildings and Dwellings	3	3	2	67
Lessors of Nonresidential Buildings	2	2	2	100
Real Estate Holding and Specific Asset (Aircraft) Management	1	1	1	100
Offices of Real Estate Agents and Brokers	1	1	0	0
Residential Property Managers	1	2	1	100
Management of Nonresidential Real Estate	1	1	1	100
Offices of Real Estate Appraisers	1	1	1	100
Other Activities Related to Real Estate	3	3	3	100
Passenger Car Leasing	1	1	1	100
Commercial Air, Rail, and Water Transportation Equipment Rental and Leasing	16	19	15	94
Construction, Mining and Forestry Machinery and Equipment Rental and Leasing	1	5	1	100
Other Commercial and Industrial Machinery and Equipment Rental and Leasing	2	2	2	100
Offices of Lawyers	4	5	4	100
Offices of Certified Public Accountants	1	1	1	100
Engineering Services	3	3	3	100

ESTIMATED NUMBER OF SMALL ENTITIES—Continued

NAICS category	Number entities	Number of affected aircraft	Small business entities	Percent small entities
Custom Computer Programming Services	2	2	2	100
Administrative Management and General Management Consulting Services	6	6	6	100
Research and Development in the Physical, Engineering, and Life Sciences	1	1	1	100
Research and Development in the Social Sciences and Humanities	1	1	1	100
Advertising Agencies	1	1	1	100
Commercial Photography	1	1	1	100
Offices of Other Holding Companies	4	5	4	100
Exterminating and Pest Control Services	3	4	0	0
Landscaping Services	2	12	1	50
Solid Waste Collection	1	1	0	0
Professional and Management Development Training	1	1	0	0
Flight Training	7	8	7	100
Emergency and Other Relief Services	1	1	1	100
Museums	3	3	2	67
All Other Amusement and Recreation Industries	1	1	1	100
Electronic and Precision Equipment Repair and Maintenance	1	1	1	100
Grantmaking Foundations	1	1	1	100
Civic and Social Organizations	1	1	0	0
Executive Offices	4	10	0	0
Legislative Bodies	1	1	0	0
Law Enforcement	18	40	1	6
Law Enforcement	10	21	1	10
Fire & Rescue	3	7	0	0
Other Justice, Public Order, and Safety Activities	2	6	0	0
Government	1	1	0	0
Government	2	2	0	0
Government	1	1	0	0
Government	1	45	0	0
International Affairs	1	2	0	0
Total	336	635	263	78

Projected Reporting, Recordkeeping, and Other Compliance Requirements

The FAA estimates affected entities will incur an inspection cost of $149 per inspection cycle, with an average of 7 inspection cycles per year. FAA analyzes the cost of inspection of $1,043 as the low-case for each small entity. Based upon the results of the inspections, operators could incur up to 3 on-condition costs of $6,024. If an operator were to incur all inspection and on-condition costs, FAA estimates each operator would incur $7,067 per helicopter annually. The FAA has no way to determine if each helicopter will require these on-condition costs. The high-case includes both inspection and on-condition costs for each small entity. The following table presents the small entity case burdens average percentage for compliance based on the average annual revenue by each NAICS industry.

NUMBER OF SMALL ENTITIES AFFECTED BY INDUSTRY AND COST SIGNIFICANCE

NAICS	NAICS description	Number of operators	Average annual revenue [1]	Number of aircraft affected	Low-Case burden average (%)	High-Case burden average (%)
111199	All Other Grain Farming	1	$315,780	1	0.33%	2.24%
111332	Citrus, except Orange, Groves	1	286,790	2	0.73	4.93
114111	Finfish Fishing	1	600,000	1	0.17	1.18
115112	Soil Preparation, Planting, and Cultivating	7	526,180	10	0.33	2.22
115116	Farm Management Services	1	158,020	1	0.66	4.47
115210	Support Activities for Animal Production	3	356,057	6	0.92	6.23
115310	Support Activities for Forestry [3]	2	625,705	3	0.30	2.02
212321	Construction Sand and Gravel Mining	1	520,000	1	0.20	1.36
213111	Drilling Oil and Gas Wells	1	1,680,000	1	0.06	0.42
213112	Support Activities for Oil and Gas Operations	1	246,800	1	0.42	2.86
221122	Electric Power Distribution	1	700,000	1	0.15	1.01
236115	New Single-family Housing Construction	1	104,160	1	1.00	6.78
236220	Commercial and Institutional Building Construction	2	575,330	7	0.54	3.66
237110	Water and Sewer Line and Related Structures Construction	1	5,580,000	1	0.02	0.13
237210	Land Subdivision	1	61,020	1	1.71	11.58
237310	Highway, Street, and Bridge Construction	2	6,138,005	2	0.69	4.68
238210	Electrical Contractors and Other Wiring Installation Contractors	1	6,410,000	11	0.18	1.21
238910	Site Preparation Contractors	1	950,000	1	0.11	0.74
321113	Sawmills	1	156,710	1	0.67	4.51
325920	Explosives Manufacturing	1	1,210,000	1	0.09	0.58
334413	Semiconductor and Related Device Manufacturing	1	245,810	1	0.42	2.87
336320	Motor Vehicle Electrical and Electronic Equipment Manufacturing.	1	163,600	1	0.64	4.32

NUMBER OF SMALL ENTITIES AFFECTED BY INDUSTRY AND COST SIGNIFICANCE—Continued

NAICS	NAICS description	Number of operators	Average annual revenue [1]	Number of aircraft affected	Low-Case burden average (%)	High-Case burden average (%)
336411	Aircraft Manufacturing	2	1,182,320	4	2.44	16.55
336413	Other Aircraft Parts and Auxiliary Equipment Manufacturing	2	235,005	2	0.95	6.43
423430	Computer and Computer Peripheral Equipment and Software Merchant Wholesalers.	1	11,160,000	1	0.01	0.06
423860	Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers.	3	3,202,923	4	0.42	2.84
441110	New Car Dealer	1	214,510	1	0.49	3.29
481111	Scheduled passenger and cargo airline serving Western Alaska	1	6,960,000	3	0.04	0.30
481112	Scheduled Freight Air Transportation	1	260,960	1	0.40	2.71
481211	Nonscheduled Chartered Passenger Air Transportation	61	1,723,034	142	0.97	6.56
481212	Nonscheduled Chartered Freight Air Transportation	6	2,202,997	14	0.35	2.34
481219	Other Nonscheduled Air Transportation	8	465,218	13	0.57	3.89
484110	General Freight Trucking, Local	1	2,860,000	1	0.04	0.25
488119	Other Airport Operations	2	396,330	2	0.90	6.12
488190	Other Support Activities for Air Transportation	23	955,989	52	0.58	3.90
488210	Support Activities for Rail Transportation	1	73,270	1	1.42	9.65
488330	Navigational Services to Shipping	1	267,710	1	0.39	2.64
523910	Miscellaneous Intermediation	2	120,155	2	1.02	6.90
531110	Lessors of Residential Buildings and Dwellings	1	114,980	1	0.91	6.15
531120	Lessors of Nonresidential Buildings	2	214,985	2	1.12	7.57
531312	Management of Nonresidential Real Estate	1	329,080	1	0.32	2.15
531320	Offices of Real Estate Appraisers	1	1,020,000	1	0.10	0.69
531390	Other Activities Related to Real Estate	2	120,580	2	1.13	7.63
532112	Passenger Car Leasing	1	65,270	1	1.60	10.83
532411	Commercial Air, Rail, and Water Transportation Equipment Rental and Leasing.	11	434,369	14	0.37	2.51
532412	Construction, Mining and Forestry Machinery and Equipment Rental and Leasing.	1	234,180	5	2.23	15.09
532490	Other Commercial and Industrial Machinery and Equipment Rental and Leasing.	1	106,700	1	0.98	6.62
541110	Offices of Lawyers	1	33,720	2	6.19	41.92
541330	Engineering Services	3	206,827	3	0.61	4.13
541511	Custom Computer Programming	1	42,000	1	2.48	16.83
541611	Administrative Management and General Management Consulting Services.	3	250,367	3	0.94	6.36
541922	Commercial Photography	1	326,530	1	0.32	2.16
551112	Offices of Other Holding Companies	2	318,350	3	0.49	3.31
561730	Landscaping Services	1	133,680	1	0.78	5.29
611512	Flight Training	7	565,947	8	0.51	3.47
712110	History Museum & Education (501c3)	2	65,315	2	1.64	11.14
922110	Law Enforcement	1	116,229,610	3	0.00	0.02
922120	Law Enforcement	2	327,012,029	2	0.00	0.00
624230	Emergency and Other Relief Services	1	431,150	1	0.24	1.64
713990	All Other Amusement and Recreation Industries	1	346,990	1	0.30	2.04

[1] Source: Dun & Bradstreet, D&B Hoovers, retrieved April 28, 2024, *app.hoovers.dnb.com;* ZoomInfo, ZoomInfo Technologie Inc., retrieved April 28, 2024, *zoominfo.com.*

[2] **Note:** NAICS codes with only one entity equals the number of aircraft.

[3] Example: NAICS 115310 has two operators with a total of three aircraft affected. Operator 1 calculations: Low Case Burden ($2,086/$980,000) = 0.21%. Operator 2 calculations: Low Case Burden ($1,043/$271,410) = 0.38%. The average Low Case Burden is (0.21% + 0.38%)/2 = 0.30%. The same method was used to calculate the High Case Burden. All NAICS with multiple operators use the same method of calculation.

Significant Alternatives Considered

The FAA evaluated the alternative of not promulgating this AD but ultimately deemed that this alternative would create a significant safety hazard. Since the issuance of AD 2024–23–06, which affected certain MD Helicopters, LLC Model 369, 369A, 369D, 369E, 369F, 369FF, 369H, 369HE, 369HM, 369HS, 500N, and 600N helicopters, it has been determined that the risk of failure of the torque tube assembly extends to additional torque tube assemblies. Relying on the existing requirements would leave these additional torque tube assemblies unmonitored. By expanding the applicability, this AD addresses the unsafe condition and prevents potential failure, ensuring a level of safety that the alternative of no action could not provide.

Conclusion

The FAA reviewed the relevant data, considered any comments received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. Except for minor editorial changes, replacement of the RFA certification with a final regulatory flexibility analysis, a change in the Costs of Compliance section (from 353 helicopters to 680 helicopters and corresponding cost changes), and any other changes described previously, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Costs of Compliance

The FAA estimates that this AD affects 680 helicopters of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost [1]	Parts cost	Cost per product	Cost on U.S. operators
Visual inspection of torque tube and roller bearings.	1 work-hour × $85 per hour = $85, per inspection cycle.	$0	$85, per inspection cycle	$57,800, per inspection cycle.
Inspection of torque tube for freedom-of-movement.	0.75 work-hour × $85 per hour = $64, per inspection cycle.	0	$64, per inspection cycle	$43,520, per inspection cycle.

[1] The FAA estimated operators will incur $85 in costs per labor hour, which is the weighted average fiscal year (FY) 2026 fully loaded wage of an aircraft mechanic ($69.85) working 60 percent of the labor hours and a general and operations manager ($108.15) working 40 percent of the labor hours. The FAA estimated these wages by taking the average of the FY 2024 Bureau of Labor Statistics (BLS) air transportation industry average wage for aircraft mechanics and general and operations managers (See: Occupational Employment and Wage Statistics Query System, BLS (May 2024), *data.bls.gov/oes/*); multiplying each wage by a fringe benefit factor of 1.42 (See: Employer Cost for Employee Compensation—December 2024, BLS (2024), *bls.gov/news.release/archives/ecec_03142025.pdf*); and adjusting these 2024 wages to 2026 dollars using an implicit Gross Domestic Product (GDP) Price Deflator of 2.8 percent (See: Gross Domestic Product: Implicit Price Deflator, FRED (2026) *fred.stlouisfed.org/series/GDPDEF*).

The FAA estimates the following costs to do any on-condition actions that would be required based on the results of the inspections. The agency has no way of determining the number of helicopters that might need these on-condition actions:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Replacement of torque tube	6 work-hours × $85 per hour = $510	$4,773	$5,283
Visual inspection of roller bearings	0.25 work-hour × $85 per hour = $21	0	21
Replacement of roller bearing	6 work-hours × $85 per hour = $510	210	720

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

(2) Will not affect intrastate aviation in Alaska.

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by:

■ a. Removing Airworthiness Directive 2024–23–06, Amendment 39–22885 (89 FR 91248, November 19, 2024); and

■ b. Adding the following new airworthiness directive:

MD Helicopters, LLC: Docket No. FAA–2025–3987; Project Identifier AD–2025–00017–R.

(a) Effective Date

This airworthiness directive (AD) is effective October 20, 2026.

(b) Affected ADs

This AD replaces AD 2024–23–06, Amendment 39–22885 (89 FR 91248, November 19, 2024) (AD 2024–23–06).

(c) Applicability

This AD applies to all MD Helicopters, LLC Model 369, 369A, 369D, 369E, 369F, 369FF, 369H, 369HE, 369HM, 369HS, 500N, and 600N helicopters, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC) Code 6700, Rotorcraft flight control.

(e) Unsafe Condition

This AD was prompted by a report of a seized and damaged roller bearing assembly in the torque tube assembly. The FAA is issuing this AD to prevent failure of the torque tube assembly. The unsafe condition, if not addressed, could result in reduced controllability and loss of control of the helicopter.

(f) Compliance

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

(g) Required Actions

(1) Within 100 hours time-in-service (TIS) or within 12 months after the effective date of this AD, whichever occurs first, and thereafter at intervals not to exceed 100 hours TIS, accomplish the actions required by paragraphs (g)(1)(i) and (ii) of this AD.

(i) Using a flashlight and mirror, visually inspect the torque tube for corrosion and cracks. If there is any corrosion or a crack, before further flight, remove the torque tube

from service and install an airworthy torque tube.

(ii) Visually inspect each roller bearing (number 5) as depicted in Figure 1 to paragraph (g)(1) of this AD for corrosion and degradation. If a roller bearing has any corrosion or degradation, before further flight, remove the roller bearing from service and install an airworthy roller bearing.

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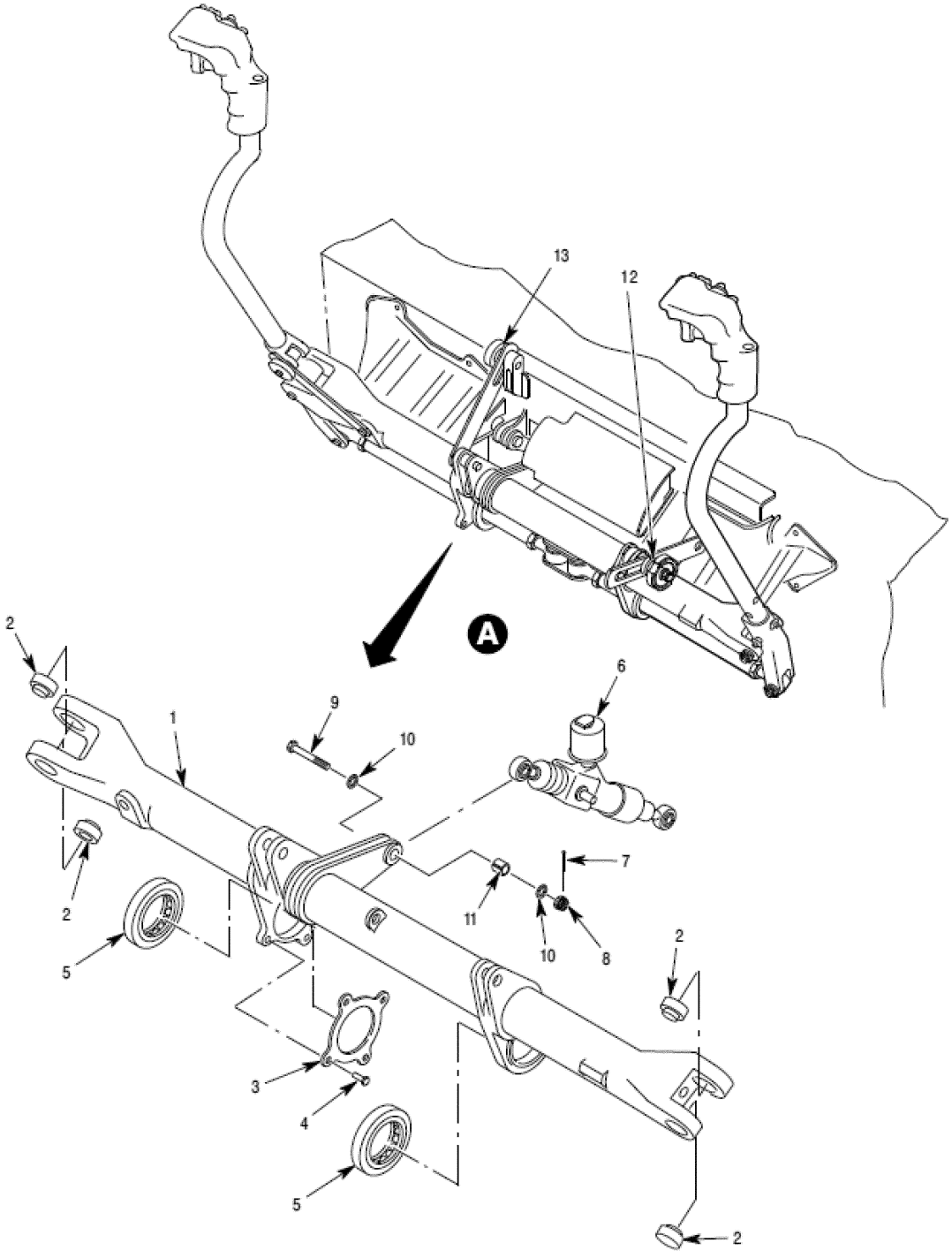
Figure 1 to Paragraph (g)(1)—Torque Tube Assembly



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(2) Before the helicopter accumulates 3,000 total hours TIS or within 100 hours TIS after the effective date of this AD, whichever occurs later, and thereafter at intervals not to exceed 100 hours TIS, perform a freedom-of-movement inspection on the torque tube assembly by accomplishing the actions required by paragraphs (g)(2)(i) through (v) of this AD.

(i) Disconnect the one-way lock (number 6) of the torque tube by removing the cotter pin (number 7), nut (number 8), bolt (number 9), washers (number 10), and slotted bushing (number 11) from the torque tube assembly as depicted in Figure 1 to paragraph (g)(1) of this AD.

(ii) Loosen the longitudinal cyclic friction knob (number 12 or 13) of the torque tube assembly as depicted in Figure 1 to paragraph (g)(1) of this AD.

(iii) While moving the cyclic control forward and aft to allow the torque tube assembly to rotate through its full range of motion, inspect the torque tube assembly for binding and ratcheting.

(A) If there is any binding or ratcheting as a result of the action required by paragraph (g)(2)(iii) of this AD, before further flight, inspect each roller bearing (number 5) as depicted in Figure 1 to paragraph (g)(1) of this AD for damage. For the purposes of this inspection, damage may be indicated by corrosion, lack of lubrication (dry exterior surface), or material degradation.

(B) If any roller bearing (number 5) as depicted in Figure 1 to paragraph (g)(1) of this AD has any damage, before further flight, remove the roller bearing from service and install an airworthy roller bearing.

(iv) If there is not any binding or ratcheting as a result of the action required by paragraph (g)(2)(iii) of this AD or after accomplishing the action required by paragraph (g)(2)(iii)(B) of this AD, as applicable, tighten the cyclic friction knob (number 12 or 13) as depicted in Figure 1 to paragraph (g)(1) of this AD.

(v) Connect the one-way lock (number 6) as depicted in Figure 1 to paragraph (g)(1) of this AD by accomplishing the actions required by paragraphs (g)(2)(v)(A) and (B).

(A) Install the slotted bushing (number 11), washers (number 10), bolt (number 9), nut (number 8), and new (zero total hours TIS) cotter pin (number 7) as depicted in Figure 1 to paragraph (g)(1) of this AD.

(B) Ensure the edge of the slotted bushing (number 11) protrudes 0.010 to 0.080 inch (0.25 to 2.03 millimeters) above the surface of the cyclic torque tube after the nut is tightened.

(h) Alternative Methods of Compliance (AMOCs)

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

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(i) Additional Information

For more information about this AD, contact Eduardo Orozco-Duran, Aviation Safety Engineer, FAA, 3960 Paramount Boulevard, Lakewood, CA 90712; phone: (562) 627–5264; email: *eduardo.orozco-duran@faa.gov*.

(j) Material Incorporated by Reference

None.

Issued on September 11, 2026.

Hollister B. Thorson,

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

[FR Doc. 2026–18927 Filed 9–14–26; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2026–10899; Airspace Docket No. 26–ANE–7]

RIN 2120–AA66

Amendment of Class D and Class E Airspace Over Hyannis, MA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action updates the airport name for Cape Cod Gateway Airport in the Falmouth, MA Class E5 airspace legal description. This action also updates verbiage in the Hyannis, MA Class D airspace legal description to comply with current FAA guidance. This action does not change the airspace boundaries or operating requirements.

DATES: Effective date 0901 UTC, December 24, 2026. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

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

FAA Order JO 7400.11M, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/*. You may also contact the Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20597; Telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Marc Ellerbee, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; Telephone: (404) 305–5589.

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 amends the legal description for Class D and Class E airspace in Hyannis, MA.

Incorporation by Reference

Class D and Class E airspace designations are published in paragraphs 5000 and 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11M, dated July 30, 2026, and effective September 15, 2026. These amendments will be published in the next update to FAA Order JO 7400.11. FAA Order JO 7400.11M, which lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points, is publicly available as listed in the **ADDRESSES** section of this document.

The Rule

An airspace review revealed that administrative updates were needed for the Class D and Class E airspace legal descriptions related to Cape Cod Gateway Airport, Hyannis, MA. Accordingly, this action amends 14 CFR part 71 by updating the term ''Notice to Air Missions'' in the Hyannis, MA Class D airspace legal description to ''Notice to Airmen'' in order to comply with current FAA guidance. This action also updates the airport name for Cape Cod Gateway Airport in the Falmouth, MA Class E5 airspace legal description. This action does not change the airspace boundaries or operating requirements.

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 ''impracticable, unnecessary, or contrary to the public interest.'' 5 U.S.C. 553(b)(B). Under this section, an agency, upon finding good

cause, may issue a final rule without first publishing a proposed rule subject to public notice and comment. This rule only involves administrative changes, including the update of the airport's name. This amendment will not impose any additional or amended substantive restrictions or requirements on the persons affected by these regulations as it does not affect the airspace boundaries or operating requirements. The changes are ministerial in nature only.

This 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) (quoting *Util. Solid Waste Activities Grp.* v. *EPA,* 236 F.3d 749, 755 (D.C. Cir. 2001)); see also Attorney General's Manual on the Administrative Procedure Act (1947), at 31; U.S. Department of Transportation (DOT) Order 2100.6B, paragraph 11.j(1)(b) (saying proposed rules are not required for ''[r]ules for which notice and comment is unnecessary to inform the rulemaking, such as rules correcting de minimis technical or clerical errors or rules addressing other minor and insubstantial matters, provided the reasons to forgo public comment are explained in the preamble to the final rule''.). Accordingly, the FAA finds good cause that notice and public comment under 5 U.S.C. 553(b) is unnecessary.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1G, ''FAA National Environmental Policy Act Implementing Procedures'' paragraph B–2.5(a). This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant the preparation of an environmental assessment.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

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

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

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

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order JO 7400.11M, Airspace Designations and Reporting Points, dated July 30, 2026, and effective September 15, 2026, is amended as follows:

Paragraph 5000 Class D Airspace.

* * * * *

ANE MA D Hyannis, MA [Amended]

Cape Cod Gateway Airport, MA
(Lat. 41°40′10″ N, long. 70°16′49″ W)

That airspace extending upward from the surface to and including 2,600 feet MSL within a 4.2-mile radius of Cape Cod Gateway Airport. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

* * * * *

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

* * * * *

ANE MA E5 Falmouth, MA [Amended]

Cape Cod Coast Guard Air Station, MA
(Lat. 41°39′33″ N, long. 70°31′22″ W)
Cape Cod Gateway Airport
(Lat. 41°40′10″ N, long. 70°16′49″ W)
Chatham Municipal Airport
(Lat. 41°41′18″ N, long. 69°59′23″ W)
Martha's Vineyard Airport
(Lat. 41°23′36″ N, long. 70°36′50″ W)
Martha's Vineyard VOR/DME
(Lat. 41°23′46″ N, long. 70°36′46″ W)
BOGEY LOM
(Lat. 41°42′58″ W., long. 70°12′11″ W)

That airspace extending upward from 700 feet above the surface within a 12.2-mile radius of Cape Cod Coast Guard Air Station, and within a 6.7-mile radius of Cape Cod Gateway Airport, and within 3 miles each side of the BOGEY LOM 050° bearing extending from the 6.7-mile radius to 10 miles northeast of the BOGEY LOM, and within a 6.3-mile radius of Chatham Municipal Airport, and within a 6.5-mile radius of Martha's Vineyard Airport, and within 5.1 miles on each side of the 052° radial of Martha's Vineyard VOR/DME extending from the 6.5-mile radius to 14 miles northeast of Martha's Vineyard VOR/DME.

* * * * *

Issued in College Park, Georgia, on September 11, 2026.

Kristen Leake,

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

[FR Doc. 2026–18902 Filed 9–14–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2026–1193]

RIN 1625–AA00

Safety Zone; Calcasieu River Channel, Lake Charles, LA

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters on the Calcasieu River Channel near the Cameron LNG turning basin. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by the installation and removal of the submerged dredge pipeline. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Port Arthur, or their designated representative.

DATES: This rule is effective without actual notice from September 15, 2026 through October 31, 2026. For the purposes of enforcement, actual notice will be used from September 11, 2026, until September 15, 2026. It will be enforced for four hours on each of two days during this period, depending on the dates the dredge pipeline is installed and removed.

ADDRESSES: To view available documents go to *https://www.regulations.gov* and search for USCG–2026–1193.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact Lieutenant Michael Bangh, MSU Lake Charles Waterways Management Division, U.S. Coast Guard; telephone 337–912–0073, or email *msulcwwm@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

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

II. Background and Authority

The Coast Guard received notification of a dredge pipeline installation and removal in the Calcasieu River Channel near the Cameron LNG turning basin. The subline installation and removal operation presents navigational and safety hazards to commercial and recreational traffic over the entire width of the Calcasieu River Channel in that area. Hazards from this project include but are not limited to deployment of heavy equipment which will obstruct vessel traffic, and associated activities which create underwater hazards for workers and the public. The Captain of the Port (COTP) Marine Safety Unit Port Arthur has determined that potential hazards associated with the installation and removal are a safety concern for anyone that may transit within the area. Therefore, the COTP is issuing this rule under the authority in 46 U.S.C. 70034, which is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone.

Because of these potential hazards, the Coast Guard is issuing this rule without prior notice and comment. As is authorized by 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable. The Coast Guard was notified of this event on September 1, 2026, but we must establish this safety zone by September 11, 2026, to protect personnel, vessels, and the marine environment. Therefore, we do not have enough time to solicit and respond to comments.

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

III. Discussion of the Rule

This rule establishes a safety zone that will be enforced for approximately four hours on the days of the pipeline installation and removal, to occur between September 11, 2026 and October 31, 2026. The COTP will issue a Broadcast Notice to Mariners to inform the public of the exact date and time of enforcement, which will depend on the schedule for installation and removal of a dredge pipeline. The safety zone will cover all navigable waters in the Calcasieu River Channel within the following points: Point 1 at 30°2′45.43″ N 93°19′53.01″ W, thence to Point 2 at 30°2′44.30″ N 93°19′39.54″ W, thence to Point 3 at 30°2′0.65″ N 93°19′56.76″ W thence to Point 4 at 30°2′0.16″ N 93°19′40.92″ W; thence returning to Point 1. The duration of the zone is intended to protect personnel, vessels, and the marine environment in these navigable waters during the pipeline installation and removal. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative. Vessels and persons will not be allowed to enter the zone during this time, unless authorized by the Captain of the Port.

IV. Regulatory Analyses

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

A. Impact on Small Entities

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

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

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

B. Collection of Information

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

C. Federalism and Indian Tribal Governments

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

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

D. Unfunded Mandates Reform Act

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

E. Environment

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

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

List of Subjects in 33 CFR Part 165

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

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

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

■ 2. Add § 165.T08–1193 to read as follows:

§ 165.T08–1193 Safey Zone; Calcasieu River Channel, Lake Charles, LA.

(a) *Location.* The following area is a safety zone: all navigable waters in the Calcasieu River Channel within the following points: Point 1 at 30°2′45.43″ N 93°19′53.01″ W, thence to Point 2 at 30°2′44.30″ N 93°19′39.54″ W, thence to Point 3 at 30°2′0.65″ N 93°19′56.76″ W thence to Point 4 at 30°2′0.16″ N 93°19′40.92″ W; thence returning to Point 1. All coordinates are based on World Geodetic System (WGS–84).

(b) *Definition.* As used in this section, *designated representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port Marine Safety Unit Port Arthur.

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

(2) To seek permission to enter, contact the COTP or the COTP's representative by VHF–FM channel 13 or 16 or by phone at 337–912–0073. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement periods.* This section is effective from September 11, 2026 through October 31, 2026, but will only be enforced for four-hours on each of two days during this period. The enforcement date and time will depend upon the schedule for installation and removal of a dredge pipeline. The COTP or a designated representative will inform the public of the exact enforcement times through Broadcast Notice to Mariners.

M.E. Kelly,

Commander, U.S. Coast Guard, Captain of the Port Marine Safety Unit Port Arthur By Direction.

[FR Doc. 2026–18856 Filed 9–14–26; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2026–1159]

RIN 1625–AA00

Safety Zone; Rocket Test Site, Rio Grande River, Boca Chica, TX

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters of the Rio Grande River. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by cryogenics and structural tests of rockets at the Massey's test site. This rulemaking will prohibit persons and vessels from being in the safety zone unless specifically authorized by the Captain of the Port, Sector Corpus Christi.

DATES: This rule is effective without actual notice from September 15, 2026 through October 31, 2026. For the purposes of enforcement, actual notice will be used from September 4, 2026, until September 15, 2026.

ADDRESSES: To view available documents go to *https://www.regulations.gov* and search for USCG–2026–1159.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rule, contact Lieutenant Commander Timothy Cardenas, Sector Corpus Christi Waterways Management Division, U.S. Coast Guard; telephone 361–244–4784, or email *Timothy.J.Cardenas@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

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

II. Background and Authority

SpaceX conducts rocket testing at their Massey's Test Site on a weekly basis. This test site is on the Rio Grande River, approximately 6 miles inland from the mouth of the river. Test activities at this location create hazards such as the potential accidental discharge of cryogenic fuel and test failures resulting in dangerous projectiles and falling hot embers or other debris. The Captain of the Port (COTP) Corpus Christi has determined that the testing activities that create these potential hazards are a safety concern for anyone on the Rio Grande River within a half mile of the test site. Therefore, the COTP is issuing this rule under the authority in 46 U.S.C. 70034, which is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone.

Because of these potential hazards, the Coast Guard is issuing this rule without prior notice and comment. As is authorized by 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable and contrary to the public interest. The Coast Guard is notified of these tests on a weekly basis, but it is not determined if static fire or cryogenic testing will be conducted, requiring activation of the safety zone, until hours before their start. Therefore, we do not have enough time to solicit and respond to comments. However, the Coast Guard has previously published a Notice of Proposed Rulemaking to establish a permanent safety zone around this site and is preparing a final rule for that project (90 FR 61112, December 30, 2025, Docket number USCG–2025–0898). This temporary zone is necessary to ensure safety on the Rio Grande River until the permanent zone is established.

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

III. Discussion of the Rule

This rule establishes a safety zone from September 4, 2026, through October 31, 2026. The safety zone would cover all navigable waters within a half mile radius of the testing facility located at 25°57′09.0″ N, 97°14′50.0″ W. The safety zone will only be enforced during times when explosive or hazardous testing operations are being conducted at the site. During those limited times, no vessel or person would be permitted to enter the safety

zone without obtaining permission from the COTP or their designated representative. The regulatory text we are proposing appears at the end of this document.

IV. Regulatory Analyses

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

A. Impact on Small Entities

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

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

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

B. Collection of Information

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

C. Federalism and Indian Tribal Governments

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

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

D. Unfunded Mandates Reform Act

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

E. Environment

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

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

List of Subjects in 33 CFR Part 165

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

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

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

■ 2. Add § 165.T08–1159 to read as follows:

§ 165.T08–1159 Safety Zone; Rocket Test Site, Rio Grande River, Boca Chica, TX.

(a) *Location.* The following area is a safety zone: All waters of the Rio Grande River, from surface to bottom, from 25°57′15.4″ N, 97°14′30.4″ W (approximately 0.5 miles east of the Massey's test facility), thence westward to 25°57′03.1″ N, 97°15′34.1″ W (approximate 0.5 miles west of the Massey's test facility). These coordinates are based on the World Geodetic System (WGS 84).

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

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

(2) To seek permission to enter, contact the COTP or the COTP's representative on VHF–FM channel 16 or by telephone at (800) 874–2143. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement period.* This section will be enforced anytime between September 4, 2026, through October 31, 2026, when a company conducts testing operations that involve explosive material within the location described above. The COTP or a designated representative will inform the public through Broadcast Notices to Mariners (BNMs) and/or Marine Safety Information Bulletins (MSIBs) of the enforcement times and dates for this safety zone.

T.H. Bertheau,

Captain, U.S. Coast Guard, Captain of the Port Sector Corpus Christi.

[FR Doc. 2026–18855 Filed 9–14–26; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2024–0308; 13314–01–OCSPP]

Bacillus amyloliquefaciens strain AT–332; Exemption From the Requirement of a Pesticide Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes an exemption from the requirement of a tolerance for residues of *Bacillus amyloliquefaciens* strain AT–332 in or on all food and feed commodities when used in accordance with label directions and good agricultural practices. Under

the Federal Food, Drug, and Cosmetic Act (FFDCA), Gowan Company, in cooperation with SDS Biotech K.K., c/o Landis International, Inc., submitted a petition to EPA requesting an exemption from the requirement of a tolerance. This regulation eliminates the need to establish a maximum permissible level for residues of this pesticide when used in accordance with the terms of the exemption.

DATES: This rule is effective on September 15, 2026. Objections and requests for hearings must be received on or before November 16, 2026, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of this document).

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2024–0308, is available online at *https://www.regulations.gov.* Additional information about dockets generally, along with instructions for visiting the docket center in person, is available at *https://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Shannon Borges, Biopesticides and Pollution Prevention Division (7511M), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 566–1400; email address: *BPPDFRNotices@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Executive Summary

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document might apply to them:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. What is EPA's authority for taking this action?

EPA is issuing this rulemaking under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a. FFDCA section 408(c)(2)(A)(i) allows EPA to establish an exemption from the requirement for a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the exemption is ''safe.'' FFDCA section 408(c)(2)(A)(ii) defines ''safe'' to mean that ''there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information.'' This includes exposure through drinking water and in residential settings but does not include occupational exposure. Pursuant to FFDCA section 408(c)(2)(B), in establishing or maintaining in effect an exemption from the requirement of a tolerance, EPA must take into account the factors set forth in FFDCA section 408(b)(2)(C), which require EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to ''ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue . . . .'' Additionally, FFDCA section 408(b)(2)(D) requires that the Agency consider, among other things, ''available information concerning the cumulative effects of a particular pesticide's residues'' and ''other substances that have a common mechanism of toxicity.''

C. How can I file an objection or hearing request?

Under FFDCA section 408(g), 21 U.S.C. 346a(g), any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. If you fail to file an objection to the final rule within the time period specified in the final rule, you will have waived the right to raise any issues resolved in the final rule. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify the docket ID number EPA–HQ–OPP–2024–0308 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing and must be received by the Hearing Clerk on or before November 16, 2026.

EPA's Office of Administrative Law Judges (OALJ), in which the Hearing Clerk is housed, urges parties to file and serve documents by electronic means only, notwithstanding any other particular requirements set forth in other procedural rules governing those proceedings. *See* ''Order Urging Electronic Filing and Service,'' dated December 3, 2025, which can be found at *https://www.epa.gov/system/files/documents/2025-12/2025-12-03-order-urging-electronic-filing-and-service.pdf.* Although EPA's regulations require submission via U.S. Mail or hand delivery, EPA intends to treat submissions filed via electronic means as properly filed submissions; therefore, EPA believes the preference for submission via electronic means will not be prejudicial. When submitting documents to the OALJ electronically, a person should utilize the OALJ e-filing system at *https://yosemite.epa.gov/oa/eab/eab-alj_upload.nsf.*

In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing (excluding any Confidential Business Information (CBI)) for inclusion in the public docket at *https://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be CBI or other information whose disclosure is restricted by statute. If you wish to include CBI in your request, 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 not marked confidential pursuant to 40 CFR part 2 may be disclosed publicly by EPA without prior notice.

II. Petitioned for Exemption

In the **Federal Register** of May 20, 2022 (87 FR 30855) (FRL–9410–13–OCSPP), EPA issued a document pursuant to FFDCA section 408, 21 U.S.C. 346a, announcing the filing of a pesticide petition (PP 1F8915) by Gowan Company in cooperation with SDS Biotech K.K., c/o Landis International, Inc. (P.O. Box 5126, 3185 Madison Highway, Valdosta, GA 31603). The petition requested that 40 CFR part 180 be amended by establishing an exemption from the requirement of a tolerance for residues of the fungicide *Bacillus amyloliquefaciens* strain AT–332 in or on all food commodities. That document referenced a summary of the petition prepared by the petitioner and included in the docket.

There were no comments received in response to the notice of filing. EPA modified the tolerance exemption by removing ''fungicide.'' The reason for this change is explained in Unit III.C.

III. Final Tolerance Actions

A. EPA's Safety Determination

EPA has assessed the individual risks from exposure to the pesticide active ingredients identified and discussed in this rule, taking into consideration all reliable data on toxicity and exposure, including for infants and children, and has included a safety finding under FFDCA section 408(b) for the tolerance actions in this rule. The data upon which EPA relied and its risk assessment based on those data can be found within the document entitled ''Human Health Risk Assessment of *Bacillus amyloliquefaciens* strain AT–332, a New Active Ingredient, in SB–950 (Manufacturing-use Product) and SB–9503 (End-use Product) Proposed for Registration and an Associated Petition Requesting a Tolerance Exemption.'' (*Bacillus amyloliquefaciens* strain AT–332 Human Health Risk Assessment). This document, as well as other relevant information, is available in the docket for this action, docket ID number EPA–HQ–OPP–2024–0308.

The toxicological profile of *Bacillus amyloliquefaciens* strain AT–332 is described in the *Bacillus amyloliquefaciens* strain AT–332 Human Health Risk Assessment. Based upon its evaluation, EPA concludes that, with regards to humans, *Bacillus amyloliquefaciens* strain AT–332 is not anticipated to be toxic, pathogenic, or infective. *Bacillus amyloliquefaciens* strain AT–332 is ubiquitous in soil and the rhizosphere. Dietary and drinking water and residential exposure is expected. However, *Bacillus amyloliquefaciens* is present in soil, on fresh produce, and in water. Further, food crops undergo postharvest washing and municipal water treatment practices would reduce any residues further. Even if dietary or residential exposure to residues of *Bacillus amyloliquefaciens* strain AT–332 were to occur, there are no risks of concern due to the lack of adverse effects from toxicity, pathogenicity, or infectivity of *Bacillus amyloliquefaciens* strain AT–332. EPA determined that no additional margin of safety is necessary to protect infants and children as part of the qualitative assessment conducted, as data and rationale demonstrated that *Bacillus amyloliquefaciens* strain AT–332 is not toxic, pathogenic, or infective.

Based on the supporting assessments and registration review documents, which demonstrate that the aggregate exposure for each individual chemical is below the Agency's level of concern, EPA concludes there is a reasonable certainty that no harm will result to the general population, or specifically to infants and children, from aggregate exposure to residues of the pesticide active ingredients identified and discussed in this action.

B. Analytical Enforcement Methodology

An analytical method is not required for *Bacillus amyloliquefaciens* strain AT–332 because EPA is establishing an exemption from the requirement of a tolerance without any numerical limitation.

C. Revisions to the Requested Tolerance Exemption

The Agency removed the descriptor ''fungicide'' from the tolerance exemption to reduce any unnecessary future regulatory burden and conform with current standard practices.

D. Conclusion

Therefore, EPA is finalizing the tolerance exemption that was petitioned for by Gowan Company in cooperation with SDS Biotech K.K., c/o Landis International, Inc. (PP 1F8915) for residues of *Bacillus amyloliquefaciens* strain AT–332 in or on all food commodities when used in accordance with label directions and good agricultural practices.

VI. Statutory and Executive Order Reviews

Additional information about these statutes and Executive Orders can be found at *https://www.epa.gov/laws-regulations/and-executive-orders.*

A. Executive Order 12866: Regulatory Planning and Review

This action is exempt from review under Executive Order 12866 (58 FR 51735, October 4, 1993), because it establishes or modifies a pesticide tolerance or a tolerance exemption under FFDCA section 408 in response to a petition submitted to the Agency. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866.

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

Executive Order 14192 (90 FR 9065, February 6, 2025) does not apply because actions that establish a tolerance under FFDCA section 408 are exempted from review under Executive Order 12866.

C. Paperwork Reduction Act (PRA)

This action does not impose an information collection burden under the PRA 44 U.S.C. 3501 *et seq.,* because it does not contain any information collection activities.

D. Regulatory Flexibility Act (RFA)

This action is not subject to the RFA, 5 U.S.C. 601 *et seq.* The RFA applies only to rules subject to notice and comment rulemaking requirements under the Administrative Procedure Act (APA), 5 U.S.C. 553, or any other statute. This rule is not subject to the APA but is subject to FFDCA section 408(d), which does not require notice and comment rulemaking to take this action in response to a petition.

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain an unfunded mandate of $100 million or more (in 1995 dollars and adjusted annually for inflation) as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. The action imposes no enforceable duty on any State, local, or Tribal governments or the private sector.

F. Executive Order 13132: Federalism

This action does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it will not have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government.

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

This action does not have Tribal implications as specified in Executive Order 13175 (65 FR 67249, November 9, 2000), because it will not have substantial direct effects on tribal governments, on the relationship between the Federal Government and the Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes.

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

This action is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it is not a significant regulatory action under section 3(f)(1) of Executive Order 12866, and because EPA does not believe the environmental health or safety risks addressed by this action present a disproportionate risk to children.

However, EPA's 2026 *Policy on Children's Health* applies to this action. This rule finalizes tolerance actions under the FFDCA, which requires EPA to give special consideration to

exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to ''ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue . . .'' (FFDCA 408(b)(2)(C)). The Agency's consideration is documented in the pesticide-specific review documents, located in the applicable docket at *https://www.regulations.gov.*

I. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution or Use

This action is not subject to Executive Order 13211 (66 FR 28355) (May 22, 2001) because it is not a significant regulatory action under Executive Order 12866.

J. National Technology Transfer Advancement Act (NTTAA)

This action does not involve technical standards that would require Agency consideration under NTTAA section 12(d), 15 U.S.C. 272.

K. Congressional Review Act (CRA)

This action is subject to the CRA, 5 U.S.C. 801 *et seq.,* and EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: September 9, 2026.

Edward Messina,

Director, Office of Pesticide Programs.

For the reasons set forth in the preamble, EPA is amending 40 CFR chapter I as follows:

PART 180—TOLERANCES AND EXEMPTIONS FOR PESTICIDE CHEMICAL RESIDUES IN FOOD

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

■ 2. Add § 180.1425 to Subpart D to read as follows:

§ 180.1425 *Bacillus amyloliquefaciens* strain AT–332; exemption from the requirement of a tolerance.

An exemption from the requirement of a tolerance is established for residues of *Bacillus amyloliquefaciens* strain AT–332 in or on all food commodities when used in accordance with label directions and good agricultural practices.

[FR Doc. 2026–18830 Filed 9–14–26; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 300

[RTID 0648–XG055; Docket No. 260611–0141]

Pacific Halibut Fisheries of the West Coast; Inseason Action for the 2026 Area 2A Pacific Halibut Directed Commercial Fishery

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

ACTION: Temporary rule; inseason adjustment.

SUMMARY: NMFS announces an inseason action for the 2026 Pacific halibut non-Tribal directed commercial fishery in the International Pacific Halibut Commission's (IPHC) regulatory Area 2A. This action adds a fishing period, September 15 through September 17, 2026, with a fishing period catch limit of 5,000 pounds (lb) (2.27 metric tons (mt)) per vessel, dressed weight. This action is intended to provide additional opportunity for the fleet to achieve the 2026 non-Tribal directed commercial fishery allocation.

DATES: This rule is effective September 15, 2026, at 8 a.m. Pacific daylight time (PDT), through September 17, 2026, at 6 p.m. PDT.

FOR FURTHER INFORMATION CONTACT: Louis Forristall, West Coast Region, NMFS, (503) 230–5410, *louis.forristall@noaa.gov.*

SUPPLEMENTARY INFORMATION:

Background

On June 16, 2026, NMFS published a final rule implementing fishing periods (*i.e.,* season dates) and fishing period limits (*i.e.,* vessel catch limits) for the IPHC Area 2A Pacific halibut non-Tribal directed commercial fishery that operates south of Point Chehalis, WA, Lat. 46°53.30′ N (91 FR 36094). The Area 2A non-Tribal directed commercial fishery allocation for 2026 is 261,211 lb (118 mt), net weight (*i.e.,* the weight of Pacific halibut that is without gills and entrails, head off, washed, and without ice and slime) (91 FR 14464, March 25, 2026).

The initial fishing periods for the 2026 fishery occurred June 23–25 and July 7–9, 2026, with fishing period limits ranging from 2,000 to 5,000 lb (0.907 to 2.268 mt), varying by vessel size class. Third, fourth, and fifth fishing periods were added through inseason actions on July 20, 2026 (91 FR 45224), August 6, 2026 (91 FR 50726), and August 28 (91 FR 55497), respectively. The third fishing period occurred between July 21 and 23, 2026; the fourth occurred between August 18 and 20, 2026; and the fifth occurred between September 1 and 3, 2026. All three additional periods had 5,000-lb (2.27-mt) fishing period limits for all vessels. Landings information to date indicates that sufficient allocation remains to warrant another additional, sixth fishing period without exceeding the allocation. Approximately 223,761 lb (101 mt) net weight have been harvested of the 261,211 lb (118 mt) allocation (86 percent) through September 10, 2026, leaving 37,450 lb (17 mt) remaining (14 percent).

NMFS is implementing an additional fishing period via inseason in accordance with 50 CFR 300.63(e)(1)(iii). Consistent with 50 CFR 300.63(e)(1)(ii), and the final rule for the 2026 fishery, fishing period limits for any additional fishing period(s) implemented through inseason action will be equal across vessel size classes and developed based on the estimated remaining allocation to date, projected participation, and catch rates.

NMFS has determined that the following inseason action is necessary to meet the management objective of attaining the non-Tribal directed commercial fishery's 2026 allocation, not anticipated to risk exceeding the allocation, and consistent with the inseason management provisions at 50 CFR 300.63(e)(1)(iii).

Inseason Action

This inseason action implements an additional fishing period, beginning September 15, at 8 a.m. PDT and ending on September 17, at 6 p.m. PDT. This inseason action also implements a fishing period catch limit of 5,000 lb (2.27 mt) per vessel, dressed weight (head on, with ice and slime), for all vessel size classes, during this fishing period.

On September 10, 2026, notice of this inseason action was sent via email notification directly to the affected public.

Classification

NMFS issues this action pursuant to the Northern Pacific Halibut Act of 1982. This action is taken under the

regulatory authority at 50 CFR 300.63(e)(1)(iii) and is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment would be impracticable and contrary to the public interest. There is good cause to waive prior notice and an opportunity for public comment on this inseason action because the public had an opportunity to comment on the final rule implementing the 2026 non-Tribal directed commercial Pacific halibut fishery in Area 2A. The final rule specifically provided that additional fishing periods and fishing period limits may be set through inseason action during the 2026 fishing season, in accordance with 50 CFR 300.63(e)(1)(iii), if another fishing period(s) is deemed necessary to attain the 2026 allocation. The final rule further specified that NMFS would implement additional 58-hour fishing periods every 2 weeks, and that if a fishing period could not be scheduled in time it would take place on the next 2-week interval. The sixth fishing period would follow this pattern, beginning 2 weeks after the fifth fishing period on September 15, 2026, at 8 a.m. PDT and closing on September 17, 2026, at 6 p.m. PDT. The final rule for the 2026 non-Tribal directed commercial fishery was subject to notice and comment rulemaking. Therefore, the public had specific notice and an opportunity to comment on NMFS' intent to implement inseason action to open this sixth fishing period for the non-Tribal directed commercial fishery during that rulemaking process.

Additionally, the California, Oregon, and Washington Departments of Fish and Wildlife provide estimated harvest data to NMFS in season, tracking the estimated catch of Pacific halibut within the fishery to date. As of September 10, 2026, Area 2A non-Tribal directed commercial fishery caught an estimated 86 percent of the fishery's 2026 allocation. NMFS uses current fishery harvest and participation estimates, and fishing period catches from prior years, to determine whether additional fishing periods are necessary to reach the fishery's annual allocation, and to set fishing period limits for any additional fishing periods set through inseason action. Given that harvest in the first five fishing periods for the 2026 fishery is estimated to be below the allocation, a sixth fishing period is considered necessary to maximize the opportunity and likelihood that the fishery will attain its 2026 allocation.

The final rule implementing the 2026 fishing season sets the regulated public's expectations for both the initial and additional fishing periods for the fishery by setting a prescribed schedule in the final rule (91 FR 36094, June 16, 2026). The regulated public needs sufficient time to plan for additional fishing periods and makes business planning decisions for the 2026 season, accordingly. The annual directed commercial fishing season for Pacific halibut in Area 2A is relatively short and occurs primarily during the summer months. The landings information needed to determine if additional openers are warranted is not available until less than 2 weeks before the additional opener would begin. Conducting notice and comment rulemaking to implement these additional openers would result in them being implemented well after the summer months. As such, implementing this action through proposed and final rulemaking would limit the benefit this action would provide to fishery participants and there is good cause to waive notice and comment rulemaking under 5 U.S.C. 553(b)(B). Specifically, delaying this inseason action for notice and comment rulemaking would be impracticable and contrary to the public interest because it would limit the rule's ability to create meaningful opportunity for the fishery to achieve its 2026 allocation. Without implementation of an additional fishing period, the fishery allocation would not be reached. This would eliminate economic benefits for fishery participants and be inconsistent with the goals of the Catch Sharing Plan. Finally, no aspect of this action is controversial, and changes of this nature were anticipated in the process described in regulations at 50 CFR 300.63(e)(1)(iii) and in the final rule (91 FR 36094, June 16, 2026).

NMFS has also determined that the 30-day delay in the date of effectiveness required by 5 U.S.C. 553(d) does not apply to this inseason action because this action relieves a restriction on the fishery and there is good cause to waive the requirement pursuant to 5 U.S.C. 553(d)(1) and (d)(3), respectively.

The 30-day delay in effective date requirement pursuant to 5 U.S.C. 553(d)(1) does not apply to this inseason action because this inseason action relieves a restriction by allowing participants to fish on the additional fishing dates described above. Waiving the 30-day delay in effectiveness thus provides additional opportunity for commercial Pacific halibut fishermen to harvest Pacific halibut and increases the likelihood of full utilization of the 2026 allocations in Area 2A.

Additionally, there is good cause pursuant to 5 U.S.C. 553(d)(3) to establish an effective date less than 30 days after the date of publication, as a delay in effectiveness of this action would: (1) constrain fishing opportunity; (2) be inconsistent with the goals of the Catch Sharing Plan; and (3) potentially limit the economic opportunity intended by this rule to the associated fishing communities. NMFS regulations allow for implementing additional fishing periods and setting period limits for the directed commercial fishery inseason to provide opportunity for the fishery to achieve its annual allocation, so long as this additional fishing will not result in exceeding the catch limit for the fishery. NMFS recently received landings data for the non-Tribal directed commercial fishery that indicates that an additional fishing period is necessary to ensure optimal harvest of the allocation. The non-Tribal directed commercial fishery's season is limited. Thus, timely action to implement additional fishing periods is necessary to achieve the allocation. It is therefore in the public interest that this action is not delayed, because a delay in the effectiveness of this additional fishing period could prevent the allocation objectives of the Area 2A Pacific halibut non-Tribal directed commercial fishery from being met.

Authority: 16 U.S.C. 773–773k.

Dated: September 11, 2026.

Shannon Bettridge,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2026–18911 Filed 9–14–26; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 665

[Docket No. 260910–0004]

RIN 0648–BN81

Pacific Island Fisheries; Catch and Retention Limits for Striped Marlin in the Western and Central Pacific Ocean North of the Equator

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

ACTION: Final rule.

SUMMARY: This final rule implements a framework for specifying catch limits for all U.S. fisheries and retention limits

by U.S. longline fisheries under a Hawaii longline limited entry permit for Western and Central North Pacific Ocean (WCNPO) striped marlin (*Kajikia audax*), consistent with the requirements of Western and Central Pacific Fisheries Commission (WCPFC) Conservation and Management Measure (CMM) 2024–06. If the retention limit is reached, NMFS will prohibit retention of WCNPO striped marlin by longline fishing vessels until the end of the year to prevent the U.S. catch limit from being exceeded. Because the U.S. limit under the framework can change each year, NMFS will specify the updated catch and longline retention limits by notice in the **Federal Register** early each calendar year. For fishing year 2026, NMFS specifies a U.S. WCNPO striped marlin limit of 393.4 metric tons (mt) (867,300 pounds (lb)) and a U.S. longline retention limit of 381.6 mt (841,300 lb) using the framework.

DATES: The final rule is effective October 14, 2026.

ADDRESSES: Copies of the Fishery Ecosystem Plan for Pelagic Fisheries of the Western Pacific Region (FEP) are available from the Western Pacific Fishery Management Council (Council), 1164 Bishop St., Suite 1400, Honolulu, HI 96813, tel. 808–522–8220, fax 808–522–8226, or *https://www.wpcouncil.org.* Copies of the environmental analyses and other supporting documents for this action are available from *https://www.regulations.gov/docket/NOAA-NMFS-2025-0045,* or from Sarah J. Malloy, Regional Administrator, NMFS Pacific Islands Regional Office (PIRO), 1845 Wasp Blvd., Bldg. 176, Honolulu, HI 96818.

FOR FURTHER INFORMATION CONTACT: David O'Brien, NMFS PIRO Sustainable Fisheries, 808–725–5038.

SUPPLEMENTARY INFORMATION: NMFS and the Council manage U.S. commercial fishing for Western Pacific pelagic management unit species, including striped marlin, under the FEP and implementing Federal regulations.

In addition, the WCPFC is the regional fisheries management organization that manages WCNPO striped marlin internationally. A 2023 stock assessment for WCNPO striped marlin indicates that while the stock was experiencing overfishing, it was not overfished under domestic status determination criteria. This most recent stock assessment indicates improvement in the status of the stock from the previous 2019 stock assessment, when the stock was both experiencing overfishing and overfished. Negotiations at the WCPFC resulted in the adoption of a rebuilding plan for this stock that requires rebuilding to 20 percent of unfished biomass with at least 60 percent probability by 2034. In December 2024, the WCPFC adopted a new CMM for WCNPO striped marlin (CMM 2024–06) (available at *https://cmm.wcpfc.int/measure/cmm-2024-06*) that includes a total allowable catch (TAC) of the stock across all WCPFC member nations as well as specific catch limits for five nations, including the United States. CMM 2024–06 indicates in paragraph 5 that the TAC of the stock annually from 2025–2027 is 2,400 mt (5,291,000 lb). The WCPFC determined this TAC was necessary to achieve the requirements of the rebuilding plan for WCNPO striped marlin.

The base U.S. catch limit specified in CMM 2024–06 is 228.4 mt (503,500 lb), or 9.5 percent of the TAC for the stock. The U.S. catch limit would apply to retained striped marlin caught by all vessels of the United States in the Pacific Ocean north of the Equator (0° latitude) and west of 150° W longitude. Consistent with CMM 2024–06, the U.S. catch limit under the framework depends on three factors: a base catch limit for the United States set at 228.4 mt (503,500 lb); the availability of unused quota relative to the overall international catch limit for the stock 2 years prior; and any overages of the U.S. limit that occurred 2 years prior.

Hawaii-based longline fisheries catch approximately 97 percent or more of the total U.S. striped marlin catch annually and report catch to NMFS on a daily basis. U.S. troll and handline fisheries account for the remaining catch and report catch on a monthly basis. Therefore, near-real-time catch monitoring by this sector is not possible. To ensure that the catch limit is not exceeded, the Council recommended and NMFS is implementing a retention limit of 97 percent of the catch limit, for any U.S. fishing vessel with a Hawaii longline limited entry permit issued under 50 CFR 665.801(b). This longline retention limit ensures that when troll and handline catches are determined after the season ends, the total U.S. catch of WCNPO striped marlin will not exceed the catch limit.

Pursuant to this framework, NMFS will annually specify the WCNPO striped marlin limit and longline retention limit through a **Federal Register** notice. For 2026, the U.S. WCNPO striped marlin catch limit is 393.4 mt (867,300 lb) and is comprised of the base limit of 228.4 mt (503,500 lb) and unused quota relative to the overall international catch limit for the stock 2 years prior, which CMM 2024–06 determined to be 165 mt (363,800 lb). The U.S. longline retention limit is 381.6 mt (841,300 lb).

If NMFS projects, based on vessel logbook, landing and other available information, that the retention limit will be reached, we will prohibit for the remainder of the year retention of striped marlin caught by U.S. longline vessels holding a Hawaii limited entry longline permit issued under 50 CFR 665.801(b) in the Pacific Ocean north of the Equator (0° latitude) and west of 150° W longitude. This retention prohibition will apply to striped marlin alive or dead when fishing gear is recovered. A retention prohibition would go into effect no earlier than 7 days after NMFS publishes a non-retention date notice in the **Federal Register** and continue until the end of the calendar year. The Regional Administrator will also update owners and operators of longline vessels affected by the retention prohibition using other means. You may find additional background information on this action in the preamble to the proposed rule.

Comments and Responses

On May 1, 2026, NMFS published a proposed rule, Environmental Assessment (EA), and Regulatory Impact Review for public comment (91 FR 23387). The comment period ended June 1, 2026. NMFS received three comments on the proposed rule; two from individuals and one jointly submitted by two non-governmental organizations (NGOs). NMFS did not receive any comments from fishery management agencies or from individuals who identified themselves as fishery participants. We summarize the comments and respond below.

Comment 1: A commentor supported the proposed rule, with an interest in maintaining a sustainable striped marlin population to protect biodiversity, strengthen ecosystem resilience, and ensure resources for future generations.

Response: For the reasons set out in the proposed rule (91 FR 23387; May 1, 2026), we agree with the commentor.

Comment 2: A commentor did not support the proposed rule and advocated for an end to fisheries for striped marlin and other highly migratory species based on animal welfare arguments.

Response: NMFS is charged with natural resource management under applicable statutes and, for WCNPO striped marlin, international agreements. NMFS's role is to evaluate management recommendations from the Council relative to the National Standards (50 CFR 600 Subpart D) of the Magnuson-Stevens Act, international

requirements, and other applicable laws and implement those that are consistent with these requirements. Closing the fishery based solely on animal welfare concerns is inconsistent with the statutory objectives of sustainable fisheries management.

Comment 3: Two NGOs jointly objected to the proposed rule and the analysis in the EA on several points and recommended NMFS: (1) include all retained catch and discarded catch in the TAC calculation and (2) fully analyze other alternatives that will reduce the U.S. catch per unit effort of striped marlin including (a) gear restrictions; (b) mandatory release of live striped marlin; (c) a minimum size limit; (d) area-based management; (e) protection of spawning and nursery grounds; and (f) maintaining the closure of the Papahānaumokuākea marine national monument (PMNM) to longline fishing.

In addition, the commenters further recommended NMFS consider positive economic impacts any additional mitigation measures would have on small boat fishermen and recommended NMFS adopt Alternative 4 (no retention of WCNPO striped marlin) if the agency is unable to incorporate changes to the proposed rule that would reduce catch per unit effort of the stock in U.S. fisheries.

Response: CMM 2024–06 requires the United States to implement a catch limit for WCNPO striped marlin, which the WCPFC determined was necessary to achieve the requirements of the rebuilding plan for WCNPO striped marlin. This final rule implements a framework for specifying the U.S. catch limit for WCNPO striped marlin and ensures that the catch of WCNPO striped marlin by the United States will not exceed the international limit for the United States established by the WCPFC in CMM 2024–06.

Regarding recommendation 1 to include all retained catch and discarded catch in the TAC calculation, the calculations and catch information presented in the EA are based on the best scientific information available. Because there has not been a prohibition on retention of WCNPO striped marlin in the past, we assume that there have been no significant discards of striped marlin in this fishery due to their economic value. Internationally, catch reports provided to and available from the WCPFC have consisted of only retained catch and past assessments have been based on these retained-catch estimates. CMM 2024–06 specifically requires all WCPFC member countries, including the United States, to provide ''catch, effort, and estimates of total live and dead discards . . . as soon as possible, but no later than 2027'' (paragraph 13). The provision of discard estimates is a new requirement, and differs from the reporting requirements for any other targeted highly migratory species managed through the WCPFC. CMM 2024–06 specifically differentiates between catch and estimates of discards in paragraph 13 and does not mention discards in paragraphs related to overall or country specific catch limits (paragraphs 5 & 6). Consistent with WCPFC management for other species, and plain reading of CMM 2024–06, catch limits apply to retained catch, and not to the combination of catch and discards. Our analysis in the EA and application of only retained catch to catch and retention limits in this rule are consistent with CMM 2024–06, and thus we did not accept the actions recommended in the comment. Doing so would be inconsistent with the CMM and would exceed its requirements.

Regarding recommendation 2a to fully analyze alternatives that will reduce the U.S. catch per unit effort of striped marlin, as described in the EA and noted in the comment, we considered several alternatives. We did not analyze them in detail because they did not meet the purpose and need for the action, are inconsistent with CMM 2024–06, and would exceed its requirements. The alternatives raised by the comment specifically included alternatives involving gear modification such as removal of the shallowest hooks as evaluated by Bigelow and Mourato (2012; as cited in the comment). As noted by Bigelow and Mourato, although removal of the shallowest hooks resulted in reduced catch per unit effort (CPUE) for striped marlin, it also resulted in ''operational difficulties as more mainline will need to be deployed, thus increasing both the setting and retrieval times'' (Bigelow and Mourato 2012). Increases in both setting and retrieval times would have negative economic impacts to the longline fleet, counter to the purpose and need for the action. Bigelow and Mourato also examined the use of circle hooks and found a 42 percent reduction in striped marlin CPUE. This gear modification was previously adopted in the Hawaii longline fisheries (50 CFR 665.813(f) and 50 CFR 229.37(c)). For these reasons, we did not modify the alternatives considered in the analysis associated with this final rule.

Regarding recommendation 2b on mandatory release of live striped marlin, the analysis in the EA specifically considered mandatory release of live striped marlin. As described in the EA and illustrated in Figure 4 of the EA, an analysis by Brodziak (2020) found that given 48 percent of striped marlin are alive at the vessel and, assuming post release survival was 100 percent, even if live-release was universally adopted across all international fleets catching this stock, it would not achieve stock rebuilding goals. Therefore, adopting live releases in U.S. fisheries alone would not be sufficient to achieve stock rebuilding goals and would exceed the requirements of CMM 2024–06. Requiring live releases in U.S. fisheries without concurrent requirements for other international fleets would result in U.S. fishermen assuming a disproportionate burden of the costs associated with international conservation efforts and be contrary to the purpose and need for the action given economic impacts to U.S. fisheries. Given recent catches of striped marlin and the catch and longline retention limits for U.S. fisheries under the framework finalized with this rule, it is likely that we will reach the longline retention limit and retention will be prohibited in the future. For these reasons, NMFS did not adopt this recommendation in this final rule.

Regarding recommendation 2c on minimum size limits, the EA did not explicitly consider a minimum size limit for U.S. fisheries, and such limits have not previously been considered for commercial fisheries on this WCNPO stock. The impact of a minimum size limit on the dynamics of the WCNPO striped marlin stock and economics of the fishery are not obvious and would require considerable analysis. In addition, such a measure would likely introduce disproportionate burdens on U.S. fishermen that would not be equally applied to other international fleets.

Like recommendation 2b on mandatory release of live striped marlin (above), consideration of a minimum size limit measure does not meet the purpose and need for the action and is inconsistent with and would exceed the requirements of CMM 2024–06. For all the reasons noted above, NMFS did not adopt this recommendation in this final rule.

Regarding recommendation 2d on area-based management, NMFS is unaware of published work that suggests that longline catch rates of striped marlin in PMNM were higher than other locations open to fishing, and commercial fishing has been prohibited within the current PMNM boundary since 2011 (50 CFR 404.10). Bigelow and Mourato (2012) specifically analyzed catch rates to determine if there were catch hotspots for striped marlin. If they existed, striped marlin

catch rate hotspots could be considered as candidates for spatial management as a method of reducing catch. Bigelow and Mourato concluded that across years ''there were no hot-spots identified that were spatially persistent in the area fished by the Hawaii-based tuna fishery'' (Bigelow and Mourato 2012). Like recommendations 2b and 2c, consideration of area-based management does not meet the purpose and need for the action and is inconsistent with and would exceed the requirements of CMM 2024–06. For all the reason noted above, NMFS did not adopt this recommendation in this final rule.

Regarding recommendation 2e protection of spawning and nursery grounds, although there is rare evidence of WCNPO striped marlin spawning in waters around Hawaii, scientific consensus is that the primary spawning grounds for this stock are in the far western Pacific outside the jurisdiction of the United States. As summarized by Martinez et al. (2025; as cited in the comment), ''the CNP [central north Pacific Ocean] likely serves as a dynamic juvenile nursery and feeding ground for sub-adult Striped Marlin, characterized by juvenile-sized fish and relatively limited spawning activity compared to other regions of the Pacific'' (Martinez et al. 2025). Combined with a lack of catch hotspots as noted in our response for recommendation 2d, above, this relatively low spawning activity in the waters around Hawaii argues against specific time or area-based management measures for WCNPO striped marlin to protect spawning or rearing fish. Like recommendations 2b, 2c, and 2d, consideration of spawning ground protection does not meet the purpose and need for the action, and is inconsistent with and would exceed the requirements of CMM 2024–06. For all the reasons noted above, NMFS did not adopt this recommendation in this final rule.

Regarding recommendation 2f to maintain the closure of the PMNM, this final rule does not modify regulations affecting fishing access in the PMNM.

Regarding the potential positive economic impacts these additional mitigation measures would have on small boat fishermen, NMFS responds as follows. Although we appreciate that studies of some fish species, including striped marlin, have shown CPUE in recreational fisheries is correlated with angler participation, trip frequency, and regional expenditures, these findings are the result of extensive directed socio-economic research. NMFS currently has not conducted, and is not aware of, specific socio-economic research evaluating how striped marlin CPUE in the Hawaii longline fishery affects the economic performance of non-commercial fisheries in Hawaii. Although dated, the value of the charter fishery in Hawaii was estimated at close to $50 million dollars in gross sales and it supported nearly 900 jobs statewide in 2011, but current values or understanding of the effect of striped marlin CPUE on fishery values is unclear. In the absence of existing Hawaii-specific economic information of this type, NMFS is unable to provide a rigorous analysis of the potential economic impacts of variable striped marlin CPUE on non-commercial or charter fisheries associated with this action. We did not implement this recommendation, as there are no data to understand what, if any, benefits would accrue to non-commercial or charter fisheries with the recommended additional measures to reduce CPUE; which all exceed the requirements of CMM 2024–06.

NMFS declines to adopt the commenters' recommendation to select Alternative 4 (no retention of WCNPO striped marlin) as it fails to meet the purpose and need for the action, is inconsistent with and would exceed the requirements of the CMM, and would maximize the disproportionate burden of costs for international conservation efforts of this stock to U.S. fishermen.

Ultimately, the United States is obligated under international agreements to have regulations in place that implement the requirements of WCPFC CMM 2024–06. Based on catches to date in 2026, it is likely that the retention limit will be reached before the end of the year. Without this rule in place and effective, we will be unable to prohibit retention and prevent the U.S. catch limit under CMM 2024–06 from being exceeded.

Changes From the Proposed Rule

The final rule changes the organization of 50 CFR 665.813(l) from the proposed rule to improve readability with minor changes to the proposed rule text. We modified the text in paragraph (l)(2) ''is based on'' to ''is composed of'' to improve readability. We removed the text '', for which there are no in-season catch estimates,'' from paragraph (l)(3) because there are in-season estimates for troll and handline fisheries, but the data are not available to support in-season management. This clarification would not affect the rule's purpose of avoiding exceedance of the catch limit. We also added paragraph titles to key rule paragraphs to further clarify interpretation of the regulatory text.

Classification

Pursuant to section 304(b)(3) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has determined that this final rule is consistent with the FEP, other provisions of the Magnuson-Stevens Act, and other applicable law.

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

This final rule is exempt from the requirements of Executive Order 14192 because it is a routine fishing action.

A Tribal summary impact statement under section (5)(b)(2)(B) and (c)(2) of E.O. 13175 was not required for this final rule because this action does not impose substantial direct compliance costs on Indian Tribal Governments and this action does not preempt Tribal law. A Tribal summary impact statement is not required and has not been prepared.

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

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

List of Subjects in 50 CFR Part 665

Fisheries, Fishing, Hawaii, Longline, Limited access permit, Pacific Islands, Western Pacific.

Dated: September 10, 2026.

Samuel D. Rauch III,

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

For the reasons set out in the preamble, NMFS amends 50 CFR part 665 as follows:

PART 665—FISHERIES IN THE WESTERN PACIFIC

■ 1. The authority citation for part 665 continues to read as follows:

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

■ 2. Amend § 665.800 by adding, in alphabetical order, the definition of ''Non-retention date'' to read as follows:

§ 665.800 Definitions.

* * * * *

Non-retention date means the date upon which the Regional Administrator projects that a retention limit will be met, and is the date on which retention of a species identified under § 665.813 is prohibited as specified under § 665.802, until the end of the fishing year.

* * * * *

■ 3. Amend § 665.802 by adding paragraph (uu) to read as follows:

§ 665.802 Prohibitions.

* * * * *

(uu) Fail to immediately release any striped marlin captured on or after the non-retention date in the Pacific Ocean north of the Equator (0° latitude) and west of 150° W longitude by a vessel registered for use under a longline permit issued under § 665.801(b), in violation of § 665.813(l).

* * * * *

■ 4. Amend § 665.813 by adding paragraph (l) to read as follows:

§ 665.813 Western Pacific longline fishing restrictions.

* * * * *

(l) *Striped marlin catch and longline retention limits*—(1) *Specification*. The Regional Administrator shall by notice in the **Federal Register** specify a U.S. catch limit and longline retention limit for striped marlin for vessels registered for use under a longline permit issued under § 665.801(b) fishing in the Pacific Ocean north of the Equator (0° latitude) and west of 150° W longitude.

(2) *Catch limit*. The U.S. catch limit will be consistent with the international limit for the United States set by the Western and Central Pacific Fisheries Commission. The international limit is composed of a base limit for the United States, plus available underage across all nations' catch of the stock 2 years prior, minus any overage of the U.S. catch limit 2 years prior.

(3) *Longline retention limit*. The longline retention limit will be 97 percent of the U.S. catch limit. Catches in troll and handline fisheries are less than 3 percent of the total U.S. catch of striped marlin on average each year. Setting the longline retention limit at 97 percent ensures that when the catches from these other fisheries are added post-season, the total U.S. catch limit is not exceeded.

(4) *Retention Prohibition*. NMFS will monitor striped marlin landings with respect to the limits established under paragraphs (l)(2) and (3) of this section using longline landings, data submitted in logbooks, and other available information.

(i) When the longline retention limit is projected to be reached based on analyses of available information, the Regional Administrator shall provide notice in the **Federal Register**. This notice will include an advisement of a non-retention date beginning at a specified date, which is not earlier than 7 days after the date of filing the non-retention date notice for public inspection with the Office of the Federal Register.

(ii) Once the non-retention date is noticed in the **Federal Register** pursuant to paragraph (l)(4)(i) of this section, a fishing vessel permitted under a Hawaii longline limited access permit issued under § 665.801(b) may not be used to retain on board, transship, or land striped marlin captured by longline gear in the Pacific Ocean north of 0° latitude and west of 150° W longitude from the non-retention date through December 31 of that calendar year.

(iii) Exception for striped marlin retained prior to the non-retention date. Any striped marlin captured by longline gear in the Pacific Ocean north of 0° latitude and west of 150° W longitude already on board a fishing vessel registered for use with a Hawaii longline limited access permit issued under § 665.801(b) before the non-retention date noticed pursuant to paragraph (l)(4)(i) of this section may be retained on board, transshipped, and/or landed, to the extent authorized by applicable laws and regulations, provided that the striped marlin is landed within 14 days after the effective non-retention date.

(iv) All striped marlin captured by longline gear in the Pacific Ocean north of 0° latitude and west of 150° W longitude on or after the non-retention date noticed in the **Federal Register** pursuant to paragraph (l)(4)(i) of this section shall be immediately released.

[FR Doc. 2026–18849 Filed 9–14–26; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 91, No. 177
Tuesday, September 15, 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.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Parts 412, 432, 715, and 752

[Docket ID: 2025–OPM–0012]

RIN: 3206–AO91

Promoting Employee Accountability

AGENCY: Office of Personnel Management.

ACTION: Proposed rulemaking; reopening public comment period.

SUMMARY: OPM is reopening the public comment period for additional comments on OPM data and a new report published by a nongovernmental organization. OPM is releasing current data that is relevant to the proposed rule published on July 2, 2026, entitled ''Promoting Employee Accountability.'' OPM is also interested in receiving public comment on a report published by We the Doers published on August 27, 2026. Accordingly, OPM is reopening the rulemaking for public comment specifically with respect to the proposed rule as informed by the newly released data and the report. The comment period for the proposed rule closed August 3, 2026; it is now reopened for two weeks.

DATES: The comment period for the proposed rule published on July 2, 2026 (91 FR 40444) is reopened. Comments must be received on or before September 29, 2026.

ADDRESSES:

You may submit comments for this proposed rulemaking through the Federal eRulemaking Portal: http://www.regulations.gov. Follow the instructions for submitting comments.

Instructions: OPM will only consider comments and material received during the reopened comment period that address the data published in the supplementary information. All comments will be docketed in the OPM docket for this rulemaking. All comments must be received by the end of reopened comment period for them to be considered by OPM and MSPB. All comments and other submissions received generally will be posted on the internet at *https://regulations.gov* as they are received, without change, including any personal information provided. However, OPM retains discretion to redact personal or sensitive information, including but not limited to, personal or sensitive information pertaining to third parties.

As required by 5 U.S.C. 553(b)(4), a summary of this rule may be found in the docket for this rulemaking at *www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Aaron Gottesman, Senior Advisor to the Director, by email at *employeeaccountability@opm.gov* or by phone at (202) 606–2930.

SUPPLEMENTARY INFORMATION: On July 2, 2026, the Office of Personnel Management (OPM) and Merit Systems Protection Board (MSPB) published a joint proposed rule governing performance-based reduction in grade and removal actions, non-disciplinary separations, and adverse actions, along with the MSPB's review of those actions, and proposing improved and additional training to supervisors.

In this notice, OPM is announcing the availability of the most current, relevant data on the types of adverse and performance-based actions addressed by the proposed rule amending 5 CFR parts 412, 432, and 752. Neither OPM nor MSPB referred to this data to support proposed changes to 5 CFR parts 715 and 1201. The data shows that despite President Trump's significant changes to how Federal agencies address poor performance and misconduct, the Federal Government has not seen significant increases in performance-based and adverse actions in Fiscal Year 2026. Namely, the number and types of actions taken in Fiscal Year 2026 appear to be consistent with Fiscal Year 2025 levels. While there are undoubtedly a variety of factors that may have an impact on these actions in Fiscal Year 2026 (*e.g.,* resignations under the deferred resignation program, reductions in force, retirements, voluntary separations), there is no doubt that Presidential policy shifted workplace culture across Government towards one that recognizes high performance and greater accountability. OPM views this data as support for making structural changes necessary to appropriately incentivize supervisors to take necessary action to address poor performance and misconduct.

Separations and Terminations Data

OPM is providing data from its Enterprise Human Resources Integration (EHRI)[1] on separations and terminations taken under regulations impacted by the proposed rule. Specifically, OPM gathered data reported by Federal agencies documenting separation and termination actions taken under 5 CFR part 432 and subparts A, B, D, and F of part 752, between Fiscal Years (FYs) 2019–2025 and includes data from FY 2026 through June 2026.

OPM only analyzed agency actions documented in accordance with Chapter 31 of the Guide to Processing Personnel Actions (GPPA).[2] Agency actions are coded with specific Nature of Action Codes (NOACs) and Legal Authority Codes (LACs) on Standard Forms 50 and 52, as instructed by Chapters 1, 3, and 4 of the GPPA,[3] and stored in employees' Official Personnel Folder. The specific personnel actions covered by the proposed rule are described in detail under Chapter 31.

Relevant to OPM's analysis discussed in the proposed rulemaking are those actions coded by the following NOACs and LACs[4] with agency-reported data:

- NOAC 330 with the following LACs: LTM, LUM, QGM, V5J, V6J, V9A, VAJ, and VWP.
- NOAC 357 with the following LACs: A3M and VAA.

OPM also included as part of its analysis personnel actions coded using NOAC 330 with LAC ZLM. OPM acknowledges that agency-reported actions using the combination of this NOAC and LAC may or may not fall within the scope of the proposed rule. Thus, OPM is providing a chart (see below) that reports data for those actions coded with NOAC 330 and LAC ZLMseparate from the other NOACs and

[1] More information about EHRI is available on OPM's website: *https://www.opm.gov/policy-data-oversight/data-analysis-documentation/enterprise-human-resources-integration/.*

[2] *https://www.opm.gov/policy-data-oversight/data-analysis-documentation/personnel-documentation/#url=Personnel-Actions.*

[3] Id.

[4] Chapter 31 of the Guide to Processing Personnel Actions defines the NOACs and LACs. *https://www.opm.gov/policy-data-oversight/data-analysis-documentation/personnel-documentation/processing-personnel-actions/guide_to_processing_personnel_actions.pdf#Chapter_31.*

LACs identified to provide the public with an opportunity to view and analyze the data with or without this data.

The data provided covers all Federal civilian workforce data reported by Executive branch agencies with the exception of the following: U.S. Postal Service, Postal Rate Commission, Central Intelligence Agency, National Security Agency, Defense Intelligence Agency, National Geospatial-Intelligence Agency, Office of the Director of National Intelligence, White House Office, Official Residence of the Vice President, Office of the Vice President, Census Bureau temporary workers, Foreign service personnel at the Department of State, Tennessee Valley Authority, Federal Reserve—Board of Governors (the Consumer Financial Protection Bureau is included in EHRI as an agency subelement of the Federal Reserve), Public Health Service Commissioned Officer Corps, Non-appropriated fund employees, Foreign nationals overseas, Executive Residence, and President's Intelligence Advisory Board.

SEPARATIONS AND TERMINATIONS
[FY 2019–2026]

	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26*	Grand total
NOAC 330	2,838	2,577	2,434	2,842	3,008	3,119	4,154	3,571	24,543
LTM	2	22	7	9	9	4	3	1	57
LUM	0	4	4	0	4	5	1	7	25
QGM	182	195	226	208	164	228	261	249	1,713
V5J	27	16	11	28	15	17	16	18	148
V6J	1,714	1,455	1,327	1,680	1,766	1,880	2,533	2,245	14,600
V9A	24	21	16	12	7	6	36	40	162
VAJ	223	218	265	325	321	282	299	243	2,176
VWP	275	255	242	254	293	304	337	301	2,261
ZLM	391	391	336	326	429	393	668	467	3,401
NOAC 357	4	3	0	1	7	6	6	1	28
A3M	4	1	0	1	4	5	4	1	20
VAA	0	2	0	0	3	1	2	0	8
Total (no ZLM)	2,451	2,189	2,098	2,517	2,586	2,732	3,492	3,105	21,170
Total (with ZLM)	2,842	2,580	2,434	2,843	3,015	3,125	4,160	3,572	24,571

*Data through June 2026.

We the Doers

On August 27, 2026, the organization We the Doers published the report, ''Fast but Fair Federal Firing: Balancing Speed and Due Process when Removing Employees for Cause.'' [5] The report highlights some of the flaws in holding Federal employees accountable for poor performance and misconduct. For one, the report finds that supervisors and managers are incentivized to leave poor performers on the job.[6] As OPM explained in the proposed rule, this is the type of flaw it is seeking to correct by reducing the burdens placed on supervisors in holding employees accountable. Because this report was published after the close of the public comment period, OPM is reopening the comment period to allow the public to submit comments on the rulemaking as informed by this report.

Comments

To provide time for interested parties to consider and comment on this data, OPM reopens the comment period from September 15, 2026 to September 29, 2026. OPM will only consider comments and material received during the reopened comment period that address the data published in the supplementary information. OPM will not consider late-filed comments.

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.

Alexys Stanley,

Federal Register Liaison.

[FR Doc. 2026–18943 Filed 9–14–26; 8:45 am]

BILLING CODE 6325–39–P

[5] *https://wethedoers.org/wp-content/uploads/2026/08/Fast_but_Fair_Federal_Firing_08272026.pdf.*

[6] Id. at 6.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 890

[Docket ID: OPM–2026–xxxx]

RIN 3206–XXXX

Federal Employees Health Benefits Program: Optimizing FEHB Plan Offerings

AGENCY: Office of Personnel Management.

ACTION: Request for information.

SUMMARY: This request for information (RFI) seeks public input on how to optimize health benefits plan options offered in the Federal Employees Health Benefits (FEHB) Program, which includes the Postal Service Health Benefits (PSHB) Program, to give enrollees high value choices at competitive costs while ensuring the appropriate number and distribution of options are available to enrollees. Currently, health benefits plans in the FEHB Program are limited to offering three options or two options and a high-deductible health plan (HDHP) pursuant to 5 CFR 890.201(b)(3)(i). The information gathered through this RFI will inform the Office of Personnel Management (OPM) as to whether modifications to the current FEHB regulations are needed through future notice and comment rulemaking as OPM explores ways to optimize the FEHB and PSHB portfolio and provide enrollees with high value choices at competitive costs.

DATES: Comments must be received on or before November 16, 2026.

ADDRESSES: You may submit comments, identified by docket number and/or Regulation Identifier Number (RIN) and title, by the following method:

• *Federal Rulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments.

All submissions received must include the agency name and docket number or RIN for this document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing at *https://www.regulations.gov* as they are received, without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: Meredith Gitangu, Senior Benefits Analyst, *meredith.gitangu@opm.gov,* (202) 606–2678.

SUPPLEMENTARY INFORMATION:

Background

The FEHB Program was established in 1960 and is the largest employer-sponsored health insurance program in the United States. There are approximately 8.3 million covered individuals in the FEHB Program. Covered individuals include employees of the federal government, annuitants, covered family members, former spouses, and statutorily eligible groups enumerated in 5 U.S.C. 8901; and tribal employees of tribal employers, pursuant to 25 U.S.C. 1647b. Postal Service employees, Postal Service annuitants, and their family members are eligible for health benefits under the PSHB Program pursuant to 5 U.S.C. 8903c.

OPM administers the FEHB Program in accordance with Title 5 Chapter 89, United States Code and implementing regulations (5 CFR parts 890 and 892 and 48 CFR chapter 16). Under 5 U.S.C. 8913 OPM may prescribe regulations necessary to carry out administration of the FEHB Program.

OPM contracts with Carriers who provide health benefits plans in the FEHB Program, including the PSHB Program. For Plan Year 2026, there are 132 plan options from 47 Carriers in the FEHB Program and 75 plan options from 17 Carriers in the PSHB Program. Health benefits plans are limited to offering three options or two options and a HDHP pursuant to 5 CFR 890.201(b)(3)(i). When considering whether to allow health benefits plans to offer more, fewer, or different options, OPM is publishing this RFI and seeking public comment on the effect on premiums and health care costs, the consumer experience and the impact on operational practices.

As OPM explores ways to manage premium growth, it wishes to collect information from key stakeholders that support the FY 2026–2027 Annual Performance Plan's Strategic Objective 2.3 which seeks to ''[e]stablish and apply evidence-based criteria to assess the appropriate number and distribution of health plan options available to enrollees.''

OPM has used rulemaking on health benefits plan options offered in the past. In 2010,[1] OPM made changes to 5 CFR 890.201 to ''allow eligible FEHB plans to offer three options, without the requirement that one of the options be a high deductible health plan.'' Previously, the regulation stated, ''FEHB plans shall not have more than two options and a high deductible health plan.'' These changes applied to employee organization plans and health maintenance organizations (HMOs) described in 5 U.S.C. 8904(3) and (4), respectively. Then, in 2018,[2] OPM made additional modifications that ''revised the regulations so all health benefits plans are able to offer three options or two options and a high deductible health plan,'' expanding the 2010 rule to the Service Benefit Plan described in 5 U.S.C. 8903(1) and the Indemnity Benefit Plan described in 5 U.S.C. 8903(2).

Questions

OPM recognizes the importance of maintaining affordable health coverage while continuing to provide value to those enrolled. Modifying the number or types of health plan options in the FEHB Program is a measure that may help to address growing costs. OPM seeks input on how this can influence cost savings.

• For enrollees, how might more, fewer, or different health benefits plan options offered lessen the cost burdens or mitigate premium increases?

• Would enrollees like to have more, fewer, or different health benefits plan options offered to choose from?

• Would a wider variety of options drive enrollees to select plan options with lower premiums?

• Plan options with lower premiums may involve higher deductibles and how can enrollees be best informed about their cost sharing when making a health plan selection?

• Should there be a threshold or upper limit to what a plan may charge for premiums and if that limit is exceeded should the plan be required to eliminate the plan offering if the premiums are not reduced?

• For the government, how might more, fewer, or different health benefits plan options offered lessen cost burdens and mitigate increases to the government contribution?

• If more plan options offered are HDHPs with health savings accounts allowing for enrollees to pay for care on a pre-tax basis, what impact would it have on enrollees and the government?

• What cost implications would be borne by FEHB Program Carriers if more, fewer, or different plan options are offered?

• Are there other cost implications for OPM to consider?

Enrollee satisfaction in the FEHB Program remains high. The 2023 Federal Employee Benefits Survey (FEBS) reported 90% of respondents considered the FEHB Program availability as ''extremely important/important'' and 94% of respondents believed it ''meets needs to a great or moderate extent'' however only 66% of respondents considered it an ''excellent or good value.'' OPM seeks input on how more, fewer, or different health benefits plan options offered can impact the FEHB consumer experience.

• What are the advantages or disadvantages of offering more choices in the FEHB Program?

• Are there particular types of plan options that would be more advantageous or desired to the FEHB Program population?

• Would more, fewer, or different plan options have an impact on the health status of the FEHB Program population? For example, might an enrollee expedite or delay care based on the plan type and associated cost sharing?

• If the plan options offered are HDHPs, would it encourage enrollees to shop around for lower cost medical care?

• What consumer support changes would FEHB Program Carriers need to make if more, fewer, or different plan options were offered?

• Would changes to the health benefits plan options offered impact employees and annuitants differently?

• Are there additional consumer experience implications for OPM to consider?

OPM is the administrator of the FEHB Program and contracts with Carriers that offer health benefits plans. In addition, OPM relies on a network of professionals throughout the federal government tasked with supporting enrollees with enrollment and other key operational aspects of the FEHB Program. OPM seeks input on how more, fewer or different health benefits plan options offered can impact operational and business practices.

[1] 75 FR 76615.

[2] 83 FR 18399.

- Would offering more health plan options provide relief for existing plans facing detrimental adverse selection?
- How would more, fewer or different plan options affect current agency benefit officer (ABO) and human resource specialist training and knowledge and employee coaching or support practices?
- Are the currently available search tools and plan compare technology in the FEHB Program sufficient to support more, fewer or different plan option offerings?
- Are currently used payroll and human resource systems sufficient to support more, fewer, or different plan option offerings?
- What operational impacts would FEHB Carriers face if more, fewer or different plan options were offered?
- What types of contracting arrangements and incentives can be utilized to optimize plan options offerings and value?
- Are there other operational implications for OPM to consider?

Office of Personnel Management.

Alexys Stanley,

Federal Register Liaison.

[FR Doc. 2026–18944 Filed 9–14–26; 8:45 am]

BILLING CODE 6325–38–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2026–8802; Project Identifier MCAI–2025–01828–A]

RIN 2120–AA64

Airworthiness Directives; Airbus Defence and Space GmbH Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for all Airbus Defence and Space GmbH Model BO–209–150 FF, BO–209–150 FV, BO–209–150 RV, BO–209–160 FV, BO–209–160 RV, and Bölkow Jr. airplanes. This proposed AD was prompted by reports of corrosion damage on the rudder drive. This proposed AD would require repetitive inspections of the rudder drive, corrective actions including replacement if corrosion is detected and the application of a corrosion inhibitor. This proposed AD would also prohibit the installation of affected parts. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this NPRM by October 30, 2026.

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

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

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2026–8802; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For Airbus material identified in this proposed AD, contact Airbus Defence and Space GmbH, Dr. Alexander Allen, Willy-Messerschmitt-Strasse 1, 82024 Taufkirchen, Germany; phone: +49 (8459) 81–7883; email: *Lightweight-Aircraft@airbus.com.*
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 1100 Main, Kansas City, MO 64105. For information on the availability of this material at the FAA, call (817) 222–5110.

FOR FURTHER INFORMATION CONTACT: Jesse Wulf, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (847) 294–7183; email: *jesse.r.wulf@faa.gov*.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments using a method listed under **ADDRESSES**. Include ''Docket No. FAA–2026–8802; Project Identifier MCAI–2025–01828–A'' at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

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

Confidential Business Information

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

Background

The European Union Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2025–0284, dated December 16, 2025 (EASA AD 2025–0284) (also referred to as the MCAI), to correct an unsafe condition on all Airbus Defence and Space GmbH Bölkow Model BO 208 and BO 209 airplanes.

The MCAI states that corrosion damage has been reported on the rudder drive installed on Model BO 209 airplanes. It further states that due to the similarity of the rudder drive design, Model BO 208 airplanes may be subject to the same unsafe condition. This condition, if not detected and corrected, could reduce the structural integrity of the rudder drive, which could result in reduced control of the airplane. The MCAI requires repetitive inspections of the affected rudder drive, corrective actions if discrepancies are found, and the application of a corrosion inhibitor.

You may examine the MCAI in the AD docket at *regulations.gov*under Docket No. FAA–2026–8802.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Airbus Service Bulletin BO208–SB–002/2025, Issue 1, dated December 1, 2025, and Airbus Service Bulletin BO209–SB–002/2025, Issue 2, dated December 1, 2025. This material specifies procedures for repetitive inspections of the rudder drive (including for blockage of the drainage hole), corrective actions including replacement if corrosion is detected, and application of a corrosion inhibitor. These documents are distinct because they apply to different airplane models. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination

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

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in the material already described, except as discussed under ''Differences Between this Proposed AD and the MCAI/Material Incorporated by Reference.''

Differences Between This Proposed AD and the MCAI/Material Incorporated by Reference

The MCAI and material incorporated by reference apply to Model Bölkow BO 208C Junior and Bölkow Junior airplanes, however, this proposed AD would only apply to Model Bölkow Junior airplanes and not Model Bölkow BO 208C Junior airplanes because that model does not have an FAA type certificate. Additionally, the MCAI and material incorporated by reference apply to Model Bölkow BO 209 S airplanes; however, this proposed AD would not because that model does not have an FAA type certificate.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect five airplanes of U.S. registry.

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

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspect rudder drive	2 work-hours × $85 per hour = $170	$0	$170	$850
Apply corrosion inhibitor	1 work-hour × $85 per hour = $85	50	135	675

The FAA estimates the following costs to do any necessary replacement that would be required based on the results of the proposed inspection. The agency has no way of determining the number of airplanes that might need this replacement:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Replace rudder drive	15 work-hours × $85 per hour = $1,275	$1,000	$2,275

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

Airbus Defence and Space GmbH: Docket No. FAA–2026–8802; Project Identifier MCAI–2025–01828–A.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by October 30, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Airbus Defence and Space GmbH Model BO–209–150 FF, BO–209–150 FV, BO–209–150 RV, BO–209–160 FV, BO–209–160 RV, and Bölkow Jr. airplanes, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC) Code 2720, Rudder Control System.

(e) Unsafe Condition

This AD was prompted by reports of corrosion damage on the rudder drive. The FAA is issuing this AD to detect and correct corrosion damage in the rudder drive. The unsafe condition, if not addressed, could reduce the structural integrity of the rudder drive and result in reduced control of the airplane.

(f) Compliance

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

(g) Serviceable Part Definition

For the purpose of this AD, a serviceable part is an affected rudder drive that is either:

(1) A new part (*i.e.,* a part that has not been previously installed on any airplane); or

(2) A part that has accumulated less than 5 years since the last inspection, provided that no corrosion was found during that inspection and corrosion inhibitor was applied in accordance with step 5., section 7., of Airbus Service Bulletin BO208–SB–002/2025, Issue 1, dated December 1, 2025 (Airbus SB BO208–SB–002/2025, Issue 1); or Airbus Service Bulletin BO209–SB–002/2025, Issue 2, dated December 1, 2025 (Airbus SB BO209–SB–002/2025, Issue 2); as applicable.

(h) Required Actions

(1) Within 2 months after the effective date of this AD and thereafter at intervals not to exceed 5 years, remove the rudder and perform an inspection of the rudder drive torsion tube for corrosion using an endoscope and inspect the drainage hole for blockage in accordance with steps 1. and 2., section 7., of Airbus SB BO208–SB–002/2025, Issue 1; or Airbus SB BO209–SB–002/2025, Issue 2; as applicable.

(2) If any corrosion is found during any inspection required by paragraph (h)(1) of this AD, before further flight, replace the rudder drive with a serviceable part in accordance with step 3., section 7., of Airbus SB BO208–SB–002/2025, Issue 1; or Airbus SB BO209–SB–002/2025, Issue 2; as applicable.

(3) After each inspection required by paragraph (h)(1) of this AD and after any replacement required by paragraph (h)(2) of this AD, before further flight, apply corrosion inhibitor to the inside of the rudder drive in accordance with step 5., section 7., of Airbus SB BO208–SB–002/2025, Issue 1; or Airbus SB BO209–SB–002/2025, Issue 2; as applicable. Where step 5., section 7., of the applicable service bulletin specifies using LPS 3 corrosion inhibitor, an equivalent corrosion inhibitor may be used instead.

(4) Before further flight after accomplishing the actions required by paragraph (h)(3) of this AD, re-inspect the drainage hole for blockage and clean it if necessary and reinstall the rudder in accordance with steps 6. and 7. section 7., of Airbus SB BO208–SB–002/2025, Issue 1; or Airbus SB BO209–SB–002/2025, Issue 2; as applicable.

(i) Credit for Previous Actions

This paragraph provides credit for the actions required by paragraphs (h)(1) through (4) of this AD if those actions were performed before the effective date of this AD using Airbus Service Bulletin BO209–SB–002/2025, Issue 1, dated August 21, 2025.

(j) Parts Installation

As of the effective date of this AD, do not install an affected part on any airplane that is not a serviceable part, as defined in paragraph (g)(1) or (2) of this AD.

(k) Alternative Methods of Compliance (AMOCs)

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

(l) Additional Information

For more information about this AD, contact Jesse Wulf, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (847) 294–7183; email: *jesse.r.wulf@faa.gov.*

(m) Material Incorporated by Reference

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

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

(i) Airbus Service Bulletin BO208–SB–002/2025, Issue 1, dated December 1, 2025.

(ii) Airbus Service Bulletin BO209–SB–002/2025, Issue 2, dated December 1, 2025.

(3) For Airbus material identified in this AD, contact Airbus Defence and Space GmbH, Dr. Alexander Allen, Willy-Messerschmitt-Strasse 1, 82024 Taufkirchen, Germany; phone: +49 (8459) 81–7883; email: *Lightweight-Aircraft@airbus.com.*

(4) You may view this material at FAA, Airworthiness Products Section, Operational Safety Branch, 1100 Main, Kansas City, MO 64105. For information on the availability of this material at the FAA, call (817) 222–5110.

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

Issued on September 10, 2026.

Hollister B. Thorson,

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

[FR Doc. 2026–18850 Filed 9–14–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2025–5141; Airspace Docket No. 25–ANM–147]

RIN 2120–AA66

Modification of Class D and Class E Airspace Areas; Roberts Field/Redmond Municipal Airport, Redmond, OR

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to modify the Class D and Class E airspace area designated as a surface area, modify the Class E airspace area designated as an extension to a Class D or Class E surface area, and modify the Class E airspace area extending upward from 700 feet above the surface at Roberts Field/Redmond Municipal Airport, Redmond, OR. This action would support the safety and management of instrument flight rules (IFR) operations at the airport.

DATES: Comments must be received on or before October 30, 2026.

ADDRESSES: Send comments identified by FAA Docket No. FAA–2025–5141 and Airspace Docket No. 25–ANM–147 using any of the following methods:

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

* *Mail:* Send comments to Docket Operations, M–30; U.S. Department of

Transportation, 1200 New Jersey Avenue SE, Room W58–213, West Building, 5th Floor, Washington, DC 20590–0001.

* *Hand Delivery or Courier:* Take comments to Docket Operations in Room W58–213 of the West Building, 5th Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

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

Docket: Background documents or comments received may be read at *www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W58–213 of the West Building, 5th Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FAA Order JO 7400.11K, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/*. You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Bryantjay T. Toves, Federal Aviation Administration, Western Service Center, Operations Support Group, 2200 S 216th Street, Des Moines, WA 98198; telephone (206) 231–3465.

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 would modify Class D and Class E airspace to support IFR operations at Roberts Field/Redmond Municipal Airport, Redmond, OR.

Comments Invited

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

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

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

Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the internet at *www.regulations.gov*. Recently published rulemaking documents can also be accessed through the FAA's web page at *www.faa.gov/air_traffic/publications/airspace_amendments/*.

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Operations office (see **ADDRESSES** section for address, phone number, and hours of operations). An informal docket may also be examined during normal business hours at the Northwest Mountain Regional Office of the Federal Aviation Administration, Air Traffic Organization, Western Service Center, Operations Support Group, 2200 S 216th Street, Des Moines, WA 98198.

Incorporation by Reference

Class D, E2, E4, and E5 airspace designations are published in paragraphs 5000, 6002, 6004, and 6005, respectively, of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11K, dated August 4, 2025, and effective September 15, 2025. These updates would be published in the next update to FAA Order JO 7400.11. FAA Order JO 7400.11K, which lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points, is publicly available as listed in the **ADDRESSES** section of this document.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 that would modify the Class D surface area airspace, the Class E airspace area designated as surface area, the Class E airspace area designated as an extension to a Class D or Class E surface area, and the Class E airspace area extending upward from 700 feet above the surface of the earth at Roberts Field/Redmond Municipal Airport, Redmond, OR.

The radius of the Class D surface area and Class E airspace area designated as surface area should be expanded to a 5.6-mile radius to more appropriately contain Category E aircraft conducting circling maneuvers and departing IFR operations utilizing the Obstacle Departure Procedures for Runway (RWY) 11 and RWY 29 until reaching the base of the next adjacent airspace.

A common airspace boundary between Bend Municipal Airport and Roberts Field/Redmond Municipal Airport would also be established to reduce the chance of inadvertent airspace incursions between the surface areas. An extension would be established south of the Roberts Field/Redmond Municipal Airport to adjoin the two airspaces.

In addition, the Class E airspace area designated as an extension to a Class D or Class E surface area would be modified to align with the proposed circumference of the Class D and Class E surface areas. The extension would be widened to better contain the Area Navigation (RNAV) (Global Positioning System [GPS]) Z RWY 29 and Special RNAV (Required Navigation Performance [RNP]) M RWY 29 procedures when arriving IFR aircraft are less than 1,000 feet above the surface.

Finally, the current Class E airspace area extending upward from at least 700 feet above the surface is excessive larger than necessary and should be reduced to the north, east, and southwest to more appropriately contain arriving IFR

aircraft descending below 1,500 feet above the surface and departing IFR aircraft until reaching 1,200 feet above the surface.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Order 2100.6B, ''Rulemaking and Guidance Procedure'' (March 10, 2025); and (3) is expected to result in, at most, de minimis costs from compliance with applicable operating requirements or minor flight rerouting for operators choosing to navigate around the controlled airspace. Since these proposed amendments are routine and the expected impact to operators is de minimis, the FAA certifies that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1G, FAA National Environmental Policy Act Implementing Procedures, prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

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

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

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

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

§ 71.1 [Amended]

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

Paragraph 5000 Class D Airspace.

* * * * *

ANM OR D Redmond, OR [Amended]

Roberts Field/Redmond Municipal Airport, OR

(Lat. 44°15′15″ N, long. 121°09′00″ W)

That airspace extending upward from the surface to and including 5,600 feet MSL within a 5.6-mile radius of the airport and that airspace 3.9 miles east and 3.2 miles west of the airport's 194° bearing extending to 5.6 miles south. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

* * * * *

Paragraph 6002 Class E Airspace Areas Designated as a Surface Area.

* * * * *

ANM OR E2 Redmond, OR [Amended]

Roberts Field/Redmond Municipal Airport, OR

(Lat. 44°15′15″ N, long. 121°09′00″ W)

That airspace extending upward from the surface to and including 5,600 feet MSL within a 5.6-mile radius of the airport and that airspace 3.9 miles east and 3.2 miles west of the airport's 194° bearing extending to 5.6 miles south. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

* * * * *

Paragraph 6004 Class E Airspace Areas Designated as an Extension to Class D or Class E Surface Area.

* * * * *

ANM OR E4 Redmond, OR [Amended]

Roberts Field/Redmond Municipal Airport, OR

(Lat. 44°15′15″ N, long. 121°09′00″ W)

That airspace extending upward from the surface within 1.2 miles northeast and 1.9 miles southwest of the airport's 121° bearing extending from its 5.6-mile radius to 8.6 miles southeast of the airport.

* * * * *

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

* * * * *

ANM OR E5 Redmond, OR [Amended]

Roberts Field/Redmond Municipal Airport, OR

(Lat. 44°15′15″ N, long. 121°09′00″ W)

That airspace extending upward from 700 feet above the surface within an area 5.8 miles east and 5.4 miles west of the airport's 017° bearing extending to 5.6 miles north, within 0.4 miles north and 6.4 miles south of the airport's 107° bearing extending to 13.2 miles east, and within 0.4 miles north and 6.4 miles south of the airport's 287° bearing extending to 7.6 miles west.

* * * * *

Issued in Des Moines, Washington, on September 10, 2026.

B.G. Chew,

Group Manager, Operations Support Group, Western Service Center.

[FR Doc. 2026–18804 Filed 9–14–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2026–11287; Airspace Docket No. 26–ANM–4]

RIN 2120–AA66

Establishment of United States Area Navigation Route T–337 and Amendment of Very High Frequency Omnidirectional Range Federal Airways V–101 and V–484 Near Twin Falls, ID

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to establish United States Area Navigation (RNAV) route T–337 and amend Very High Frequency (VHF) Omnidirectional Range (VOR) federal airways V–101 and V–484 near Twin Falls, ID. The FAA is proposing this action due to the pending decommissioning of the Hailey, ID, Nondirectional Radio Beacon (NDB)/Distance Measuring Equipment (DME).

DATES: Comments must be received on or before October 30, 2026.

ADDRESSES: Send comments identified by FAA Docket No. FAA–2026–11287 and Airspace Docket No. 26–ANM–4 using any of the following methods:

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

* *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W58–213, West Building, 5th floor, Washington, DC 20590–0001.

* *Hand Delivery or Courier:* Take comments to Docket Operations in Room W58–213 of the West Building, 5th Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

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

Docket: Background documents or comments received may be read at *www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W58–213 of the West Building, 5th Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

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

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 would amend the airway structure as necessary to preserve the safe and efficient flow of air traffic within the National Airspace System.

Comments Invited

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

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

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

Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the internet at *www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's web page at *www.faa.gov/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Operations office (see **ADDRESSES** section for address, phone number, and hours of operations). An informal docket may also be examined during normal business hours at the office of the Operations Support Group, Central Service Center, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX, 76177.

Incorporation by Reference

United States RNAV Routes are published in paragraph 6011 and VOR Federal Airways are published in paragraph 6010 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11M, dated July 30, 2026, and effective September 15, 2026. These updates would be published in the next update to FAA Order JO 7400.11. FAA Order JO 7400.11M, which lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points, is publicly available as listed in the **ADDRESSES** section of this document.

Background

Hailey, ID, NDB/DME (HLE) is scheduled to be decommissioned on April 15, 2027. Due to maintenance issues, HLE has been out of service since January 2023. Historically utilized by Friedman Memorial Airport (KSUN) for backup departure procedures, HLE saw minimal operational use, a decline driven largely by the availability of alternative departure routes, even prior to its scheduled decommission. The loss of this Navigational Aid (NAVAID) will affect VOR federal airways V–101 between the Burley, ID, VOR/DME and the SOLDE, ID, Fix and V–484 between HLE and the JEROT, ID, Fix. The establishment of RNAV Route T–337 is proposed as a mitigation to the affected segments of V–484 as the new RNAV route would overlay the segment of V–484 proposed to be revoked. Nearby V–444 would mitigate the loss of the impacted segment of V–101.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 to establish RNAV route T–337 and amend VOR federal airways V–101 and V–484 near Twin Falls, ID.

T–337: T–337 is proposed as a new RNAV route that would extend between the Twin Falls, ID, VOR/Tactical Air Navigation (VORTAC) and the ENDBE, ID, Waypoint (WP). The waypoint ENDBE is a new waypoint that would be established in place of the Hailey NDB/DME.

V–101: V–101 currently extends between the Gill, CO, VOR/DME and the intersection of the Pocatello, ID, VOR/DME 286 and the Twin Falls VORTAC 355 radials. The FAA is proposing to revoke the segment that extends between the intersection of the Burley, ID, VOR/DME 344 and the Pocatello VOR/DME 286 radials and the intersection of the Pocatello, ID, VOR/DME 286 and the Twin Falls VORTAC 355 radials. As amended, V–101 would extend between the Gill VOR/DME and the Burley VOR/DME.

V–484: V–484 currently extends between the Hailey, ID, NDB and the Alamosa, CO, VORTAC. The FAA is proposing to revoke the segment that extends between the Hailey NDB and the intersection of the Twin Falls VORTAC 007 and Burley VOR/DME 323 radials. As amended, V–484 would extend between the intersection of the Twin Falls VORTAC 007 and the Burley VOR/DME 293 radials and the Alamosa VORTAC.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Order 2100.6B, ''Rulemaking and Guidance Procedures'' (March 10, 2025); and (3) is expected to result in, at most, de minimis costs from compliance with applicable operating requirements or minor flight rerouting for operators choosing to navigate around the controlled airspace. Since these proposed amendments are routine and the expected impact to operators is de minimis, the FAA certifies that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1G, ''FAA National Environmental Policy Act Implementing Procedures'' prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

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

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

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

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11M, Airspace Designations and Reporting Points, dated July 30, 2026, and effective September 15, 2026, is established as follows:

Paragraph 6011 United States Area Navigation Routes.

* * * * *

T–337 Twin Falls, ID (TWF) to ENDBE, ID [New]

TWIN FALLS, ID (TWF)	VORTAC	(Lat. 42°28′47.46″ N, long. 114°2′22.05″ W)
TOXEE, ID	FIX	(Lat. 42°41′41.81″ N, long. 114°27′13.10″ W)
JEROT, ID	FIX	(Lat. 42°45′03.67″ N, long. 114°26′39.41″ W)
KINZE, ID	FIX	(Lat. 43°04′51.80″ N, long. 114°23′19.23″ W)
PRESN, ID	FIX	(Lat. 43°12′23.15″ N, long. 114°18′54.14″ W)
ENDBE, ID	WP	(Lat. 43°19′47.20″ N, long. 114°14′37.28″ W)

* * * * *

Paragraph 6010 VOR Federal Airways.

* * * * *

V–101 [Amended]

From Gill, CO, via Hayden, CO; Vernal, UT; 25 miles, 25 miles 120 MSL, 22 miles 145 MSL, 20 miles 125 MSL, Wasatch, UT; Ogden, UT; 61 miles, 26 miles, 109 MSL; to Burley, ID.

* * * * *

V–484 [Amended]

From INT Twin Falls, ID, 007°; Burley, ID, 293° radials; Twin Falls, 49 miles, 34 miles 114 MSL, Wasatch, UT; 25 miles, 31 miles, 125 MSL, Myton, UT; 14 miles, 79 MSL, 33 miles, 100 MSL, Grand Junction, CO; Blue Mesa, CO; INT Blue Mesa 110° and Alamosa, CO, 339° radials; to Alamosa.

* * * * *

Issued in Washington, DC, on September 11, 2026.

Alex W. Nelson,

Manager, Rules and Regulations Group.

[FR Doc. 2026–18860 Filed 9–14–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2026–11422; Airspace Docket No. 26–ANE–6]

RIN 2120–AA66

Amendment of Class E Airspace Over Pittsfield, ME

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend E airspace over Pittsfield, ME. This action would modify the dimensions of the Pittsfield, ME Class E5 airspace to appropriately contain Instrument Flight Rules (IFR) operations at the Pittsfield Municipal Airport. This action would also update the geographic coordinates of the airport in the Pittsfield, ME Class E5 airspace legal description. This action would also remove the decommissioned Burnham Non-Directional Beacon (NDB) from the airspace legal description. This action would also remove the exclusion for adjacent Class E5 airspace from the airspace legal description.

DATES: Comments must be received on or before October 30, 2026.

ADDRESSES: Send comments identified by FAA Docket No. FAA–2026–11422 and Airspace Docket No. 26–ANE–6 using any of the following methods:

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

* *Mail:* Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W58–213, West Building, 5th Floor, Washington, DC 20590–0001.

* *Hand Delivery or Courier:* Take comments to Docket Operations in Room W58–213 of the West Building, 5th Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except for Federal holidays.

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

Docket: Background documents or comments received may be read at *www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W58–213 of the West Building, 5th Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except for Federal holidays.

FAA Order JO 7400.11M Airspace Designations and Reporting Points and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/.* You may also contact the

Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20597; Telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Marc Ellerbee, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; Telephone: (404) 305–5589.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend Class E airspace in Pittsfield, ME.

Comments Invited

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

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

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

Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the internet at *www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's web page at *www.faa.gov/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Operations office (see **ADDRESSES** section for address, phone number, and hours of operations). An informal docket may also be examined during regular business hours at the office of the Eastern Service Center, Federal Aviation Administration, Room 210, 1701 Columbia Ave., College Park, GA, 30337.

Incorporation by Reference

Class E airspace designations are published in paragraph 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11M, dated July 30, 2026, and effective September 15, 2026. These updates would be published in the next update to FAA Order JO 7400.11. FAA Order JO 7400.11M, which lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points, is publicly available as listed in the **ADDRESSES** section of this document.

The Proposal

This action proposes to amend 14 CFR part 71 by modifying Class E airspace over Pittsfield, ME. New instrument approach procedures (IAPs) have been developed for Pittsfield Municipal Airport, Pittsfield, ME, prompting a review of the associated airspace. A review of the new RNAV (GPS) RWY 18 IAP revealed a need for an expansion of the Class E5 airspace to the north of the airport. This additional Class E5 airspace would extend 2.1 miles each side of the 347° bearing from the airport from the 7.5-mile radius of the airport to 11.9 miles north of the airport.

A review of the existing IAPs also revealed a need for a reduction to the lateral dimensions of the Class E5 airspace extending south of the airport. It was also found that the Burnham NDB, which is used in the current airspace legal description, was decommissioned (National Flight Data Digest No. 134, July 15, 2026) and should be removed from the airspace legal description. The new Class E5 airspace extending south of the airport would extend 2.2 miles each side of the 167° bearing from the airport from the 7.5-mile radius of the airport to 11.8 miles south of the airport.

This action would also update the geographic coordinates of the airport from (Lat. 44°46′06″ N, long. 69°22′28″ W) to (Lat. 44°46′07″ N, long. 69°22′28″ W), which is one second of latitude. This action would also remove the exclusion of the Belfast, ME, Class E airspace area from the Pittsfield, ME Class E airspace legal description, in order to comply with current FAA guidance.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Order 2100.6B, ''Rulemaking and Guidance Procedure'' (March 10, 2025); and (3) is expected to result in, at most, de minimis costs from compliance with applicable operating requirements or minor flight rerouting for operators choosing to navigate around the controlled airspace. Since these proposed amendments are routine and the expected impact to operators is de minimis, the FAA certifies that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1G, ''FAA National Environmental Policy Act Implementing Procedures'' prior to any FAA final regulatory action.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

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

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

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

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11M, Airspace Designations and Reporting Points, dated July 30, 2026, and effective September 15, 2026, is amended as follows:

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

* * * * *

ANE ME E5 Pittsfield, ME [Amended]

Pittsfield Municipal Airport, ME
(Lat. 44°46′07″ N, long. 69°22′28″ W)

That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of Pittsfield Municipal Airport, and within 2.2 miles each side of the 167° bearing from the airport extending from the 7.5-mile radius to 11.8 miles south of the airport; and within 2.1 miles each side of the 347° bearing from the airport extending from the 7.5-mile radius to 11.9 miles north of the airport.

* * * * *

Issued in College Park, Georgia, on September 11, 2026.

Kristen Leake,

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

[FR Doc. 2026–18899 Filed 9–14–26; 8:45 am]

BILLING CODE 4910–13–P

FEDERAL TRADE COMMISSION

16 CFR Part 318

[File No. R607006]

Petition for Rulemaking of Robert Michael Vanleeuwen

AGENCY: Federal Trade Commission.

ACTION: Receipt of petition; request for comment.

SUMMARY: Please take notice that the Federal Trade Commission (''Commission'') received a petition for rulemaking from Robert Michael Vanleeuwen and has published that petition online at *https://www.regulations.gov.* The Commission invites written comments concerning the petition. Publication of this petition is pursuant to the Commission's Rules of Practice and Procedure and does not affect the legal status of the petition or its final disposition.

DATES: Comments must identify the petition docket number and be filed by October 15, 2026.

ADDRESSES: You may view the petition, identified by docket number FTC–2026–1321, and submit written comments concerning its merits by using the Federal eRulemaking Portal at *https://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit sensitive or confidential information. You may read background documents or comments received at *https://www.regulations.gov* at any time.

FOR FURTHER INFORMATION CONTACT: Office of the Secretary (phone: 202–326–2514, email: *ElectronicFilings@ftc.gov*), Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580.

SUPPLEMENTARY INFORMATION: Pursuant to section 18(a)(1)(B) of the Federal Trade Commission Act, 15 U.S.C. 57a(1)(B), and FTC Rule 1.31(f), 16 CFR 1.31(f), notice is hereby given that the above-captioned petition has been filed with the Secretary of the Commission and has been placed on the public record for a period of 30 days. Any person may submit comments in support of or in opposition to the petition. All timely and responsive comments submitted in connection with this petition will become part of the public record.

This petition requests to amend and repeal sections of the Health Breach Notification Rule. The Commission will not consider the petition's merits until after the comment period closes. It may grant or deny the petition in whole or in part, and it may deem the petition insufficient to warrant commencement of a rulemaking proceeding. The purpose of this document is to facilitate public comment on the petition to aid the Commission in determining what, if any, action to take regarding the request contained in the petition. This document is not intended to start, stop, cancel, or otherwise affect rulemaking proceedings in any way.

Because your comment will be placed on the publicly accessible website at *https://www.regulations.gov,* you are solely responsible for making sure your comment does not include any sensitive or confidential information. In particular, your comment should not include 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 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).

(Authority: 15 U.S.C. 46; 15 U.S.C. 57a; 5 U.S.C. 601 note.)

April J. Tabor,

Secretary.

[FR Doc. 2026–18854 Filed 9–14–26; 8:45 am]

BILLING CODE 6750–01–P

Notices

Federal Register
Vol. 91, No. 177
Tuesday, September 15, 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

Animal and Plant Health Inspection Service

[Docket No. APHIS–2024–0040]

Notice of Availability of a Final Environmental Assessment and Finding of No Significant Impact for the Field Release of Aceria salsolae (Acari: Eriophyidae), a Mite for Biological Control of Russian Thistle (Salsola tragus), in the Contiguous United States

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of availability.

SUMMARY: We are advising the public that the Animal and Plant Health Inspection Service has prepared a final environmental assessment and finding of no significant impact relative to permitting the release of the blister mite, *Aceria salsolae* (Acari: Eriophyidae), for the biological control of Russian thistle (*Salsola tragus* L.) within the contiguous United States. Based on our finding of no significant impact, we have determined that an environmental impact statement need not be prepared.

FOR FURTHER INFORMATION CONTACT: Ms. Kirsten Dyer, Agriculturist, Pests, Pathogens and Biocontrol Permitting, Pest Exclusion and Import Programs, PPQ, APHIS; (352) 554–0556; email: *Kirsten.Dyer@usda.gov.*

SUPPLEMENTARY INFORMATION: The Animal and Plant Health Inspection Service (APHIS) has prepared a final environmental assessment (EA) and finding of no significant impact (FONSI) relative to the field release of the blister mite, *Aceria salsolae* (Acari: Eriophyidae), for the biological control of Russian thistle (*Salsola tragus* L.) within the contiguous United States. The action will reduce the severity of infestations of Russian thistle in the central and western United States. After completion of the environmental analysis, APHIS will issue permits for the release.

Russian thistle, or tumbleweed, is an alien weedy annual plant that infests about 41.3 million hectares (100 million acres) in the western United States. It is native to the mountainous regions of southwest Asia and was accidentally first introduced in the early 1870s in South Dakota. Since then, it has spread over most of the central and western United States and southern Canada. It grows primarily in fallow or disturbed soil, along roadsides and irrigation canals, and in waste areas in arid and semiarid zones. Russian thistle is listed as a noxious weed in five states and causes millions of dollars in damage by disrupting automobile traffic, clogging irrigation canals, displacing native plant species, providing habitat to insect pests of many fruits and vegetables, and is highly flammable, contributing to a rapid spread of wildfires.

Permitting the release of *A. salsolae* in the contiguous United States is likely to help control invasive Russian thistle. *A. salsolae* is a recently discovered eriophyid mite species. Mite species are usually extremely host specific and therefore generally pose low risk to nontarget plants, making them a likely candidate for classical biological control of weeds. *A. salsolae* has been reported only from *S. tragus* and is the only eriophyid mite collected from these plants. *A. salsolae* causes severe damage to the plant by feeding on epidermal cells in the meristematic tissue, stunting growth and preventing development of branches and flowers needed for reproduction. Host-specificity testing indicates *A. salsolae* is unlikely to attack non-target species.

Russian thistle is very difficult to control because current chemical (*i.e.,* herbicides), mechanical (*i.e.,* tilling), and cultural (*i.e.,* competition from a healthy, well-watered crop) controls are not effective against this widespread weed. However, Russian thistle is an excellent target for classical biological control (*i.e.,* use of exotic natural enemies) because it has no close taxonomic relatives in North America. Classical biological control is a potentially useful management strategy for an invasive pest species whenever effective resident natural enemies are lacking in the new distribution range.

On March 10, 2009, APHIS published a notice of availability of a draft EA [1] in the **Federal Register** (74 FR 10223–10224, Docket No. APHIS–2008–0143). APHIS explained in the draft EA that after reviewing host specific testing of 39 species and 12 varieties of host plants from five (5) families, including 25 native species of North America, *A. salsolae* was not expected to directly harm any plants outside of the targeted Russian thistle and there was no population increase of *A. salsolae* on nontarget plant species. The draft EA was made available to the public for a 30-day comment period. However, because of a comment APHIS received on the draft EA raising concerns about the release of *A. salsolae,* APHIS did not issue a finding of no significant impact (FONSI) and also did not issue permits allowing the environmental release of *A. salsolae.* The commenter was concerned about some additional testing conducted by the permit applicant that indicated that *A. salsolae* mites survived for at least five (5) weeks on five non-target plants. In the intervening years since publication of the draft EA, additional research has been conducted providing new host specificity information that enabled APHIS to strengthen its support for the release of *A. salsolae* within the contiguous United States for classical biological control of Russian thistle. Due to the availability of this additional research, we revised the prior draft EA and made the revised draft EA available to the public for a second round of public comments.

On June 27, 2025, we published in the **Federal Register** (90 FR 27522–27523, Docket No. APHIS–2024–0040) a notice [2] in which we announced the availability, for public review and comment, of a revised draft EA that examined the potential environmental impacts associated with permitting the release of the blister mite, *A. salsolae,* for the biological control of Russian thistle within the contiguous United States. Comments on the notice were required to be received on or before July 28, 2025. We received three (3) comments on the revised draft EA by

[1] To view the notice, supporting documents, and the comments we received, go to *http://www.regulations.gov* and enter APHIS–2008–0143 in the Search field.

[2] To view the notice, supporting documents, and the comments we received, go to *http://www.regulations.gov* and enter APHIS–2024–0040 in the Search field.

that date all of which were supportive of the environmental release of the blister mite, *A. salsolae,* for the biological control of Russian thistle within the contiguous United States. One commenter recommended APHIS coordinate the field release with other Federal land management agencies to ensure the field release can occur on all affected public lands. We have revised the final EA, where appropriate, and our full response to comments can be found in Appendix 3 of the final EA.

In this document, we are advising the public of the availability of the final EA and our FONSI regarding the field release of blister mite, *Aceria salsolae* De Lillo and Sobhian (Acari: Eriophyidae), for the biological control of Russian thistle (*Salsola tragus* L.) within the contiguous United States. Based on the analysis in the final EA, APHIS determined that the field release of *A. salsolae* for the biological control of Russian thistle within the contiguous United States will not have a significant impact on the quality of the human environment. As a result of this finding, we will issue permits for the field release *A. salsolae* for the biological control of Russian thistle within the contiguous United States.

The final EA and FONSI may be viewed on the *Regulations.gov* website (see footnote 1). Copies of the final EA and FONSI are also available for public inspection at Room 1620 of the USDA South Building, 14th Street and Independence Avenue SW, Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect copies are requested to call ahead at (202) 799–7039 to facilitate entry into the reading room. In addition, copies may be obtained by calling or writing to the individual listed under **FOR FURTHER INFORMATION CONTACT**.

The final EA and FONSI have been prepared in accordance with: (1) The National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321–4370m–11); (2) the former regulations of the Council on Environmental Quality for implementing the procedural provisions of NEPA (40 CFR parts 1500–1508) as of February 25, 2021; (3) U.S. Department of Agriculture regulations implementing NEPA (7 CFR part 1b) effective through July 2, 2025; and (4) APHIS' NEPA Implementing Procedures (7 CFR part 372) effective through July 2, 2025.

Done in Washington, DC, this 9th day of September 2026.

Kelly Moore,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2026–18858 Filed 9–14–26; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Administration

[FNA–2026–0302]

Supplemental Nutrition Assistance Program: State of Indiana SNAP Demonstration Project

AGENCY: Food and Nutrition Administration, U.S. Department of Agriculture.

ACTION: Notice of request for public comments.

SUMMARY: This notice invites the public to comment on the State of Indiana's demonstration project authorized under section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b). The Food and Nutrition Administration (FNA) will take appropriate action as necessary in response to comments.

DATES: Written comments must be received on or before October 15, 2026.

ADDRESSES: Comments on this notice may be submitted to FNA by one of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Website:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- All written comments submitted in response to this notice will be included in the record and will be made available to the public. Please be advised that the substance of the comments and the identity of the individuals or entities submitting the comments will be subject to public disclosure. FNA will make the written comments publicly available on the internet via *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Shiela Corley, Acting FNA Administrator, at *SM.FN.RPMDHQ-WEB@usda.gov* with subject line of ''IN SNAP Demonstration Project''.

SUPPLEMENTARY INFORMATION: Section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b), authorizes FNA to approve demonstration projects to test changes to the Supplemental Nutrition Assistance Program (SNAP) that may increase programmatic efficiency and improve the delivery of SNAP benefits to raise levels of nutrition among eligible households. This demonstration project is implemented by the State, and FNA will carefully review the results of the project based on the State's evaluation data. All relevant documents, including the State's demonstration project request, can be found in the supporting document section. Additionally, to support implementation and ensure transparency, FNA created a central web page on May 21, 2025, to post State agencies' project requests and approvals and provide exact implementation timelines. That web page is accessible at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction.*

Discussion of Demonstration Project

State of Indiana Demonstration Project Request

The State of Indiana requested to conduct a demonstration project to amend the SNAP definition of food for purchase to exclude ''soft drinks''. The State formally requested to conduct this project on April 15, 2025. The State requested to implement the project on January 1, 2026. The State's project request can be found in the supporting document section and on the FNA website at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/indiana.*

Request for Public Comments: Although not required by statute, interested parties are invited to submit written comments regarding the State of Indiana's demonstration project. FNA is particularly interested in comments regarding the state's implementation and operation of the demonstration project. Further information related to the implementation of the demonstration project is included on the FNA website (*https://www.fna.usda.gov/snap/waivers/foodrestriction*) and the State's website (*https://www.in.gov/fssa/dfr/snap-food-assistance/smart-snap/smart-snap-retailers/*).

Shiela Corley,

Acting Administrator, Food and Nutrition Administration, USDA.

[FR Doc. 2026–18894 Filed 9–14–26; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Administration

[FNA–2026–0300]

Supplemental Nutrition Assistance Program: State of Hawaii SNAP Demonstration Project

AGENCY: Food and Nutrition Administration, U.S. Department of Agriculture.

ACTION: Notice of request for public comments.

SUMMARY: This notice invites the public to comment on the State of Hawaii's demonstration project authorized under section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b). The Food and Nutrition Administration (FNA) will take appropriate action as necessary in response to comments.

DATES: Written comments must be received on or before October 15, 2026.

ADDRESSES: Comments on this notice may be submitted to FNA by one of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Website:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- All written comments submitted in response to this notice will be included in the record and will be made available to the public. Please be advised that the substance of the comments and the identity of the individuals or entities submitting the comments will be subject to public disclosure. FNA will make the written comments publicly available on the internet via *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Shiela Corley, Acting FNA Administrator, at *SM.FN.RPMDHQ-WEB@usda.gov* with subject line of ''HI SNAP Demonstration Project''.

SUPPLEMENTARY INFORMATION: Section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b), authorizes FNA to approve demonstration projects to test changes to the Supplemental Nutrition Assistance Program (SNAP) that may increase programmatic efficiency and improve the delivery of SNAP benefits to raise levels of nutrition among eligible households. This demonstration project is implemented by the State, and FNA will carefully review the results of the project based on the State's evaluation data. All relevant documents, including the State's demonstration project request, can be found in the supporting document section. Additionally, to support implementation and ensure transparency, FNA created a central web page on May 21, 2025, to post State agencies' project requests and approvals and provide exact implementation timelines. That web page is accessible at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction.*

Discussion of Demonstration Project

State of Hawaii Demonstration Project Request

The State of Hawaii requested to conduct a demonstration project to amend the SNAP definition of food for purchase to exclude ''soft drinks''. The State formally requested to conduct this project on October 10, 2025. On May 27, 2026, the State requested to modify the implementation date to April 1, 2027. The State's project request and the subsequent modification request can be found in the supporting document section and on the FNA website at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/hawaii.*

USDA Approval of Initial Demonstration Project Request

FNA approved the State's initial demonstration project request on December 10, 2025. The approval can be found in the supporting document section and at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/hawaii.*

Request for Public Comments: Although not required by statute, interested parties are invited to submit written comments regarding the State of Hawaii's demonstration project. FNA is particularly interested in comments regarding the state's implementation and operation of the demonstration project. Further information related to the implementation of the demonstration project is included on the FNA website (*https://www.fna.usda.gov/snap/waivers/foodrestriction*) and the State's website (*https://humanservices.hawaii.gov/bessd/snap/*).

Shiela Corley,

Acting Administrator, Food and Nutrition Administration, USDA.

[FR Doc. 2026–18888 Filed 9–14–26; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Administration

[FNA–2026–0307]

Supplemental Nutrition Assistance Program: State of North Dakota SNAP Demonstration Project

AGENCY: Food and Nutrition Administration, U.S. Department of Agriculture.

ACTION: Notice of request for public comments.

SUMMARY: This notice invites the public to comment on the State of North Dakota's demonstration project authorized under section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b). The Food and Nutrition Administration (FNA) will take appropriate action as necessary in response to comments.

DATES: Written comments must be received on or before October 15, 2026.

ADDRESSES: Comments on this notice may be submitted to FNA by one of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Website:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- All written comments submitted in response to this notice will be included in the record and will be made available to the public. Please be advised that the substance of the comments and the identity of the individuals or entities submitting the comments will be subject to public disclosure. FNA will make the written comments publicly available on the internet via *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Shiela Corley, Acting FNA Administrator, at *SM.FN.RPMDHQ-WEB@usda.gov* with subject line of ''ND SNAP Demonstration Project''.

SUPPLEMENTARY INFORMATION: Section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b), authorizes FNA to approve demonstration projects to test changes to the Supplemental Nutrition Assistance Program (SNAP) that may increase programmatic efficiency and improve the delivery of SNAP benefits to raise levels of nutrition among eligible households. This demonstration project is implemented by the State, and FNA will carefully review the results of the project based on the State's evaluation data. All relevant documents, including the State's demonstration project

request, can be found in the supporting document section. Additionally, to support implementation and ensure transparency, FNA created a central web page on May 21, 2025, to post State agencies' project requests and approvals and provide exact implementation timelines. That web page is accessible at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction.*

Discussion of Demonstration Project

State of North Dakota Demonstration Project Request

The State of North Dakota requested to conduct a demonstration project to amend the SNAP definition of food for purchase to exclude ''soft drinks'', ''energy drinks'', and ''candy''. The State formally requested to conduct this project on October 24, 2025, and then provided a revised request on November 3, 2025. On February 27, 2026, the State requested to modify the initial project request to ''further explain the state's restricted food and beverage items''. The State requested to implement the project on September 1, 2026. The State's project request and the subsequent modification request can be found in the supporting document section and on the FNA website at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/northdakota.*

USDA Approval of Initial Demonstration Project Request

FNA approved the State's initial demonstration project request on December 10, 2025. The approval can be found in the supporting document section and at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/northdakota.*

Request for Public Comments: Although not required by statute, interested parties are invited to submit written comments regarding the State of North Dakota's demonstration project. FNA is particularly interested in comments regarding the state's implementation and operation of the demonstration project. Further information related to the implementation of the demonstration project is included on the FNA website (*https://www.fna.usda.gov/snap/waivers/foodrestriction*) and the State's website (*https://www.hhs.nd.gov/snap-healthy-choice-waiver*).

Shiela Corley,

Acting Administrator, Food and Nutrition Administration, USDA.

[FR Doc. 2026–18879 Filed 9–14–26; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Administration

[FNA–2026–0310]

Supplemental Nutrition Assistance Program: State of Oklahoma SNAP Demonstration Project

AGENCY: Food and Nutrition Administration, U.S. Department of Agriculture.

ACTION: Notice of request for public comments.

SUMMARY: This notice invites the public to comment on the State of Oklahoma's demonstration project authorized under section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b). The Food and Nutrition Administration (FNA) will take appropriate action as necessary in response to comments.

DATES: Written comments must be received on or before October 15, 2026.

ADDRESSES: Comments on this notice may be submitted to FNA by one of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Website:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- All written comments submitted in response to this notice will be included in the record and will be made available to the public. Please be advised that the substance of the comments and the identity of the individuals or entities submitting the comments will be subject to public disclosure. FNA will make the written comments publicly available on the internet via *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Shiela Corley, Acting FNA Administrator, at *SM.FN.RPMDHQ–WEB@usda.gov* with subject line of ''OK SNAP Demonstration Project''.

SUPPLEMENTARY INFORMATION: Section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b), authorizes FNA to approve demonstration projects to test changes to the Supplemental Nutrition Assistance Program (SNAP) that may increase programmatic efficiency and improve the delivery of SNAP benefits to raise levels of nutrition among eligible households. This demonstration project is implemented by the State, and FNA will carefully review the results of the project based on the State's evaluation data. All relevant documents, including the State's demonstration project request, can be found in the supporting document section. Additionally, to support implementation and ensure transparency, FNA created a central web page on May 21, 2025, to post State agencies' project requests and approvals and provide exact implementation timelines. That web page is accessible at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction.*

Discussion of Demonstration Project

State of Oklahoma Demonstration Project Request

The State of Oklahoma requested to conduct a demonstration project to amend the SNAP definition of food for purchase to exclude ''candy and soft drinks''. The State formally requested to conduct this project on or about June 10, 2025. On or about September 25, 2025, the State requested to modify their initial project request to amend the definitions of ''candy'' and ''soft drinks''. On November 17, 2025, the State requested to modify their project request again to amend the implementation date to February 15, 2026. The State's project request and the subsequent modification requests can be found in the supporting document section and on the FNA website at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/oklahoma.*

USDA Approval of Initial Demonstration Project Request

FNA approved the State's initial demonstration project request on August 4, 2025. The approval can be found in the supporting document section and at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/oklahoma.*

Request for Public Comments: Although not required by statute, interested parties are invited to submit written comments regarding the State of Oklahoma's demonstration project. FNA is particularly interested in comments regarding the state's implementation and operation of the demonstration project. Further information related to the implementation of the demonstration project is included on the FNA website (*https://www.fna.usda.gov/snap/waivers/foodrestriction*) and the State's website (*https://oklahoma.gov/okdhs/ebt/healthyfoodwaiver.html*).

Shiela Corley,

Acting Administrator, Food and Nutrition Administration, USDA.

[FR Doc. 2026–18891 Filed 9–14–26; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Administration

[FNA–2026–0301]

Supplemental Nutrition Assistance Program: State of Idaho SNAP Demonstration Project

AGENCY: Food and Nutrition Administration, U.S. Department of Agriculture.

ACTION: Notice of request for public comments.

SUMMARY: This notice invites the public to comment on the State of Idaho's demonstration project authorized under section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b). The Food and Nutrition Administration (FNA) will take appropriate action as necessary in response to comments.

DATES: Written comments must be received on or before October 15, 2026.

ADDRESSES: Comments on this notice may be submitted to FNA by one of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Website:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- All written comments submitted in response to this notice will be included in the record and will be made available to the public. Please be advised that the substance of the comments and the identity of the individuals or entities submitting the comments will be subject to public disclosure. FNA will make the written comments publicly available on the internet via *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Shiela Corley, Acting FNA Administrator, at *SM.FN.RPMDHQ-WEB@usda.gov* with subject line of ''ID SNAP Demonstration Project''.

SUPPLEMENTARY INFORMATION: Section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b), authorizes FNA to approve demonstration projects to test changes to the Supplemental Nutrition Assistance Program (SNAP) that may increase programmatic efficiency and improve the delivery of SNAP benefits to raise levels of nutrition among eligible households. This demonstration project is implemented by the State, and FNA will carefully review the results of the project based on the State's evaluation data. All relevant documents, including the State's demonstration project request, can be found in the supporting document section. Additionally, to support implementation and ensure transparency, FNA created a central web page on May 21, 2025, to post State agencies' project requests and approvals and provide exact implementation timelines. That web page is accessible at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction.*

Discussion of Demonstration Project

State of Idaho Demonstration Project Request

The State of Idaho requested to conduct a demonstration project to amend the SNAP definition of food for purchase to exclude ''soda'' and ''candy''. The State formally requested to conduct this project on May 16, 2025. On September 4, 2025, the State requested to modify the implementation date to February 15, 2026. The State's project request and the subsequent modification request can be found in the supporting document section and on the FNA website at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/idaho.*

USDA Approval of Initial Demonstration Project Request

FNA approved the State's initial demonstration project request on June 10, 2025. The approval can be found in the supporting document section and at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/idaho.*

Request for Public Comments: Although not required by statute, interested parties are invited to submit written comments regarding the State of Idaho's demonstration project. FNA is particularly interested in comments regarding the state's implementation and operation of the demonstration project. Further information related to the implementation of the demonstration project is included on the FNA website (*https://www.fna.usda.gov/snap/waivers/foodrestriction*) and the State's website (*https://healthandwelfare.idaho.gov/providers/snap-candy-and-soda-restrictions/idaho-snap-retailer-information-page*).

Shiela Corley,

Acting Administrator, Food and Nutrition Administration, USDA.

[FR Doc. 2026–18889 Filed 9–14–26; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Administration

[FNA–2026–0313]

Supplemental Nutrition Assistance Program: State of Utah SNAP Demonstration Project

AGENCY: Food and Nutrition Administration, U.S. Department of Agriculture.

ACTION: Notice of request for public comments.

SUMMARY: This notice invites the public to comment on the State of Utah's demonstration project authorized under section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b). The Food and Nutrition Administration (FNA) will take appropriate action as necessary in response to comments.

DATES: Written comments must be received on or before October 15, 2026.

ADDRESSES: Comments on this notice may be submitted to FNA by one of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Website:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- All written comments submitted in response to this notice will be included in the record and will be made available to the public. Please be advised that the substance of the comments and the identity of the individuals or entities submitting the comments will be subject to public disclosure. FNA will make the written comments publicly available on the internet via *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Shiela Corley, Acting FNA Administrator, at *SM.FN.RPMDHQ-WEB@usda.gov* with subject line of ''UT SNAP Demonstration Project''.

SUPPLEMENTARY INFORMATION: Section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b), authorizes FNA to approve demonstration projects to test changes to the Supplemental Nutrition Assistance Program (SNAP) that may increase programmatic efficiency and improve the delivery of SNAP benefits to raise levels of nutrition among eligible households. This demonstration project is implemented by the State, and FNA will carefully review the results of the project based on the State's evaluation data. All relevant documents, including the State's demonstration project request, can be found in the supporting

document section. Additionally, to support implementation and ensure transparency, FNA created a central web page on May 21, 2025, to post State agencies' project requests and approvals and provide exact implementation timelines. That web page is accessible at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction.*

Discussion of Demonstration Project

State of Utah Demonstration Project Request

The State of Utah requested to conduct a demonstration project to amend the SNAP definition of food for purchase to exclude ''soft drinks''. The State formally requested to conduct this project on May 16, 2025. The State requested to implement the project on January 1, 2026. The State's project request can be found in the supporting document section and on the FNA website at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/utah.*

Request for Public Comments: Although not required by statute, interested parties are invited to submit written comments regarding the State of Utah's demonstration project. FNA is particularly interested in comments regarding the state's implementation and operation of the demonstration project. Further information related to the implementation of the demonstration project is included on the FNA website (*https://www.fna.usda.gov/snap/waivers/foodrestriction*) and the State's website (*https://jobs.utah.gov/customereducation/services/foodstamps/groceries.html).*

Shiela Corley,

Acting Administrator, Food and Nutrition Administration, USDA.

[FR Doc. 2026–18893 Filed 9–14–26; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Administration

[FNA–2026–0298]

Supplemental Nutrition Assistance Program: State of Arkansas SNAP Demonstration Project

AGENCY: Food and Nutrition Administration, U.S. Department of Agriculture.

ACTION: Notice of request for public comments.

SUMMARY: This notice invites the public to comment on the State of Arkansas' demonstration project authorized under section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b). The Food and Nutrition Administration (FNA) will take appropriate action as necessary in response to comments.

DATES: Written comments must be received on or before October 15, 2026.

ADDRESSES: Comments on this notice may be submitted to FNA by one of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Website:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- All written comments submitted in response to this notice will be included in the record and will be made available to the public. Please be advised that the substance of the comments and the identity of the individuals or entities submitting the comments will be subject to public disclosure. FNA will make the written comments publicly available on the internet via *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Shiela Corley, Acting FNA Administrator, at *SM.FN.RPMDHQ-WEB@usda.gov* with subject line of ''AR SNAP Demonstration Project''.

SUPPLEMENTARY INFORMATION: Section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b), authorizes FNA to approve demonstration projects to test changes to the Supplemental Nutrition Assistance Program (SNAP) that may increase programmatic efficiency and improve the delivery of SNAP benefits to raise levels of nutrition among eligible households. This demonstration project is implemented by the State, and FNA will carefully review the results of the project based on the State's evaluation data. All relevant documents, including the State's demonstration project request, can be found in the supporting document section. Additionally, to support implementation and ensure transparency, FNA created a central web page on May 21, 2025, to post State agencies' project requests and approvals and provide exact implementation timelines. That web page is accessible at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction.*

Discussion of Demonstration Project

State of Arkansas Demonstration Project Request

The State of Arkansas requested to conduct a demonstration project to amend the SNAP definition of food for purchase to exclude ''soda, low and no-calorie soda, fruit and vegetable drinks with less than 50% natural juice, other unhealthy drinks, and candy''. The State formally requested to conduct this project on April 15, 2025. On May 5, 2026, the State requested to modify the initial project request to clarify ''allowable and unallowable items under the pilot''. The State requested to implement the project on July 1, 2026. The State's project request and the subsequent modification request can be found in the supporting document section and on the FNA website at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/arkansas.*

USDA Approval of Initial Demonstration Project Request

FNA approved the State's initial demonstration project request on June 10, 2025. The approval can be found in the supporting document section and at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/arkansas.*

Request for Public Comments: Although not required by statute, interested parties are invited to submit written comments regarding the State of Arkansas' demonstration project. FNA is particularly interested in comments regarding the state's implementation and operation of the demonstration project. Further information related to the implementation of the demonstration project is included on the FNA website (*https://www.fna.usda.gov/snap/waivers/foodrestriction*) and the State's website (*https://humanservices.arkansas.gov/divisions-shared-services/county-operations/supplemental-nutrition-assistance-snap/*).

Shiela Corley,

Acting Administrator, Food and Nutrition Administration, USDA.

[FR Doc. 2026–18886 Filed 9–14–26; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Administration

[FNA–2026–0305]

Supplemental Nutrition Assistance Program: State of Missouri SNAP Demonstration Project

AGENCY: Food and Nutrition Administration, U.S. Department of Agriculture.

ACTION: Notice of request for public comments.

SUMMARY: This notice invites the public to comment on the State of Missouri's demonstration project authorized under section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b). The Food and Nutrition Administration (FNA) will take appropriate action as necessary in response to comments.

DATES: Written comments must be received on or before October 15, 2026.

ADDRESSES: Comments on this notice may be submitted to FNA by one of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Website:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- All written comments submitted in response to this notice will be included in the record and will be made available to the public. Please be advised that the substance of the comments and the identity of the individuals or entities submitting the comments will be subject to public disclosure. FNA will make the written comments publicly available on the internet via *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Shiela Corley, Acting FNA Administrator, at *SM.FN.RPMDHQ-WEB@usda.gov* with subject line of ''MO SNAP Demonstration Project''.

SUPPLEMENTARY INFORMATION: Section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b), authorizes FNA to approve demonstration projects to test changes to the Supplemental Nutrition Assistance Program (SNAP) that may increase programmatic efficiency and improve the delivery of SNAP benefits to raise levels of nutrition among eligible households. This demonstration project is implemented by the State, and FNA will carefully review the results of the project based on the State's evaluation data. All relevant documents, including the State's demonstration project request, can be found in the supporting document section. Additionally, to support implementation and ensure transparency, FNA created a central web page on May 21, 2025, to post State agencies' project requests and approvals and provide exact implementation timelines. That web page is accessible at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction.*

Discussion of Demonstration Project

State of Missouri Demonstration Project Request

The State of Missouri requested to conduct a demonstration project to amend the SNAP definition of food for purchase to exclude ''Candy, prepared desserts, and certain unhealthy beverages''. The State formally requested to conduct this project on or about October 8, 2025. On June 2, 2026, the State requested to modify the implementation date to February 15, 2027. The State's project request and the subsequent modification request can be found in the supporting document section and on the FNA website at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/missouri.*

USDA Approval of Initial Demonstration Project Request

FNA approved the State's initial demonstration project request on December 10, 2025. The approval can be found in the supporting document section and at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/missouri.*

Request for Public Comments: Although not required by statute, interested parties are invited to submit written comments regarding the State of Missouri's demonstration project. FNA is particularly interested in comments regarding the state's implementation and operation of the demonstration project. Further information related to the implementation of the demonstration project is included on the FNA website (*https://www.fna.usda.gov/snap/waivers/foodrestriction*) and the State's website (*https://mydss.mo.gov/healthy-snap*).

Shiela Corley,

Acting Administrator, Food and Nutrition Administration, USDA.

[FR Doc. 2026–18884 Filed 9–14–26; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Administration

[FNA–2026–0304]

Supplemental Nutrition Assistance Program: State of Louisiana SNAP Demonstration Project

AGENCY: Food and Nutrition Administration, U.S. Department of Agriculture.

ACTION: Notice of request for public comments.

SUMMARY: This notice invites the public to comment on the State of Louisiana's demonstration project authorized under section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b). The Food and Nutrition Administration (FNA) will take appropriate action as necessary in response to comments.

DATES: Written comments must be received on or before October 15, 2026.

ADDRESSES: Comments on this notice may be submitted to FNA by one of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Website:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- All written comments submitted in response to this notice will be included in the record and will be made available to the public. Please be advised that the substance of the comments and the identity of the individuals or entities submitting the comments will be subject to public disclosure. FNA will make the written comments publicly available on the internet via *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Shiela Corley, Acting FNA Administrator, at *SM.FN.RPMDHQ-WEB@usda.gov* with subject line of ''LA SNAP Demonstration Project''.

SUPPLEMENTARY INFORMATION: Section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b), authorizes FNA to approve demonstration projects to test changes to the Supplemental Nutrition Assistance Program (SNAP) that may increase programmatic efficiency and improve the delivery of SNAP benefits to raise levels of nutrition among eligible households. This demonstration project is implemented by the State, and FNA will carefully review the results of the project based on the State's evaluation data. All relevant documents, including the State's demonstration project request, can be found in the supporting document section. Additionally, to support implementation and ensure transparency, FNA created a central web page on May 21, 2025, to post State agencies' project requests and approvals and provide exact implementation timelines. That web page is accessible at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction.*

Discussion of Demonstration Project

State of Louisiana Demonstration Project Request

The State of Louisiana requested to conduct a demonstration project to amend the SNAP definition of food for purchase to exclude ''soft drinks, energy drinks, and candy''. The State formally requested to conduct this project on June 27, 2025. On or about December 4, 2025, the State requested to modify the implementation date to February 18, 2026. The State's project request and the subsequent modification request can be found in the supporting document section and on the FNA website at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/louisiana.*

USDA Approval of Initial Demonstration Project Request

FNA approved the State's initial demonstration project request on August 4, 2025. The approval can be found in the supporting document section and at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/louisiana.*

Request for Public Comments: Although not required by statute, interested parties are invited to submit written comments regarding the State of Louisiana's demonstration project. FNA is particularly interested in comments regarding the state's implementation and operation of the demonstration project. Further information related to the implementation of the demonstration project is included on the FNA website (*https://www.fna.usda.gov/snap/waivers/foodrestriction*) and the State's website (*https://ldh.la.gov/page/snap-food-restriction-waiver*).

Shiela Corley,

Acting Administrator, Food and Nutrition Administration, USDA.

[FR Doc. 2026–18895 Filed 9–14–26; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Administration

[FNA–2026–0299]

Supplemental Nutrition Assistance Program: State of Florida SNAP Demonstration Project

AGENCY: Food and Nutrition Administration, U.S. Department of Agriculture.

ACTION: Notice of request for public comments.

SUMMARY: This notice invites the public to comment on the State of Florida's demonstration project authorized under section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b). The Food and Nutrition Administration (FNA) will take appropriate action as necessary in response to comments.

DATES: Written comments must be received on or before October 15, 2026.

ADDRESSES: Comments on this notice may be submitted to FNA by one of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Website:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- All written comments submitted in response to this notice will be included in the record and will be made available to the public. Please be advised that the substance of the comments and the identity of the individuals or entities submitting the comments will be subject to public disclosure. FNA will make the written comments publicly available on the internet via *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Shiela Corley, Acting FNA Administrator, at *SM.FN.RPMDHQ-WEB@usda.gov* with subject line of ''FL SNAP Demonstration Project''.

SUPPLEMENTARY INFORMATION: Section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b), authorizes FNA to approve demonstration projects to test changes to the Supplemental Nutrition Assistance Program (SNAP) that may increase programmatic efficiency and improve the delivery of SNAP benefits to raise levels of nutrition among eligible households. This demonstration project is implemented by the State, and FNA will carefully review the results of the project based on the State's evaluation data. All relevant documents, including the State's demonstration project request, can be found in the supporting document section. Additionally, to support implementation and ensure transparency, FNA created a central web page on May 21, 2025, to post State agencies' project requests and approvals and provide exact implementation timelines. That web page is accessible at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction.*

Discussion of Demonstration Project

State of Florida Demonstration Project Request

The State of Florida requested to conduct a demonstration project to amend the SNAP definition of food for purchase to exclude ''any food or food product for home consumption'' to exclude ''soda, energy drinks, candy, and prepared desserts''. The State formally requested to conduct this project on May 29, 2025. On or about December 11, 2025, the State requested to modify the implementation date to April 20, 2026. The State's project request and the subsequent modification request can be found in the supporting document section and on the FNA website at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/florida.*

USDA Approval of Initial Demonstration Project Request

FNA approved the State's initial demonstration project request on August 4, 2025. The approval can be found in the supporting document section and at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/florida.*

Request for Public Comments: Although not required by statute, interested parties are invited to submit written comments regarding the State of Florida's demonstration project. FNA is particularly interested in comments regarding the state's implementation and operation of the demonstration project. Further information related to the implementation of the demonstration project is included on the FNA website (*https://www.fna.usda.gov/snap/waivers/foodrestriction*) and the State's website (*https://healthysnap.myflfamilies.com/*).

Shiela Corley,

Acting Administrator, Food and Nutrition Administration, USDA.

[FR Doc. 2026–18887 Filed 9–14–26; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Administration

[FNA–2026–0315]

Supplemental Nutrition Assistance Program: State of Wyoming SNAP Demonstration Project

AGENCY: Food and Nutrition Administration, U.S. Department of Agriculture.

ACTION: Notice of request for public comments.

SUMMARY: This notice invites the public to comment on the State of Wyoming's demonstration project authorized under section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b). The Food and Nutrition Administration (FNA) will take appropriate action as necessary in response to comments.

DATES: Written comments must be received on or before October 15, 2026.

ADDRESSES: Comments on this notice may be submitted to FNA by one of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Website:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- All written comments submitted in response to this notice will be included in the record and will be made available to the public. Please be advised that the substance of the comments and the identity of the individuals or entities submitting the comments will be subject to public disclosure. FNA will make the written comments publicly available on the internet via *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Shiela Corley, Acting FNA Administrator, at *SM.FN.RPMDHQ-WEB@usda.gov* with subject line of ''WY SNAP Demonstration Project''.

SUPPLEMENTARY INFORMATION: Section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b), authorizes FNA to approve demonstration projects to test changes to the Supplemental Nutrition Assistance Program (SNAP) that may increase programmatic efficiency and improve the delivery of SNAP benefits to raise levels of nutrition among eligible households. This demonstration project is implemented by the State, and FNA will carefully review the results of the project based on the State's evaluation data. All relevant documents, including the State's demonstration project request, can be found in the supporting document section. Additionally, to support implementation and ensure transparency, FNA created a central web page on May 21, 2025, to post State agencies' project requests and approvals and provide exact implementation timelines. That web page is accessible at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction.*

Discussion of Demonstration Project

State of Wyoming Demonstration Project Request

The State of Wyoming requested to conduct a demonstration project to amend the SNAP definition of food for purchase to exclude ''sweetened, carbonated beverages''. The State formally requested to conduct this project on January 7, 2026. The State requested to implement the project on February 1, 2027. The State's project request can be found in the supporting document section and on the FNA website at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/wyoming.*

Request for Public Comments: Although not required by statute, interested parties are invited to submit written comments regarding the State of Wyoming's demonstration project. FNA is particularly interested in comments regarding the state's implementation and operation of the demonstration project. Further information related to the implementation of the demonstration project is included on the FNA website (*https://www.fna.usda.gov/snap/waivers/foodrestriction*) and the State's website (*https://dfs.wyo.gov/Assistance-programs/food-Assistance/supplemental-nutrition-Assistance-program-snap/*).

Shiela Corley,

Acting Administrator, Food and Nutrition Administration, USDA.

[FR Doc. 2026–18882 Filed 9–14–26; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Administration

[FNA–2026–0308]

Supplemental Nutrition Assistance Program: State of Nevada SNAP Demonstration Project Request

AGENCY: Food and Nutrition Administration, U.S. Department of Agriculture.

ACTION: Notice of request for public comments.

SUMMARY: This notice invites the public to comment on the State of Nevada's request to conduct a demonstration project authorized under section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b). The Food and Nutrition Administration (FNA) will take appropriate action as necessary in response to comments.

DATES: Written comments must be received on or before October 15, 2026.

ADDRESSES: Comments on this notice may be submitted to FNA by one of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Website:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- All written comments submitted in response to this notice will be included in the record and will be made available to the public. Please be advised that the substance of the comments and the identity of the individuals or entities submitting the comments will be subject to public disclosure. FNA will make the written comments publicly available on the internet via *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Shiela Corley, Acting FNA Administrator, at *SM.FN.RPMDHQ-WEB@usda.gov* with subject line of ''NV SNAP Demonstration Project''.

SUPPLEMENTARY INFORMATION: Section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b), authorizes FNA to approve demonstration projects to test changes to the Supplemental Nutrition Assistance Program (SNAP) that may increase programmatic efficiency and improve the delivery of SNAP benefits to raise levels of nutrition among eligible households. This demonstration project is implemented by the State, and FNA will carefully review the results of the project based on the State's evaluation data. All relevant documents, including the State's demonstration project request, can be found in the supporting document section. Additionally, to support implementation and ensure transparency, FNA created a central web page on May 21, 2025, to post State agencies' project requests and approvals and provide exact implementation timelines. That web page is accessible at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction.*

Discussion of Proposed Demonstration Project

State of Nevada Demonstration Project Request

The State of Nevada requested to conduct a demonstration project to amend the SNAP definition of food for purchase to exclude ''candy'' and ''sugar sweetened beverages''. The State formally requested to conduct this project on or about February 6, 2026. On or about April 13, 2026, the State requested to modify the project request to clarify ''the definition of candy to

reflect current retailer understanding and remove specific brand names''. The State requested to implement the project on February 1, 2028. The State's project request and the subsequent modification request can be found in the supporting document section and on the FNA website at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/nevada.*

USDA Approval of Initial Demonstration Project Request

FNA approved the State's initial demonstration project request on March 4, 2026 (see Appendix C). The approval can be found in the supporting document section and at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/nevada.*

Request for Public Comments: Although not required by statute, interested parties are invited to submit written comments regarding the operation and effectiveness of the proposed demonstration project. Given the vast public interest in this proposed demonstration project, FNA would like to take the opportunity to solicit feedback from interested parties to ensure that the proposed project tests innovative approaches to modernize the SNAP program and strengthen strategies to improve the nutritional levels of Americans. Further information related to the implementation of the demonstration project is included on the FNA website (*https://www.fna.usda.gov/snap/waivers/foodrestriction*) and the State's website (*https://www.dss.nv.gov/programs/snap/*).

Shiela Corley,

Acting Administrator, Food and Nutrition Administration, USDA.

[FR Doc. 2026–18881 Filed 9–14–26; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Administration

[FNA–2026–0312]

Supplemental Nutrition Assistance Program: State of Texas SNAP Demonstration Project

AGENCY: Food and Nutrition Administration, U.S. Department of Agriculture.

ACTION: Notice of request for public comments.

SUMMARY: This notice invites the public to comment on the State of Texas' demonstration project authorized under section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b). The Food and Nutrition Administration (FNA) will take appropriate action as necessary in response to comments.

DATES: Written comments must be received on or before October 15, 2026.

ADDRESSES: Comments on this notice may be submitted to FNA by one of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Website:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- All written comments submitted in response to this notice will be included in the record and will be made available to the public. Please be advised that the substance of the comments and the identity of the individuals or entities submitting the comments will be subject to public disclosure. FNA will make the written comments publicly available on the internet via *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Shiela Corley, Acting FNA Administrator, at *SM.FN.RPMDHQ-WEB@usda.gov* with subject line of ''TX SNAP Demonstration Project''.

SUPPLEMENTARY INFORMATION: Section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b), authorizes FNA to approve demonstration projects to test changes to the Supplemental Nutrition Assistance Program (SNAP) that may increase programmatic efficiency and improve the delivery of SNAP benefits to raise levels of nutrition among eligible households. This demonstration project is implemented by the State, and FNA will carefully review the results of the project based on the State's evaluation data. All relevant documents, including the State's demonstration project request, can be found in the supporting document section. Additionally, to support implementation and ensure transparency, FNA created a central web page on May 21, 2025, to post State agencies' project requests and approvals and provide exact implementation timelines. That web page is accessible at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction.*

Discussion of Demonstration Project

State of Texas Demonstration Project Request

The State of Texas requested to conduct a demonstration project to amend the SNAP definition of food for purchase to exclude ''sweetened drinks and candy.'' The State formally requested to conduct this project on or about June 27, 2025. On January 23, 2026, the State requested to modify the initial project request to ''clarify that naturally sweetened beverages and medical grade electrolyte drinks are eligible for purchase with SNAP benefits''. The State requested to implement the project on April 1, 2026. The State's project request and the subsequent modification request can be found in the supporting document section and on the FNA website at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/texas.*

USDA Approval of Demonstration Project Request

FNA approved the State's initial demonstration project request on August 4, 2025. The approval can be found in the supporting document section and at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/texas.*

Request for Public Comments: Although not required by statute, interested parties are invited to submit written comments regarding the State of Texas' demonstration project. FNA is particularly interested in comments regarding the state's implementation and operation of the demonstration project. Further information related to the implementation of the demonstration project is included on the FNA website (*https://www.fna.usda.gov/snap/waivers/foodrestriction*) and the State's website (*https://www.hhs.texas.gov/services/food/snap-food-benefits).*

Shiela Corley,

Acting Administrator, Food and Nutrition Administration, USDA.

[FR Doc. 2026–18885 Filed 9–14–26; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Administration

[FNA–2026–0314]

Supplemental Nutrition Assistance Program: State of Virginia SNAP Demonstration Project

AGENCY: Food and Nutrition Administration, U.S. Department of Agriculture.

ACTION: Notice of request for public comments.

SUMMARY: This notice invites the public to comment on the State of Virginia's demonstration project authorized under section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b). The Food

and Nutrition Administration (FNA) will take appropriate action as necessary in response to comments.

DATES: Written comments must be received on or before October 15, 2026.

ADDRESSES: Comments on this notice may be submitted to FNA by one of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Website:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- All written comments submitted in response to this notice will be included in the record and will be made available to the public. Please be advised that the substance of the comments and the identity of the individuals or entities submitting the comments will be subject to public disclosure. FNA will make the written comments publicly available on the internet via *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Shiela Corley, Acting FNA Administrator, at *SM.FN.RPMDHQ-WEB@usda.gov* with subject line of ''VA SNAP Demonstration Project''.

SUPPLEMENTARY INFORMATION: Section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b), authorizes FNA to approve demonstration projects to test changes to the Supplemental Nutrition Assistance Program (SNAP) that may increase programmatic efficiency and improve the delivery of SNAP benefits to raise levels of nutrition among eligible households. This demonstration project is implemented by the State, and FNA will carefully review the results of the project based on the State's evaluation data. All relevant documents, including the State's demonstration project request, can be found in the supporting document section. Additionally, to support implementation and ensure transparency, FNA created a central web page on May 21, 2025, to post State agencies' project requests and approvals and provide exact implementation timelines. That web page is accessible at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction.*

Discussion of Demonstration Project

State of Virginia Demonstration Project Request

The State of Virginia requested to conduct a demonstration project to amend the SNAP definition of food for purchase to exclude ''sweetened beverages''. The State formally requested to conduct this project on November 4, 2025. On February 3, 2026, the State requested to modify the initial project request to amend the implementation date to October 1, 2026. The State's project request and the subsequent modification request can be found in the supporting document section and on the FNA website at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/virginia.*

USDA Approval of Initial Demonstration Project Request

FNA approved the State's initial demonstration project request on December 10, 2025. The approval can be found in the supporting document section and at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/virginia.*

Request for Public Comments: Although not required by statute, interested parties are invited to submit written comments regarding the State of Virginia's demonstration project. FNA is particularly interested in comments regarding the state's implementation and operation of the demonstration project. Further information related to the implementation of the demonstration project is included on the FNA website (*https://www.fna.usda.gov/snap/waivers/foodrestriction*) and the State's website (*https://www.dss.virginia.gov/relief/*).

Shiela Corley,

Acting Administrator, Food and Nutrition Administration, USDA.

[FR Doc. 2026–18880 Filed 9–14–26; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Administration

[FNA–2026–0309]

Supplemental Nutrition Assistance Program: State of Ohio SNAP Demonstration Project

AGENCY: Food and Nutrition Administration, U.S. Department of Agriculture.

ACTION: Notice of request for public comments.

SUMMARY: This notice invites the public to comment on the State of Ohio's demonstration project authorized under section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b). The Food and Nutrition Administration (FNA) will take appropriate action as necessary in response to comments.

DATES: Written comments must be received on or before October 15, 2026.

ADDRESSES: Comments on this notice may be submitted to FNA by one of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Website:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- All written comments submitted in response to this notice will be included in the record and will be made available to the public. Please be advised that the substance of the comments and the identity of the individuals or entities submitting the comments will be subject to public disclosure. FNA will make the written comments publicly available on the internet via *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Shiela Corley, Acting FNA Administrator, at *SM.FN.RPMDHQ-WEB@usda.gov* with subject line of ''OH SNAP Demonstration Project''.

SUPPLEMENTARY INFORMATION: Section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b), authorizes FNA to approve demonstration projects to test changes to the Supplemental Nutrition Assistance Program (SNAP) that may increase programmatic efficiency and improve the delivery of SNAP benefits to raise levels of nutrition among eligible households. This demonstration project is implemented by the State, and FNA will carefully review the results of the project based on the State's evaluation data. All relevant documents, including the State's demonstration project request, can be found in the supporting document section. Additionally, to support implementation and ensure transparency, FNA created a central web page on May 21, 2025, to post State agencies' project requests and approvals and provide exact implementation timelines. That web page is accessible at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction.*

Discussion of Demonstration Project

State of Ohio Demonstration Project Request

The State of Ohio requested to conduct a demonstration project to amend the SNAP definition of food for purchase to exclude ''sugar-sweetened beverages''. The State formally requested to conduct this project on October 28, 2025. The State requested to implement the project on October 1, 2026. On June 12, 2026, the State requested to modify the project request to further amend the SNAP definition of

food for purchase to also exclude ''fountain drinks,'' effective October 1, 2026. The State's project request and the subsequent modification request can be found in the supporting document section and on the FNA website at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/ohio.*

USDA Approval of Initial Demonstration Project Request

FNA approved the State's initial demonstration project request on March 4, 2026. The approval can be found in the supporting document section and at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/ohio.*

Request for Public Comments: Although not required by statute, interested parties are invited to submit written comments regarding the State of Ohio's demonstration project. FNA is particularly interested in comments regarding the state's implementation and operation of the demonstration project. Further information related to the implementation of the demonstration project is included on the FNA website (*https://www.fna.usda.gov/snap/waivers/foodrestriction*) and the State's website (*https://jfs.ohio.gov/public-assistance/food-assistance/food-programs/what-is-snap/resources-for-snap-retailers*).

Shiela Corley,

Acting Administrator, Food and Nutrition Administration, USDA.

[FR Doc. 2026–18897 Filed 9–14–26; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Administration

[FNA–2026–0311]

Supplemental Nutrition Assistance Program: State of South Carolina SNAP Demonstration Project

AGENCY: Food and Nutrition Administration, U.S. Department of Agriculture.

ACTION: Notice of request for public comments.

SUMMARY: This notice invites the public to comment on the State of South Carolina's demonstration project authorized under section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b). The Food and Nutrition Administration (FNA) will take appropriate action as necessary in response to comments.

DATES: Written comments must be received on or before October 15, 2026.

ADDRESSES: Comments on this notice may be submitted to FNA by one of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Website:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- All written comments submitted in response to this notice will be included in the record and will be made available to the public. Please be advised that the substance of the comments and the identity of the individuals or entities submitting the comments will be subject to public disclosure. FNA will make the written comments publicly available on the internet via *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Shiela Corley, Acting FNA Administrator, at *SM.FN.RPMDHQ-WEB@usda.gov* with subject line of ''SC SNAP Demonstration Project''.

SUPPLEMENTARY INFORMATION: Section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b), authorizes FNA to approve demonstration projects to test changes to the Supplemental Nutrition Assistance Program (SNAP) that may increase programmatic efficiency and improve the delivery of SNAP benefits to raise levels of nutrition among eligible households. This demonstration project is implemented by the State, and FNA will carefully review the results of the project based on the State's evaluation data. All relevant documents, including the State's demonstration project request, can be found in the supporting document section. Additionally, to support implementation and ensure transparency, FNA created a central web page on May 21, 2025, to post State agencies' project requests and approvals and provide exact implementation timelines. That web page is accessible at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction.*

Discussion of Demonstration Project

State of South Carolina Demonstration Project Request

The State of South Carolina requested to conduct a demonstration project to amend the SNAP definition of food for purchase to exclude ''candy, energy drinks, soft drinks, and sweetened beverages''. The State formally requested to conduct this project on September 23, 2025. On July 23, 2026, the State requested to modify the initial project request to further amend the definition of ''soft drink''. The State requested to implement the project on August 31, 2026. The State's project request and the subsequent modification request can be found in the supporting document section and on the FNA website at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/southcarolina.*

USDA Approval of Initial Demonstration Project Request

FNA approved the State's initial demonstration project request on December 10, 2025. The approval can be found in the supporting document section and at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/southcarolina.*

Request for Public Comments: Although not required by statute, interested parties are invited to submit written comments regarding the State of South Carolina's demonstration project. FNA is particularly interested in comments regarding the state's implementation and operation of the demonstration project. Further information related to the implementation of the demonstration project is included on the FNA website (*https://www.fna.usda.gov/snap/waivers/foodrestriction*) and the State's website (*https://dss.sc.gov/assistance-programs/sc-healthy-food-choice-project/*).

Shiela Corley,

Acting Administrator, Food and Nutrition Administration, USDA.

[FR Doc. 2026–18896 Filed 9–14–26; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Administration

[FNA–2026–0306]

Supplemental Nutrition Assistance Program: State of Montana SNAP Demonstration Project

AGENCY: Food and Nutrition Administration, U.S. Department of Agriculture.

ACTION: Notice of request for public comments.

SUMMARY: This notice invites the public to comment on the State of Montana's demonstration project authorized under section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b). The Food and Nutrition Administration (FNA) will take appropriate action as necessary in response to comments.

DATES: Written comments must be received on or before October 15, 2026.

ADDRESSES: Comments on this notice may be submitted to FNA by one of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Website:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- All written comments submitted in response to this notice will be included in the record and will be made available to the public. Please be advised that the substance of the comments and the identity of the individuals or entities submitting the comments will be subject to public disclosure. FNA will make the written comments publicly available on the internet via *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Shiela Corley, Acting FNA Administrator, at *SM.FN.RPMDHQ-WEB@usda.gov* with subject line of ''MT SNAP Demonstration Project''.

SUPPLEMENTARY INFORMATION: Section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b), authorizes FNA to approve demonstration projects to test changes to the Supplemental Nutrition Assistance Program (SNAP) that may increase programmatic efficiency and improve the delivery of SNAP benefits to raise levels of nutrition among eligible households. This demonstration project is implemented by the State, and FNA will carefully review the results of the project based on the State's evaluation data. All relevant documents, including the State's demonstration project request, can be found in the supporting document section. Additionally, to support implementation and ensure transparency, FNA created a central web page on May 21, 2025, to post State agencies' project requests and approvals and provide exact implementation timelines. That web page is accessible at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction.*

Discussion of Demonstration Project

State of Montana Demonstration Project Request

The State of Montana requested to conduct a demonstration project to amend the SNAP definition of food for purchase to exclude ''high-sugar beverages, energy drinks, candy, and prepared desserts''. The State formally requested to conduct this project on or about March 31, 2026. The State requested to implement the project on September 30, 2026. The State's project request can be found in the supporting document section and on the FNA website at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/montana.*

Request for Public Comments: Although not required by statute, interested parties are invited to submit written comments regarding the State of Montana's demonstration project. FNA is particularly interested in comments regarding the state's implementation and operation of the demonstration project. Further information related to the implementation of the demonstration project is included on the FNA website (*https://www.fna.usda.gov/snap/waivers/foodrestriction*) and the State's website (*https://dphhs.mt.gov/HCSD/SNAP/SNAP-Food-Restriction*).

Shiela Corley,

Acting Administrator, Food and Nutrition Administration, USDA.

[FR Doc. 2026–18892 Filed 9–14–26; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Administration

[FNA–2026–0303]

Supplemental Nutrition Assistance Program: State of Kansas SNAP Demonstration Project

AGENCY: Food and Nutrition Administration, U.S. Department of Agriculture.

ACTION: Notice of request for public comments.

SUMMARY: This notice invites the public to comment on the State of Kansas' demonstration project authorized under section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b). The Food and Nutrition Administration (FNA) will take appropriate action as necessary in response to comments.

DATES: Written comments must be received on or before October 15, 2026.

ADDRESSES: Comments on this notice may be submitted to FNA by one of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Website:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- All written comments submitted in response to this notice will be included in the record and will be made available to the public. Please be advised that the substance of the comments and the identity of the individuals or entities submitting the comments will be subject to public disclosure. FNA will make the written comments publicly available on the internet via *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Shiela Corley, Acting FNA Administrator, at *SM.FN.RPMDHQ-WEB@usda.gov* with subject line of ''KS SNAP Demonstration Project''.

SUPPLEMENTARY INFORMATION: Section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b), authorizes FNA to approve demonstration projects to test changes to the Supplemental Nutrition Assistance Program (SNAP) that may increase programmatic efficiency and improve the delivery of SNAP benefits to raise levels of nutrition among eligible households. This demonstration project is implemented by the State, and FNA will carefully review the results of the project based on the State's evaluation data. All relevant documents, including the State's demonstration project request, can be found in the supporting document section. Additionally, to support implementation and ensure transparency, FNA created a central web page on May 21, 2025, to post State agencies' project requests and approvals and provide exact implementation timelines. That web page is accessible at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction.*

Discussion of Demonstration Project

State of Kansas Demonstration Project Request

The State of Kansas requested to conduct a demonstration project to amend the SNAP definition of food for purchase to exclude ''candy and soft drinks''. The State formally requested to conduct this project on or about May 8, 2025. The State requested to implement the project on February 15, 2027. The State's project request can be found in the supporting document section and on the FNA website at the following address: *https://www.fna.usda.gov/snap/waivers/foodrestriction/kansas.*

Request for Public Comments: Although not required by statute, interested parties are invited to submit written comments regarding the State of Kansas' demonstration project. FNA is particularly interested in comments regarding the state's implementation and operation of the demonstration project. Further information related to the implementation of the demonstration project is included on the FNA website (*https://www.fna.usda.gov/snap/waivers/foodrestriction*) and the State's website

(*https://www.dcf.ks.gov/services/ees/pages/food/foodassistance.aspx*).

Shiela Corley,

Acting Administrator, Food and Nutrition Administration, USDA.

[FR Doc. 2026–18890 Filed 9–14–26; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 2180]

Reorganization of Foreign-Trade Zone 12 (Expansion of Service Area) Under Alternative Site Framework; McAllen, Texas

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, the Foreign-Trade Zones (FTZ) Act provides for ''. . .the establishment. . . of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes,'' and authorizes the Board to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs and Border Protection ports of entry;

Whereas, the Board adopted the alternative site framework (ASF) (15 CFR 400.2(c)) as an option for the establishment or reorganization of zones;

Whereas, the McAllen Foreign Trade zone, Inc., grantee of Foreign-Trade Zone 12, submitted an application to the Board (FTZ Docket B–39–2025, docketed August 8, 2025) for authority to expand the service area of the zone to include Willacy County, Texas, as described in the application, adjacent to the Hidalgo Customs and Border Protection port of entry;

Whereas, notice inviting public comment was given in the **Federal Register** (90 FR 38949, August 13, 2025) and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

Whereas, the Board adopts the findings and recommendations of the examiners' report, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied;

Now, therefore, the Board hereby orders:

The application to reorganize FTZ 12 to expand the service area under the ASF is approved, subject to the FTZ Act and the Board's regulations, including section 400.13, and to the Board's standard 2,000-acre activation limit for the zone.

Dated: September 4, 2026.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance Alternate Chairman, Foreign-Trade Zones Board.

[FR Doc. 2026–18793 Filed 9–14–26; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 2183]

Approval of Subzone Status; ECI Gulf Coast Parts and Service, Inc.; New Iberia, Louisiana

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, the Foreign-Trade Zones (FTZ) Act provides for ''. . .the establishment. . . of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes,'' and authorizes the Foreign-Trade Zones Board to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs and Border Protection ports of entry;

Whereas, the Board's regulations (15 CFR part 400) provide for the establishment of subzones for specific uses;

Whereas, the Port of South Louisiana, grantee of Foreign-Trade Zone 124, has made application to the Board for the establishment of a subzone at the facility of ECI Gulf Coast Parts and Service, Inc., located in New Iberia, Louisiana (FTZ Docket B–11–2026, docketed January 28, 2026);

Whereas, notice inviting public comment has been given in the **Federal Register** (91 FR 4059, January 30, 2026) and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

Whereas, the Board adopts the findings and recommendations of the examiners' memorandum, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied;

Now, therefore, the Board hereby approves subzone status at the facility of ECI Gulf Coast Parts and Service, Inc., located in New Iberia, Louisiana (Subzone 124X), as described in the application and **Federal Register** notice, subject to the FTZ Act and the Board's regulations, including section 400.13.

Dated: September 4, 2026.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance Alternate Chairman, Foreign-Trade Zones Board.

[FR Doc. 2026–18794 Filed 9–14–26; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 2186]

Approval of Reorganization (Expansion of Service Area); Foreign-Trade Zone 147, Berks County, Pennsylvania

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, the Foreign-Trade Zones (FTZ) Act provides for ''. . .the establishment. . . of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes,'' and authorizes the Foreign-Trade Zones Board to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs and Border Protection ports of entry;

Whereas, the Board adopted the alternative site framework (ASF) (15 CFR 400.2(c)) as an option for the establishment or reorganization of zones;

Whereas, the FTZ Corp of Southern Pennsylvania, grantee of Foreign-Trade Zone 147, has made application to the Board to expand the service area of FTZ 147 to include Schuylkill County, Pennsylvania (FTZ Docket B–42–2025, docketed September 4, 2025);

Whereas, notice inviting public comment has been given in the **Federal Register** (90 FR 43168, September 8, 2025; corrected 90 FR 44005, September 11, 2025) and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

Whereas, the Board adopts the findings and recommendations of the examiners' memorandum, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied;

Now, therefore, the Board hereby orders:

The application to reorganize FTZ 147 to expand the service area under the

ASF is approved, subject to the FTZ Act and the Board's regulations, including section 400.13, and to the Board's standard 2,000-acre activation limit for the zone.

Dated: September 4, 2026.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance Alternate Chairman, Foreign-Trade Zones Board.

[FR Doc. 2026–18795 Filed 9–14–26; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–893–001, A–400–001, A–557–820, C–834–811]

Silicon Metal From Bosnia and Herzegovina, Iceland, Malaysia, and the Republic of Kazakhstan: Continuation of Antidumping Duty Orders and Countervailing Duty Order

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

SUMMARY: As a result of the determinations by the U.S. Department of Commerce (Commerce) and the U.S. International Trade Commission (ITC) that revocation of the antidumping duty (AD) orders on silicon metal from Bosnia and Herzegovina, Iceland, and Malaysia, and revocation of the countervailing duty (CVD) order on silicon metal from the Republic of Kazakhstan (Kazakhstan), would likely lead to the continuation or recurrence of dumping, countervailable subsidies, and material injury to an industry in the United States, Commerce is publishing a notice of continuation of these AD and CVD orders.

DATES: Applicable September 3, 2026.

FOR FURTHER INFORMATION CONTACT: Robert Galantucci, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–2923.

SUPPLEMENTARY INFORMATION:

Background

On April 19, 2021, Commerce published in the **Federal Register** the AD orders on silicon metal from Bosnia and Herzegovina and Iceland; and on August 19, 2021, Commerce published in the **Federal Register** the AD orders on silicon metal from Malaysia, and the CVD order on silicon metal from Kazakhstan.[1] On March 2, 2026, the ITC instituted,[2] and Commerce initiated,[3] the first sunset review of the *Orders,* pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act). As a result of its reviews, Commerce determined that revocation of the *Orders* would likely lead to the continuation or recurrence of dumping and countervailable subsidies, and therefore, notified the ITC of the magnitude of the margins of dumping and/or subsidy rates likely to prevail should the *Orders* be revoked.[4]

On September 3, 2026, the ITC published its determination, pursuant to sections 751(c) and 752(a) of the Act, that revocation of the *Orders* would likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.[5]

Scope of the Orders

The scope of the *Orders* covers all forms and sizes of silicon metal, including silicon metal powder. Silicon metal contains at least 85.00 percent but less than 99.99 percent silicon, and less than 4.00 percent iron, by actual weight. Semiconductor grade silicon (merchandise containing at least 99.99 percent silicon by actual weight and classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheading 2804.61.0000) is excluded from the scope of the *Orders.*

Silicon metal is currently classifiable under subheadings 2804.69.1000 and 2804.69.5000 of the HTSUS. While the HTSUS numbers are provided for convenience and customs purposes, the written description of the scope remains dispositive.

[1] *See Silicon Metal from Bosnia and Herzegovina and Iceland: Antidumping Duty Orders,* 86 FR 20364 (April 19, 2021) (*Bosnia and Herzegovina Order, Iceland Order*); *Silicon Metal from the Republic of Kazakhstan: Countervailing Duty Order,* 86 FR 20365 (April 19, 2021) (*Kazakhstan Order*); *Silicon Metal from Malaysia: Antidumping Duty Order,* 86 FR 46677 (August 19, 2021) (*Malaysia Order*) (collectively, *Orders*).

[2] *See Silicon Metal from Bosnia and Herzegovina, Iceland, Kazakhstan, and Malaysia; Institution of Five-Year Reviews,* 91 FR 10148 (March 2, 2026).

[3] *See Initiation of Five-Year (Sunset) Reviews,* 91 FR 10053 (March 2, 2026).

[4] *See Silicon Metal from Bosnia and Herzegovina, Iceland, and Malaysia: Final Results of the Expedited First Sunset Reviews of the Antidumping Duty Orders,* 91 FR 40983, (July 6, 2026), and accompanying Issues and Decision Memorandum (IDM); *see also Silicon Metal from the Republic of Kazakhstan: Final Results of the Expedited First Sunset Review of the Countervailing Duty Order,* 91 FR 38670 (June 26, 2026), and accompanying IDM.

[5] *See Silicon Metal from Bosnia and Herzegovina, Iceland, Kazakhstan, and Malaysia; Determination,* 91 FR 56670 (September 3, 2026).

Continuation of the Orders

As a result of the determinations by Commerce and the ITC that revocation of the *Orders* would likely lead to continuation or recurrence of dumping, countervailable subsidies, and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, Commerce hereby orders the continuation of the *Orders.* U.S. Customs and Border Protection will continue to collect AD and CVD cash deposits at the rates in effect at the time of entry for all imports of subject merchandise.

The effective date of the continuation of the *Orders* will be September 3, 2026.[6] Pursuant to section 751(c)(2) of the Act and 19 CFR 351.218(c)(2), Commerce intends to initiate the next five-year reviews of the *Orders* not later than 30 days prior to fifth anniversary of the date of the last determination by the ITC.

Administrative Protective Order (APO)

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

Notification to Interested Parties

These five-year (sunset) reviews and this notice are in accordance with sections 751(c) and 751(d)(2) of the Act and published in accordance with section 777(i) of the Act, and 19 CFR 351.218(f)(4).

Dated: September 9, 2026.

Scot Fullerton,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2026–18790 Filed 9–14–26; 8:45 am]

BILLING CODE 3510–DS–P

[6] *Id.*

DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–883]

Glycine From India: Final Results of Antidumping Duty Administrative Review; 2024–2025

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that producers and/or exporters subject to this administrative review made sales of subject merchandise below normal value during the period of review (POR) June 1, 2024, through May 31, 2025.

DATES: Applicable September 15, 2026.

FOR FURTHER INFORMATION CONTACT: Tyler Weinhold, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1121.

SUPPLEMENTARY INFORMATION:

Background

On May 14, 2026, Commerce published the *Preliminary Results* of this administrative review in the **Federal Register** and invited comments from interested parties.[1] We received no comments from interested parties on the *Preliminary Results,* and we made no changes from the *Preliminary Results.* Accordingly, no decision memorandum accompanies this notice, and the *Preliminary Results* are hereby adopted as these final results. Commerce conducted this administrative review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order [2]

The product covered by this *Order* is glycine from India. For a complete description of the scope of the *Order, see* the *Preliminary Results.*[3]

Final Results of Review

We determine that the following weighted-average dumping margins exist for the period June 1, 2024, through May 31, 2025:

Producer/exporter	Weighted-average dumping margin (percent)
Medilane Healthcare Private Limited	57.17
Mulji Mehta Enterprises	57.17

Disclosure

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

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b)(1), Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review.

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

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of this notice in the **Federal Register**, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the respondents noted above will be equal to the weighted-average dumping margins established in the final results of this administrative review; (2) for merchandise exported by producers or exporters not covered in this administrative review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation but the producer is, the cash deposit rate will be the rate established for the most recently completed segment of this proceeding for the producer of the subject merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be the all-others rate established in the less-than-fair-value investigation (*i.e.,* 7.23 percent).[4] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers Regarding the Reimbursement of Duties

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

Administrative Protective Order (APO)

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

Notification to Interested Parties

These final results are being issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: September 9, 2026.

Christopher Abbott,

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

[FR Doc. 2026–18787 Filed 9–14–26; 8:45 am]

BILLING CODE 3510–DS–P

[1] *See Glycine from India: Preliminary Results and Rescission, in Part, of Antidumping Duty Administrative Review; 2024–2025,* 91 FR 27262 (May 14, 2026) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See Glycine from India and Japan: Amended Final Affirmative Antidumping Duty Determination and Antidumping Duty Orders,* 84 FR 29170 (June 21, 2019) (*Order*).

[3] *See Preliminary Results* PDM at 3.

[4] *See Order.*

DEPARTMENT OF COMMERCE

International Trade Administration

[C–523–816]

Certain Aluminum Foil From the Sultanate of Oman: Final Results of Countervailing Duty Administrative Review; 2023

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that countervailable subsidies were provided to Oman Aluminium Rolling Company SPC (OARC), a producer and exporter of certain aluminum foil (aluminum foil) from the Sultanate of Oman (Oman) during the period of review (POR) January 1, 2023, through December 31, 2023.

DATES: Applicable September 15, 2026.

FOR FURTHER INFORMATION CONTACT: Kristen Johnson, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4793.

SUPPLEMENTARY INFORMATION:

Background

On May 13, 2026, Commerce published the *Preliminary Results* in the **Federal Register** and invited interested parties to comment.[1] For a complete description of the events that followed the *Preliminary Results, see* the Issues and Decision Memorandum.[2] A list of topics discussed in the Issues and Decision Memorandum is provided as the appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS), which is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/frnotices.*

Scope of the Order

The product covered by the *Order* is aluminum foil.[3] For a complete description of the scope of the *Order, see* the Issues and Decision Memorandum.

Analysis of Comments Received

Commerce addressed all issues raised in interested parties' case and rebuttal briefs in the Issues and Decision Memorandum. A list of the issues raised by parties, to which Commerce responded in the Issues and Decision Memorandum, is provided in the appendix to this notice.

Methodology

Commerce conducted this administrative review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found countervailable, Commerce determines that there is a subsidy, *i.e.,* a financial contribution by an ''authority'' that gives rise to a benefit to the recipient, and that the subsidy is specific.[4] For a full description of the methodology underlying our conclusions, including our reliance, in part, on facts otherwise available with adverse inferences pursuant to sections 776(a) and (b) of the Act, *see* the Issues and Decision Memorandum.

Changes Since the Preliminary Results

Based on a review of the record and comments received from interested parties regarding the *Preliminary Results,* and for the reasons explained in the Issues and Decision Memorandum, we made certain changes to OARC's subsidy calculations for these final results of review.

Final Results of Administrative Review

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

Company	Subsidy rate (percent *ad valorem*)
Oman Aluminium Rolling Company SPC[5]	11.38

Disclosure

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

Assessment Rate

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

Cash Deposit Requirements

In accordance with section 751(a)(2)(C) of the Act, Commerce intends to instruct CBP to collect cash deposits of estimated countervailing duties in the amount shown for the company subject to this review for shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review. For all non-reviewed companies, we will instruct CBP to continue to collect cash deposits of estimated countervailing duties at the most recent company-specific or all-others rate applicable to the company, as appropriate. These cash deposits, when imposed, shall remain in effect until further notice.

Administrative Protective Order (APO)

This notice also serves as a final reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3).

[1] *See Certain Aluminum Foil from the Sultanate of Oman: Preliminary Results of Countervailing Duty Administrative Review; 2023,* 91 FR 27017 (May 13, 2026) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

[2] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results of the Administrative Review of the Countervailing Duty Order on Certain Aluminum Foil from the Sultanate of Oman; 2023,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[3] *See Certain Aluminum Foil from the Sultanate of Oman and the Republic of Turkey: Countervailing Duty Orders,* 86 FR 62782 (November 12, 2021) (*Order*).

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

[5] Commerce found that Oman Aluminium Rolling Company SPC is cross-owned with Sohar Paper Cores LLC, Takamul Investment Company LLC, and OQ SAOC.

Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation subject to sanction.

Notice to Interested Parties

These final results are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: September 10, 2026.

Christopher Abbott,

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

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Subsidies Valuation Information
V. Upstream Subsidy Analysis
VI. Use of Facts Otherwise Available and Adverse Inferences
VII. Analysis of Programs
VIII. Discussion of the Issue
Comment: Whether Commerce Should Revise the Electricity Benchmark
IX. Recommendation

[FR Doc. 2026–18786 Filed 9–14–26; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–088]

Certain Steel Racks and Parts Thereof From the People's Republic of China: Final Results and Rescission, in Part, of Antidumping Duty Administrative Review; 2023–2024

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that the exporters under review either sold certain steel racks and parts thereof (steel racks) from the People's Republic of China (China) in the United States at prices below normal value (NV) during the period of review (POR) September 1, 2023, through August 31, 2024, or have not established their eligibility for a separate rate and are part of the China-wide entity.

DATES: Applicable September 15, 2026.

FOR FURTHER INFORMATION CONTACT: Luke Caruso, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–2081.

SUPPLEMENTARY INFORMATION:

Background

On March 10, 2026, Commerce published the *Preliminary Results* in the **Federal Register** and invited interested parties to comment on the results.[1] On June 15, 2026, Commerce extended the deadline for issuing the final results of this review by 53 days.[2] On August 31, 2026, Commerce extended the deadline for issuing the final results of this review by an additional seven days.[3] As a result, the deadline for issuing these final results of review is September 8, 2026.[4]

For a complete description of the events that followed the publication of the *Preliminary Results, see* the Issues and Decision Memorandum.[5] The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/frnotices.*

Commerce conducted this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

Scope of the Order[6]

The merchandise subject to the *Order* is steel racks from China. For a complete description of the scope of the *Order, see* the Issues and Decision Memorandum.

Rescission of Administrative Review, in Part

Pursuant to 19 CFR 351.213(d)(3), it is Commerce's practice to rescind an administrative review of an antidumping duty order where it concludes that there were no suspended entries of subject merchandise during the POR.[7] Normally, upon completion of an administrative review, the suspended entries are liquidated at the antidumping duty assessment rate for the review period.[8] Therefore, for an administrative review to be conducted, there must be a reviewable, suspended entry that Commerce can instruct CBP to liquidate at the calculated antidumping duty assessment rate for the review period.[9]

Commerce preliminarily rescinded this review with respect to Nanjing Kingmore Logistics Equipment Manufacturing Co., Ltd. (Nanjing Kingmore) because although it claimed that it exported subject merchandise during the POR,[10] there is no record evidence of a suspended POR entry of subject merchandise from Nanjing Kingmore.[11] No parties commented on this preliminary rescission. Based on

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[1] *See Certain Steel Racks and Parts Thereof from the People's Republic of China: Preliminary Results and Partial Rescission of the Antidumping Duty Administrative Review; 2023–2024,* 91 FR 11500 (March 10, 2026) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See* Memorandum, ''Extension of Deadline for Final Results of Antidumping Duty Administrative Review,'' dated June 15, 2026.

[3] *See* Memorandum, ''Extension of Deadline for Final Results of Antidumping Duty Administrative Review,'' dated August 31, 2026.

[4] Because the extended deadline for issuing these final results of review falls on a weekend (*i.e.,* Sunday September 6, 2026), and the following day (Monday September 7, 2026) is a holiday, the deadline became the next business day (*i.e.,* September 8, 2026). *See Notice of Clarification: Application of* ''*Next Business Day*'' *Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended,* 70 FR 24533 (May 10, 2005).

[5] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results of the Administrative Review of the Antidumping Duty Order on Certain Steel Racks and Parts Thereof from the People's Republic of China; 2023 2024,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[6] *See Certain Steel Racks and Parts Thereof from the People's Republic of China: Amended Final Affirmative Antidumping Duty Determination and Antidumping Duty Order; and Countervailing Duty Order,* 84 FR 48584 (September 16, 2019) (*Order*).

[7] *See, e.g., Certain Carbon and Alloy Steel Cut-to Length Plate from the Federal Republic of Germany: Recission of Antidumping Administrative Review; 2020–2021,* 88 FR 4154 (January 24, 2023).

[8] *See* 19 CFR 351.212(b)(1).

[9] *See, e.g., Shanghai Sunbeauty Trading Co.* v. *United States,* 380 F.Supp.3d 1328, 1337 (CIT 2019), at 12 (referring to section 751(a) of the Act, the U.S. Court of International Trade held that ''{w}hile the statute does not explicitly require that an entry be suspended as a prerequisite for establishing entitlement to a review, it does explicitly state the determined rate will be used as the liquidation rate for the reviewed entries. This result can only obtain if the liquidation of entries has been suspended''; *see also Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2018–2019,* 86 FR 36102 (July 8, 2021), and accompanying Issues and Decision Memorandum at Comment 4; and *Solid Fertilizer Grade Ammonium Nitrate from the Russian Federation: Notice of Rescission of Antidumping Duty Administrative Review,* 77 FR 65532 (October 29, 2012) (noting that ''for an administrative review to be conducted, there must be a reviewable, suspended entry to be liquidated at the newly calculated assessment rate'').

[10] *See* Nanjing Kingmore Logistics Equipment Manufacturing Co., Ltd.'s (Kingmore) Letters, ''Separate Rate Certification,'' dated November 18, 2024, and ''Nanjing Kingmore's Separate Rate Certification Supplemental Questionnaire Response'' dated February 13, 2026.

[11] *See* Memoranda, ''Release of U.S. Customs and Border Protection Entry Data,'' dated October 28, 2024, and ''Re-Release of U.S. Customs and Border Protection Entry Data,'' dated December 6, 2024.

the foregoing, we are rescinding this review with respect to Nanjing Kingmore.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs filed by parties are addressed in the Issues and Decision Memorandum. A list of the issues addressed in the Issues and Decision Memorandum is attached as an appendix to this notice.

Changes Since the Preliminary Results

Commerce made certain changes to the we made certain changes to the weighted-average dumping margins calculated in the *Preliminary Results.* For further information see the Issues and Decision Memorandum.

Separate Rates

In the *Preliminary Results,* Commerce granted separate rate status to Jiangsu JISE Intelligent Storage Equipment Co., Ltd. (Jiangsu JISE) and the collapsed mandatory respondent, Jiangsu Nova Intelligent Logistics Equipment Co., Ltd./Nanjing Jinshidai Storage Equipment Co., Ltd./Hebei Nova Intelligent Logistics Equipment Co., Ltd. (Nova).[12]

Commerce denied separate rate status to Nanjing Urgo Logistics Equipment Co (Urgo) and treated it as part of the China-wide entity.[13] No parties commented on Commerce's preliminary separate rates determinations, which are unchanged in these final results of review.

Separate Rate for Non-Individually Examined Company

The statute and Commerce's regulations do not address what dumping margin to apply to respondents that are not selected for individual examination in an administrative review pursuant to section 777A(c)(2) of the Act. Generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in an investigation, for guidance when calculating the dumping margin for respondents that are not individually examined in an administrative review. Under section 735(c)(5)(A) of the Act, the all-others rate is normally ''equal to the weighted average of the estimated weighted average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* dumping margins, and any dumping margins determined entirely {on the basis of facts available}.'' Because we calculated a dumping margin that is not zero, *de minimis,* or based entirely on facts available for Nova, the sole mandatory respondent, we assigned to Jiangsu JISE a dumping margin equal to Nova's dumping margin consistent with Commerce's practice and section 735(c)(5)(A) of the Act.

China-Wide Entity

Because no party specifically requested, and Commerce did not self-initiate, a review of the China-wide entity,[14] in accordance with Commerce's policy, the China-wide entity is not under review and the China-wide entity's dumping margin, *i.e.,* 144.50 percent,[15] is not subject to change.[16]

Final Results of Review

We have determined the following weighted-average dumping margin for the companies listed below for the period September 1, 2023, through August 31, 2024:

Exporter	Weighted-average dumping margin (percent)
Jiangsu Nova Intelligent Logistics Equipment Co., Ltd./Nanjing Jinshidai Storage Equipment Co., Ltd./Hebei Nova Intelligent Logistics Equipment Co., Ltd.	10.34
Jiangsu JISE Intelligent Storage Equipment Co., Ltd.	10.34

Disclosure

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

Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise during the POR. In accordance with 19 CFR 351.212(b)(1), we calculated importer-specific assessment rates for Nova by dividing the total amount of dumping calculated for all reviewed U.S. sales to the importer by the total entered value of the subject merchandise sold to the importer.[17] Where an importer-specific *ad valorem* assessment rate is not zero or *de minimis,* Commerce will instruct CBP to collect the appropriate duties at the time of liquidation. Where an importer-specific *ad valorem* assessment rate is zero or *de minimis,*[18] Commerce will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Pursuant to a refinement to Commerce's assessment practice, where Nova did not report a sale of subject merchandise that was entered into the United States during the POR under its company-specific CBP case number, Commerce will instruct CBP to liquidate any entries of such merchandise at the weighted-average dumping margin for the China-wide entity (*i.e.,* 144.50 percent) if there is no rate for the

[12] Commerce collapsed Jiangsu Nova Intelligent Logistics Equipment Co., Ltd. with Nanjing Jinshidai Storage Equipment Co., Ltd., and Hebei Nova Intelligent Logistics Equipment Co., Ltd., in the prior administrative review in this proceeding. *See Certain Steel Racks and Parts Thereof from the People's Republic of China: Preliminary Results and Partial Rescission of the Antidumping Duty Administrative Review; 2022–2023,* 89 FR 82213 (October 10, 2024), unchanged in *Certain Steel Racks and Parts Thereof from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2022–2023,* 90 FR 30629 (July 10, 2025).

[13] *See Preliminary Results.*

[14] *Id.*

[15] *See Order,* 84 FR at 48585.

[16] The China-wide entity includes Guangdong Xinmiao Storage Equipment Co., Ltd., Jiangsu Kingmore Storage Equipment Manufacturing Co., Ltd., Jiangsu Starshine Industry Equipment Co., Ltd., and Nanjing Peter Logistics Equipment Co., Ltd. The record shows no suspended POR entries for these companies which did not have a separate rate during the POR; thus, they remain part of the China-wide entity.

[17] We applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification,* 77 FR 8101 (February 14, 2012).

[18] *See* 19 CFR 351.106(c)(2).

intermediate company(ies) involved in the transaction.[19]

For Urgo, the company ineligible for a separate rate that is part of the China-wide entity, the assessment rate will be equal to the weighted-average dumping margin for the China-wide entity, *i.e.,* 144.50 percent.[20]

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

Cash Deposit Requirements

The following cash deposit requirements will be in effect for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on, or after, the date of publication of this notice in the **Federal Register**, as provided for by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for Jiangsu JISE and Nova will be equal to the weighted-average dumping margin listed for the companies in the table above; (2) for a previously investigated or reviewed exporter of subject merchandise that is not under examination in this review that has a separate rate, the cash deposit rate will continue to be the exporter's cash deposit rate from the most recently completed segment of the proceeding in which the company was under review; (3) for all China exporters of subject merchandise that do not have a separate rate, the cash deposit rate will be equal to the weighted-average dumping margin assigned to the China-wide entity, which is 144.50 percent; and (4) for a non-China exporter of subject merchandise that does not have a separate rate, the cash deposit rate will be equal to the weighted-average dumping margin applicable to the China exporter that supplied that non-China exporter. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers Regarding the Reimbursement of Duties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping and/or countervailing duties prior to liquidation of the relevant entries during the POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping and/or countervailing duties has occurred and the subsequent assessment of double antidumping duties and/or an increase in the amount of antidumping duties by the amount of the countervailing duties.

Administrative Protective Order (APO)

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

Notification to Interested Parties

We are issuing these final results of administrative review and publishing this notice in accordance with sections 751(a)(1) and 777(i) of the Act, and 19 CFR 351.213(h)(2) and 351.221(b)(5).

Dated: September 8, 2026.

Christopher Abbott,

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

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Changes Since the *Preliminary Results*
V. Discussion of the Issues
  Comment 1: Whether Commerce's Differential Pricing Analysis Is Flawed
  Comment 2: Whether Commerce Failed to Provide Nova Due Process
  Comment 3: Whether Commerce Miscalculated the Surrogate Value for Plywood
  Comment 4: Whether Commerce Failed to Value Certain Inputs
  Comment 5: Whether to Grant Nova a Steel Scrap By-product Offset
  Comment 6: Whether to Grant Nova an Export Subsidy Adjustment
VI. Recommendation

[FR Doc. 2026–18791 Filed 9–14–26; 8:45 am]

BILLING CODE 3510–DS–P

[19] *See Order,* 84 FR at 48586.

[20] *Id.*

DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–229]

Tin Mill Products From the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination, Preliminary Affirmative Critical Circumstances Determination, and Alignment of Final Determination With Final Antidumping Duty Determination

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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to producers and exporters of tin mill products from the People's Republic of China (China). The period of investigation is January 1, 2025, through December 31, 2025. Interested parties are invited to comment on this preliminary determination.

DATES: Applicable September 15, 2026.

FOR FURTHER INFORMATION CONTACT: Samuel Evans, AD/CVD Operations, Office IX, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–2420.

SUPPLEMENTARY INFORMATION:

Background

This preliminary determination is made in accordance with section 703(b) of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this investigation on May 5, 2026.[1] On June 29, 2026, Commerce postponed the preliminary determination of this investigation and the revised deadline is now September 8, 2026.[2] For a complete description of the events that followed the initiation of this investigation, *see* the Preliminary Decision Memorandum.[3] A list of topics discussed in the Preliminary Decision Memorandum is included as Appendix II to this notice. The Preliminary Decision Memorandum is a public

[1] *See Tin Mill Products from the People's Republic of China: Initiation of Countervailing Duty Investigation,* 91 FR 24170 (May 5, 2026) (*Initiation Notice*).

[2] *See Tin Mill Products from the People's Republic of China: Postponement of Preliminary Determinations in the Countervailing Duty Investigation,* 91 FR 39068 (June 29, 2026).

[3] *See* Memorandum, ''Decision Memorandum for the Preliminary Affirmative Determination of the Countervailing Duty Investigation of Tin Mill Products from the People's Republic of China,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS), which is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/frnotices.*

Scope of the Investigation

The products covered by this investigation are tin mill products from China. For a complete description of the scope of this investigation, *see* Appendix I.

Scope Comments

In accordance with the *Preamble* to Commerce's regulations,[4] the *Initiation Notice* set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope).[5] Certain interested parties commented on the scope of the investigation as it appeared in the *Initiation Notice.* For a summary of the product coverage comments and rebuttal response submitted to the record for the preliminary determination, and accompanying analysis of all comments timely received, *see* the Preliminary Scope Decision Memorandum.[6] Commerce is preliminarily modifying the scope language as it appeared in the *Initiation Notice. See* revised scope in Appendix I.

Methodology

Commerce is conducting this investigation in accordance with section 701 of the Act. For each of the subsidy programs found countervailable, Commerce preliminarily determines that there is a subsidy, *i.e.,* a financial contribution by an ''authority'' that gives rise to a benefit to the recipient, and that the subsidy is specific.[7]

Commerce notes that, in making these findings, it relied on facts available and, because it finds that one or more respondents did not act to the best of their ability to respond to Commerce's requests for information, it drew an adverse inference in selecting from among the facts otherwise available.[8] For further information, *see* the ''Use of Facts Otherwise Available and Adverse Inferences'' section in the Preliminary Decision Memorandum.

Preliminary Affirmative Determination of Critical Circumstances

In accordance with section 703(e)(1) of the Act, Commerce preliminarily determines that critical circumstances exist with respect to imports of tin mill products from China for Shougang Holding Trade (Hong Kong) Ltd. (Shougang Holding), Shougang Jingtang United Iron & Steel Co. Ltd. (Shougang Jingtang), and all other exporters or producers not individually examined. For a full description of the methodology and results of Commerce's analysis, *see* the Preliminary Decision Memorandum.

Alignment

As noted in the Preliminary Decision Memorandum, in accordance with section 705(a)(1) of the Act and 19 CFR 351.210(b)(4), Commerce is aligning the final countervailing duty (CVD) determination in this investigation with the final determination in the companion antidumping duty (AD) investigation of tin mill products from China based on a request made by the petitioners.[9] Consequently, the final CVD determination will be issued on the same date as the final AD determination, which is currently scheduled to be issued no later than November 30, 2026, unless postponed.

All-Others Rate

Sections 703(d) and 705(c)(5)(A) of the Act provide that in the preliminary determination, Commerce shall determine an estimated all-others rate for companies not individually examined. This rate shall be an amount equal to the weighted average of the estimated subsidy rates established for those companies individually examined, excluding any zero and *de minimis* rates and any rates based entirely under section 776 of the Act.

Pursuant to section 705(c)(5)(A)(ii) of the Act, if the individual estimated countervailable subsidy rates established for all exporters and producers individually examined are zero, *de minimis,* or determined based entirely on facts otherwise available, Commerce may use any reasonable method to establish the estimated subsidy rate for all other producers or exporters. Commerce has preliminarily determined the individually estimated subsidy rate for each of the individually examined respondents under section 776 of the Act. Thus, these rates are the only rates available in this proceeding for deriving the all-others rate. Consequently, pursuant to sections 703(d) and 705(c)(5)(A)(ii) of the Act, Commerce has established the all-others rate by using the countervailable subsidy rate assigned to the non-responsive companies listed below. For a full description of the methodology underlying Commerce's analysis, *see* the Preliminary Decision Memorandum.

Preliminary Determination

Commerce preliminarily determines that the following estimated countervailable subsidy rates exist:

Exporter/producer	Subsidy rate (percent *ad valorem*)
Shougang Holding Trade (Hong Kong) Ltd.	*66.61
Shougang Jingtang United Iron & Steel Co. Ltd.	*66.61
All Others	66.61

* This rate is based on facts available with adverse inferences.

Suspension of Liquidation

In accordance with section 703(d)(2) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise as described in the scope of the investigation section entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. Further, pursuant to section 703(d)(1)(B) of the Act and 19 CFR 351.107(e), Commerce will instruct CBP to require a cash deposit equal to the estimated company-specific countervailable subsidy rate or the estimated all-others rate, as follows: (1) the cash deposit rate for the respondents listed above will be equal to the company-specific estimated individual countervailable subsidy rates determined in this preliminary determination; and (2) the cash deposit rate for all other producers and exporters will be equal to the estimated all-others subsidy rate.

Section 703(e)(2) of the Act provides that, given an affirmative determination of critical circumstances, any suspension of liquidation shall apply to unliquidated entries of merchandise entered, or withdrawn from warehouse, for consumption on or after the later of: (a) the date which is 90 days before the date on which the suspension of liquidation was first ordered; or (b) the

[4] *See Antidumping Duties; Countervailing Duties, Final Rule,* 62 FR 27296, 27323 (May 19, 1997) (*Preamble*).

[5] *See Initiation Notice.*

[6] *See* Memorandum, ''Antidumping and Countervailing Duty Investigations of Tin Mill Products from the People's Republic of China, Taiwan, and the Republic of Türkiye: Preliminary Scope Decision Memorandum,'' dated concurrently with this notice (Preliminary Scope Decision Memorandum).

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

[8] *See* sections 776(a) and (b) of the Act.

[9] *See* Petitioners' Letter, ''Request to Align the Final Determination with the Final Determination for the Antidumping Investigation,'' dated July 31, 2026.

date on which notice of initiation of the investigation was published. Commerce preliminarily finds that critical circumstances exist for imports of subject merchandise produced and/or exported by Shougang Holding, Shougang Jingtang, and all other producers and/or exporters. In accordance with section 703(e)(2)(A) of the Act, the suspension of liquidation shall apply to unliquidated entries of merchandise from the exporters/producers identified in this paragraph that were entered, or withdrawn from warehouse, for consumption on or after the date which is 90 days before the publication of this notice.

Disclosure

Normally, Commerce discloses to interested parties the calculations performed in preliminary results within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of the notice of preliminary determination in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because Commerce preliminarily applied adverse facts available to the individually examined companies Shougang Holding and Shougang Jingtang in this investigation, in accordance with section 776 of the Act, there are no calculations to disclose.

Verification

Because the examined respondents in this investigation did not provide information requested by Commerce and Commerce preliminarily determines each of the examined respondents to have been uncooperative, it will not conduct verification.

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than 30 days after the date of publication of the preliminary determination. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.[10] Interested parties who submit case or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.[11] All briefs must be filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety in ACCESS by 5:00 p.m. Eastern Time on the established deadline.

As provided under 19 CFR 351.309(c)(2)(iii) and (d)(2)(iii), we request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.[12] Further, we request that interested parties limit their executive summary of each issue to no more than 450 words, not including citations. We intend to use the executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final determination in this investigation. We request that interested parties include footnotes for relevant citations in the executive summary of each issue. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).[13]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants, and whether any participant is a foreign national; and (3) a list of the issues to be discussed. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

U.S. International Trade Commission (ITC) Notification

In accordance with section 703(f) of the Act, Commerce will notify the ITC of its determination. If the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination whether imports of tin mill products from China are materially injuring, or threaten material injury to, the U.S. industry.

Notification to Interested Parties

This determination is issued and published pursuant to sections 703(f) and 777(i) of the Act, and 19 CFR 351.205(c).

Dated: September 8, 2026.

Christopher Abbott,

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

Appendix I

Scope of the Investigation

The products within the scope of this investigation are tin mill flat-rolled products that are coated or plated with tin, chromium, or chromium oxides. Flat-rolled steel products coated with tin are known as tinplate. Flat-rolled steel products coated with chromium or chromium oxides are known as tin-free steel or electrolytic chromium-coated steel. The scope includes all the noted tin mill products regardless of thickness, width, form (in coils or cut sheets), coating type (electrolytic or otherwise), edge (trimmed, untrimmed or further processed, such as scroll cut), coating thickness, surface finish, temper, coating metal (tin, chromium, chromium oxide), reduction (single- or double-reduced), and whether or not coated with a plastic material.

Excluded from the scope of this investigation is certain single-reduced electrolytically chromium-coated steel tape for use as an armoring and shielding layer for fiber optic and telecommunications cables (commonly known in the industry as ''copolymer coated steel tape''). Such excluded certain single-reduced electrolytically chromium-coated steel tape is excluded only if it meets all seven (7) of the below requirements:

(1) Single-reduced electrolytically chromium-coated steel,

(2) Actual thickness of 0.160 mm or less (55-pound base box weight),

(3) Type MR steel,

(4) T2–T3 temper,

(5) With a tensile range of 45–57 KSI or 310.20–393.00 Mpa,

(6) 15% minimum elongation, and

(7) 0.06–012 g/m2 chromium coating.

The merchandise subject to this investigation is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS), under HTSUS subheadings 7210.11.0000, 7210.12.0000, 7210.50.0020, 7210.50.0090, 7212.10.0000, 7212.50.0000, if of non-alloy steel and under HTSUS subheadings 7225.99.0090, and 7226.99.0180 if of alloy steel. Although the subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Injury Test
IV. Analysis of China's Financial System
V. Diversification of China's Economy
VI. Use of Facts Otherwise Available and Adverse Inferences
VII. Critical Circumstances
VIII. Recommendation

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[10] *See* 19 CFR 351.309(d); *see also Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings,* 88 FR 67069, 67077 (September 29, 2023) (*APO and Service Final Rule*).

[11] *See* 19 CFR 351.309(c)(2) and (d)(2).

[12] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[13] *See APO and Service Final Rule.*

DEPARTMENT OF COMMERCE

International Trade Administration

[C–580–913]

Oil Country Tubular Goods From the Republic of Korea: Final Results of Countervailing Duty Administrative Review and Rescission, in Part; 2023

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines countervailable subsidies were not provided to SeAH Steel Corporation (SeAH Steel), a producer and exporter of oil country tubular goods (OCTG) from the Republic of Korea (Korea). The period of review (POR) is January 1, 2023, through December 31, 2023. In addition, Commerce is rescinding this review with respect to Hyundai Steel Pipe Co., Ltd. (Hyundai Pipe).

DATES: Applicable September 15, 2026.

FOR FURTHER INFORMATION CONTACT: Rebecca Janz, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–2972.

SUPPLEMENTARY INFORMATION:

Background

On May 13, 2026, Commerce published the *Preliminary Results* of this administrative review in the **Federal Register** and invited interested parties to comment.[1] The deadline for these final results is September 10, 2026.

For a complete description of the events that occurred after the *Preliminary Results, see* the Issues and Decision Memorandum.[2] The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS), which is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/FRnotices.*

Scope of the Order [3]

The merchandise covered by the *Order* is OCTG from Korea. For a complete description of the scope of the *Order, see* the Issues and Decision Memorandum.

Analysis of Comments Received

All issues raised in the case brief filed by SeAH are addressed in the Issues and Decision Memorandum. The topics discussed and the issues raised by SeAH to which we responded in the Issues and Decision Memorandum are listed in the appendix to this notice.

Changes Since the Preliminary Results

Based on our analysis of the comments received from SeAH and the evidence on the record, we made certain changes to the calculations of the net countervailable subsidy rate calculated for SeAH. For a discussion of these changes, *see* the Issues and Decision Memorandum.

Methodology

Commerce conducted this administrative review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found to be countervailable, we find that there is a subsidy, *i.e.,* a financial contribution by an ''authority'' that gives rise to a benefit to the recipient, and that the subsidy is specific.[4] For a full description of the methodology underlying Commerce's conclusions, *see* the Issues and Decision Memorandum.

Rescission of Administrative Review, in Part

In the *Preliminary Results,* we stated that we intended to rescind this review with respect to Hyundai Steel Pipe Co., Ltd. (Hyundai Pipe) because, according to the U.S. Customs and Border Protection (CBP) import data on the record, the company did not have reviewable entries of subject merchandise during the POR for which liquidation is suspended.[5] We did not receive any comments from interested parties concerning our intent to rescind the administrative review with respect to Hyundai Pipe. Accordingly, we are rescinding this administrative review for Hyundai Pipe, pursuant to 19 CFR 351.213(d)(3).

Final Results of Review

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

Company	Subsidy rate (percent *ad valorem*)
SeAH Steel Corporation.[6]	0.12 (*de minimis*).

Disclosure

Commerce intends to disclose the calculations and analyses performed in connection with these final results of review to interested parties within five days after the public announcement of the final results or, if there is not public announcement, within five days of the date of publication of this notice of final results in the **Federal Register**, in accordance with 19 CFR 351.224(b).

Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(2), Commerce has determined, and CBP shall assess, countervailing duties on all appropriate entries of subject merchandise in accordance with the final results of this review. For Hyundai Pipe, for which the review is being rescinded, Commerce will instruct CBP to assess countervailing duties on all appropriate entries at a rate equal to the cash deposit of estimated countervailing duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). Because we calculated a *de minimis* countervailable subsidy rate for the SeAH Steel in the final results of this review, we intend to instruct CBP to liquidate the appropriate entries without regard to countervailing duties in accordance with 19 CFR 351.212(b)(2) and 19 CFR 351.106(c)(2).

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

[1] *See Oil Country Tubular Goods from the Republic of Korea: Preliminary Results, Intent to Rescind, and Rescission, in Part, of Countervailing Duty Administrative Review; 2023,* 91 FR 27019 (May 13, 2026) (*Preliminary Results*) and accompanying Preliminary Decision Memorandum (PDM).

[2] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results of the Countervailing Duty Administrative Review of Oil Country Tubular Goods from the Republic of Korea; 2023,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[3] *See Oil Country Tubular Goods from the Republic of Korea and the Russian Federation: Countervailing Duty Orders,* 87 FR 70782 (November 21, 2022) (*Order*).

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

[5] *See Preliminary Results,* 91 FR at 27019–20.

[6] Commerce has found the following company to be cross-owned with SeAH Steel: SeAH Steel Holding Corporation. *See Preliminary Results* PDM at 6.

statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Instructions

In accordance with section 751(a)(1) of the Act, Commerce intends to instruct CBP to collect cash deposits of estimated countervailing duties at the appropriate rates.[7] For shipments of subject merchandise by the SeAH Steel entered, or withdrawn from warehouse, for consumption on or after the date of publication of these final results, the cash deposit rate will be zero. For all non-reviewed firms subject to the *Order,* we will instruct CBP to continue to collect cash deposits of estimated countervailing duties at the most recent company-specific rate or the all-others rate established in the original investigation (*i.e.,* 1.33 percent), as appropriate.[8] These cash deposit requirements, effective upon publication of these final results, shall remain in effect until further notice.

Administrative Protective Order (APO)

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

Notification to Interested Parties

We are issuing and publishing these final results in accordance with sections 751(a)(1) and 777(i) of the Act, and 19 CFR 351.213(d)(4) and 19 CFR 351.221(b)(5).

Dated: September 10, 2026.

Christopher Abbott,

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

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Subsidies Valuation Information
V. Analysis of Programs
VI. Discussion of the Issues
Comment 1: Attribution of Funds Received under the Suncheon City Government Funding for Investing in New Facilities Program (Suncheon New Facilities Program)
Comment 2: Whether the Demand Response Resources (DRR) Program Is Countervailable
Comment 3: Whether Tax Exemptions under Restriction of Special Taxation Act (RSTA) Article 24 Are *De Facto* Specific
Comment 4: Discount on Auto-Payments and Electronic Reporting of Social Insurance Subsidy Rate
VII. Recommendation

[FR Doc. 2026–18788 Filed 9–14–26; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–489–817]

Certain Oil Country Tubular Goods From the Republic of Türkiye: Preliminary Results of Countervailing Duty Administrative Review; 2024

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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that countervailable subsidies were provided to Borusan Birleşik Boru Fabrikalari Sanayi ve Ticaret A.Ş. (Borusan), a producer and exporter of certain oil country tubular goods (OCTG) from the Republic of Türkiye (Türkiye). The period of review (POR) is January 1, 2024, through December 31, 2024. Interested parties are invited to comment on these preliminary results.

DATES: Applicable September 15, 2026.

FOR FURTHER INFORMATION CONTACT: Michael Romani, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0198.

SUPPLEMENTARY INFORMATION:

Background

On July 18, 2014, Commerce published in the **Federal Register** the countervailing duty (CVD) order on OCTG from Türkiye.[1] On December 8, 2025, based on timely requests for review, in accordance with 19 CFR 351.221(c)(1)(i), we initiated an administrative review of the CVD order on OCTG from Türkiye.[2] Borusan is the sole company being examined in this review.[3]

Due to the lapse in appropriations and Federal Government shutdown, on November 14, 2025, Commerce tolled all deadlines in administrative proceedings by 47 days.[4] Additionally, due to a backlog of documents that were electronically filed via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) during the Federal Government shutdown, on November 24, 2025, Commerce tolled all deadlines in administrative proceedings by an additional 21 days.[5] On July 16, 2026, Commerce extended the deadline for the preliminary results of this review by 32 days.[6] Accordingly, the deadline for these preliminary results is now September 10, 2026.

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[7] A list of topics included in the Preliminary Decision Memorandum is provided as the appendix to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via ACCESS, which is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/frnotices.*

Scope of the Order

The product covered by the *Order* is OCTG from Türkiye. For a complete description of the scope of the *Order, see* the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this administrative review in accordance with 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each of

[1] *See Certain Oil Country Tubular Goods from India and the Republic of Turkey: Countervailing Duty Orders and Amended Affirmative Final Countervailing Duty Determination for India,* 79 FR 53688 (September 10, 2014) (*Order*).

[2] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 90 FR 56725 (December 8, 2025); *see also Order.*

[3] *See* Memorandum, ''Respondent Identification,'' dated January 16, 2026.

[4] *See* Memorandum, ''Deadlines Affected by the Shutdown of the Federal Government,'' dated November 14, 2025.

[5] *See* Memorandum, ''Tolling of all Case Deadlines,'' dated November 24, 2025.

[6] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Countervailing Duty Administrative Review,'' dated July 16, 2026.

[7] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the Administrative Review of the Countervailing Duty Order on Certain Oil Country Tubular Goods from the Republic of Türkiye; 2024,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[7] *See, e.g., Honey from Argentina: Results of Countervailing Duty Administrative Review,* 69 FR 29518 (May 24, 2004), and accompanying Issues and Decision Memorandum at Issue 4.

[8] *See Order,* 87 FR at 70783.

the subsidy programs found countervailable, Commerce preliminarily determines that there is a subsidy, *i.e.,* a financial contribution by an ''authority'' that gives rise to a benefit to the recipient, and that the subsidy is specific.[8] For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum.

Preliminary Results of Review

As a result of this review, we preliminarily determine the following net countervailable subsidy rates exist for the POR, January 1, 2024, through December 31, 2024:

Company	Subsidy rate (percent *ad valorem*)
Borusan Birleşik Boru Fabrikalari Sanayi ve Ticaret A.Ş.[9]	0.63

Disclosure

Commerce intends to disclose its calculations and analysis performed to interested parties for these preliminary results within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance. Pursuant to 19 CFR 351.309(c)(1)(ii), we have modified the deadline for interested parties to submit case briefs to Commerce to no later than 21 days after the date of the publication of this notice.[10] Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.[11] Interested parties who submit case briefs or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.[12] All briefs must be filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety in ACCESS by 5:00 p.m. Eastern Time on the established deadline.

As provided under 19 CFR 351.309(c)(2)(iii) and (d)(2)(iii), we request that interested parties provide at the beginning of their briefs a public executive summary for each issue raised in their briefs.[13] Further, we request that interested parties limit their executive summary of each issue to no more than 450 words, not including citations. We intend to use the executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final results in this administrative review. We request that interested parties include footnotes for relevant citations in the executive summary of each issue. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).[14]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants, and whether any participant is a foreign national; and (3) a list of issues to be discussed. Oral presentations at the hearing will be limited to issues raised in the briefs. If a request for a hearing is made, Commerce will inform parties of the scheduled date for the hearing.[15]

Assessment Rates

In accordance with 19 CFR 351.221(b)(4)(i), we preliminarily assigned subsidy rates in the amounts shown above for the producers/exporters shown above. Consistent with section 751(a)(1) of the Act and 19 CFR 351.212(b)(2), upon issuance of the final results, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, countervailing duties on all appropriate entries covered by this review.

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

Cash Deposit Requirements

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.107(e), Commerce intends to instruct CBP to collect cash deposits of estimated countervailing duties with regard to shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review, as follows: (1) the cash deposit rate for the company listed above will be equal to the company-specific estimated individual countervailable subsidy rates determined in the final results of this review, except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1),in which case the cash deposit rate will be zero; (2) if both the producer and exporter of the subject merchandise have company-specific estimated subsidy rates assigned, and their rates differ, then the applicable cash deposit rate will be the higher of these two rates; (3) if either the producer or the exporter, but not both, of the subject merchandise has a company-specific estimated subsidy rate assigned, the applicable cash deposit rate will be that company's company-specific rate; and (4) the cash deposit rate for all other producers and exporters will be continue to be 9.21 percent, the all-others subsidy rate established in the investigation.[16] These cash deposit instructions, when imposed, shall remain in effect until further notice.

Final Results of Administrative Review

Unless extended, Commerce intends to issue the final results of this administrative review, which will include the results of our analysis of the issues raised in the case briefs, within 120 days of the date of publication of these preliminary results in the **Federal**

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

[9] As discussed in the Preliminary Decision Memorandum, Commerce preliminarily finds the following companies to be cross-owned with Borusan Birleşik Boru Fabrikalari Sanayi ve Ticaret A.Ş.; BMB Holding A.Ş.; and Borusan Holding A.S. Additionally, Commerce has previously determined that Borusan Birlesik Fabrikalari Sanayi ve Ticaret A.S. is the successor-in-interest to Borusan Mannesmann Boru Sanayi ve Ticaret A.S. *See Circular Welded Carbon Steel Standard Pipe and Tube Products from the Republic of Türkiye; Welded Line Pipe from the Republic of Türkiye; Certain Oil Tubular Goods from the Republic of Türkiye; and Large Diameter Welded Pipe from the Republic of Türkiye: Final Results of Countervailing Duty Changed Circumstances Reviews*, 89 FR 96212 (December 4, 2024). In November 2023, Borusan Mannesmann Boru Yatirim Holding A.S. changed its name to BMB Holding.

[10] *See* 19 CFR 351.309.

[11] *See* 19 CFR 351.309(d); *see also Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings,* 88 FR 67069, 67077 (September 29, 2023) (*APO and Service Procedures*).

[12] *See* 19 CFR 351.309(c)(2) and (d)(2).

[13] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[14] *See APO and Service Procedures.*

[15] *See* 19 CFR 351.310(d).

[16] *See Order.*

Register, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h).

Notification to Interested Parties

We are issuing and publishing these preliminary results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: September 10, 2026.

Christopher Abbott,

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

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Subsidies Valuation Information
V. Analysis of Programs
VI. Recommendation

[FR Doc. 2026–18789 Filed 9–14–26; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XG049]

Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of a public online meeting.

SUMMARY: The Groundfish Subcommittee of the Pacific Fishery Management Council's (Pacific Council) Scientific and Statistical Committee (SSC) will convene to review the suitability of a standardization of fishery-dependent indices for midwater rockfishes and an eDNA-based index of abundance for application in groundfish stock assessments. The methodology review meeting is open to the public and being conducted in person with the opportunity for public comment.

DATES: The groundfish methodology review meeting will be held Tuesday, October 6, 2026, through Thursday, October 8, 2026, from 8 a.m. until 5 p.m. (Pacific Daylight Time) or until business for the day has been completed.

ADDRESSES: The groundfish methodology review will be conducted as an in-person meeting with web broadcasting. Specific meeting information, including the agenda and directions on how to join the meeting and system requirements, will be provided in the workshop announcement on the Pacific Council's website (see *www.pcouncil.org*). You may send an email to Hayden York (*hayden.york@pcouncil.org;* (503) 820–2424) for technical assistance.

Council address: Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, Oregon 97220.

FOR FURTHER INFORMATION CONTACT: Diana Perry, Staff Officer, Pacific Council; telephone: (503) 820–2414, email: *Diana.Perry@pcouncil.org.*

SUPPLEMENTARY INFORMATION: The purpose of the groundfish methodology review meeting is aimed at evaluating fishery-dependent indices for midwater rockfishes and an eDNA-based index of abundance, which has been developed for the Pacific hake stock assessment, and has been informally proposed for application to widow rockfish and other groundfish species. The fishery-dependent methodology review will focus on practices for data filtering, index standardization model structure, and variables to consider in standardization. The proposed model includes a standard spatiotemporal delta-model for catch rates, positive encounters, and a third layer which supports the estimation of the magnitude of preferential sampling behavior (aggregate, or by vessels) and compares indices to models that do not account for non-random sampling. The eDNA-based index of abundance method review will include the application of eDNA approaches in building an abundance index using Pacific hake as a case study and how the same samples collected and analyzed for hake can be repurposed to examine the abundance and distribution of a wide range of groundfish and coastal pelagic species. This review is planned in preparation for the 2029 groundfish stock assessment cycle. The results of this review are not considered final until reviewed by the full SSC at a future Pacific Council meeting.

No management actions will be decided by the meeting participants. The participants' role will be development of recommendations and reports for consideration by the SSC and the Pacific Council at a future Pacific Council meeting.

Although non-emergency issues not contained in the meeting agenda may be discussed, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent of the workshop participants to take final action to address the emergency.

Special Accommodations

Requests for sign language interpretation or other auxiliary aids should be directed to Hayden York (*hayden.york@pcouncil.org;* (503) 820–2424) at least 10 days prior to the meeting date.

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

Dated: September 9, 2026.

Anna Michelle Harrison,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2026–18844 Filed 9–14–26; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2026–SCC–1816]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Consolidated State Performance Report

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

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department is proposing a reinstatement with change of a previously approved information collection request (ICR).

DATES: Interested persons are invited to submit comments on or before October 15, 2026.

ADDRESSES: Written comments and recommendations for proposed information collection requests should be submitted within 30 days of publication of this notice. Click on this link *www.reginfo.gov/public/do/PRAMain* to access the site. Find this information collection request (ICR) by selecting ''Department of Education'' under ''Currently Under Review,'' then check the ''Only Show ICR for Public Comment'' checkbox. *Reginfo.gov* provides two links to view documents related to this information collection request. Information collection forms and instructions may be found by clicking on the ''View Information Collection (IC) List'' link. Supporting statements and other supporting

documentation may be found by clicking on the ''View Supporting Statement and Other Documents'' link.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Amanda Hoffman, 202–453–6006.

SUPPLEMENTARY INFORMATION: The Department is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Consolidated State Performance Report.

OMB Control Number: 1810–0724.

Type of Review: A reinstatement with change of a previously approved ICR.

Respondents/Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Annual Responses: 53.

Total Estimated Number of Annual Burden Hours: 1,643.

Abstract: The Consolidated State Performance Report (CSPR) is the required annual reporting tool for each State, the Bureau of Indian Education, District of Columbia, and Puerto Rico as authorized under Section 8303 of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA). The CSPR collects data on programs authorized by: Title I, Part A; Title I, Part C; Title I, Part D; Title II, Part A; Title III, Part A; Title IV Part A; Title V, Part A; Title V, Part B, Subparts 1 and 2; and The McKinney-Vento Act. The information in this collection relate to the performance and monitoring activities of the aforementioned programs under ESSA and the McKinney-Vento Act. These data are needed for reporting on Government Performance and Results Act (GPRA) as well as other reporting requirements under ESSA. This submission is a request to update the currently-approved CSPR collection (OMB 1810–0724) for school years 2025–26, 2026–27, and 2027–28. There are number of substantive changes to the collection since it was last approved. The proposed changes are to remove questions from the collections and combine CSPR I and II into a single CSPR collection. The questions we propose to eliminate include Assessment waivers, Title III, Part A allocation timeline, McKinney-Vento and ARP Homeless, Certification requirement for OME, Postsecondary URLs, and Title I, Part D. Finally, the last change is combining the CSPR I and II into a single CSPR collection.

Ross Santy,

Chief Data Officer, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2026–18864 Filed 9–14–26; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2026–SCC–0628]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; IDEA Part C State Performance Plan (SPP) and Annual Performance Report (APR)

AGENCY: Office of Special Education and Rehabilitative Services (OSERS), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department is proposing a revision of a currently approved information collection request (ICR).

DATES: Interested persons are invited to submit comments on or before October 15, 2026.

ADDRESSES: Written comments and recommendations for proposed information collection requests should be submitted within 30 days of publication of this notice. Click on this link *www.reginfo.gov/public/do/PRAMain* to access the site. Find this information collection request (ICR) by selecting ''Department of Education'' under ''Currently Under Review,'' then check the ''Only Show ICR for Public Comment'' checkbox. *Reginfo.gov* provides two links to view documents related to this information collection request. Information collection forms and instructions may be found by clicking on the ''View Information Collection (IC) List'' link. Supporting statements and other supporting documentation may be found by clicking on the ''View Supporting Statement and Other Documents'' link.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Christine Pilgrim, (202) 245–6292.

SUPPLEMENTARY INFORMATION: The Department is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: IDEA Part C State Performance Plan (SPP) and Annual Performance Report (APR).

OMB Control Number: 1820–0578.

Type of Review: Revision of a currently approved ICR.

Respondents/Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Annual Responses: 56.

Total Estimated Number of Annual Burden Hours: 61,208.

Abstract: The Individuals with Disabilities Education Improvement Act of 2004, signed on December 3, 2004, became Public Law 108–446. In accordance with 20 U.S.C. 1416(b)(1) and 20 U.S.C. 1442, not later than one year after the date of enactment of the Individuals with Disabilities Education Improvement Act of 2004, each Lead Agency must have in place a performance plan that evaluates the Lead Agency's efforts to implement the requirements and purposes of Part C and describe how the Lead Agency will improve such implementation. This plan is called the Part C State Performance Plan (Part C—SPP). In accordance with 20 U.S.C. 1416(b)(2)(C)(ii) and 20 U.S.C. 1442 the Lead Agency shall report annually to the public on the performance of each Part C program located in the State on the targets in the Lead Agency's performance plan. The Lead Agency shall report annually to the Secretary on the performance of the State under the Lead Agency's performance plan. This report is called the Part C Annual Performance Report (Part C—APR).

Ross Santy,

Chief Data Officer, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2026–18865 Filed 9–14–26; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2026–SCC–0661]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; IDEA Part B State Performance Plan (SPP) and Annual Performance Report (APR)

AGENCY: Office of Special Education and Rehabilitative Services (OSERS), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department is proposing a revision of a currently approved information collection request (ICR).

DATES: Interested persons are invited to submit comments on or before October 15, 2026.

ADDRESSES: Written comments and recommendations for proposed information collection requests should be submitted within 30 days of publication of this notice. Click on this link *www.reginfo.gov/public/do/PRAMain* to access the site. Find this information collection request (ICR) by selecting ''Department of Education'' under ''Currently Under Review,'' then check the ''Only Show ICR for Public Comment'' checkbox. *Reginfo.gov* provides two links to view documents related to this information collection request. Information collection forms and instructions may be found by clicking on the ''View Information Collection (IC) List'' link. Supporting statements and other supporting documentation may be found by clicking on the ''View Supporting Statement and Other Documents'' link.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Christine Pilgrim, (202) 245–6292.

SUPPLEMENTARY INFORMATION: The Department is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: IDEA Part B State Performance Plan (SPP) and Annual Performance Report (APR).

OMB Control Number: 1820–0624.

Type of Review: Revision of a currently approved ICR.

Respondents/Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Annual Responses: 60.

Total Estimated Number of Annual Burden Hours: 107,100.

Abstract: In accordance with 20 U.S.C. 1416(b)(1), not later than one year after the date of enactment of the Individuals with Disabilities Education, as revised in 2004, each State must have in place a performance plan that evaluates the State's efforts to implement the requirements and purposes of Part B and describe how the State will improve such implementation. This plan is called the Part B State Performance Plan (Part B—SPP). In accordance with 20 U.S.C. 1416(b)(2)(C)(ii) the State shall report annually to the public on the performance of each local educational agency located in the State on the targets in the State's performance plan. The State also shall report annually to the Secretary on the performance of the State under the State's performance plan. This report is called the Part B Annual Performance Report (Part B—APR).

Ross Santy,

Chief Data Officer, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2026–18866 Filed 9–14–26; 8:45 am]

BILLING CODE 4000–01–P

U.S. ELECTION ASSISTANCE COMMISSION

Agency Information Collection Activities: ESTEP Application for Testing

AGENCY: Election Assistance Commission.

ACTION: Notice; request for comment.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the U.S. Election Assistance Commission (EAC) announces an information collection and seeks public comment on the provisions thereof. The EAC intends to submit this proposed information collection to the Director of the Office of Management and Budget for approval. The EAC is publishing an information collecting form for its Election Supporting Technology Evaluation Program (ESTEP). The information collected is to be used to obtain information about election-supporting technologies submitted for evaluation under ESTEP certification programs. Participation in this program is voluntary.

DATES: Comments must be received by 5 p.m. Eastern on Monday, November 16, 2026.

ADDRESSES: Comments on the proposed Election Supporting Technology Evaluation Program forms should be submitted electronically via *https://www.regulations.gov* (docket ID: EAC–2026–0265). Written comments on the proposed information collection can also be sent to the U.S. Election Assistance Commission, 633 3rd Street NW, Suite 200, Washington, DC 20001, Attn: Election Supporting Technology Evaluation Program.

FOR FURTHER INFORMATION CONTACT: Elizabeth Beatrice, Election Technology Specialist, Election Supporting Technology Evaluation Program, 202–451–2031, *estep@eac.gov.* All requests and submissions should be identified by the title of the information collection.

SUPPLEMENTARY INFORMATION:

Titles and OMB Number: ESTEP Application for Testing; OMB Number 3265–0027.

Purpose

Under the PRA (44 U.S.C. 3501–3520), Federal Agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes Agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA requires Federal Agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, the EAC is publishing notice of the proposed collection of information set forth in this document.

The EAC Election Supporting Technology Evaluation Program evaluates the functionality, security, and accessibility of election-supporting technologies, including electronic poll books, voter registration systems, electronic ballot delivery systems, and election night reporting databases.

The program is publishing the ESTEP Application for Testing form to collect key administrative information regarding new or modified election-

supporting technologies submitted for testing by a registered manufacturer.

This information is collected to improve the quality of election-supporting technology used in federal elections.

Public Comments

We are soliciting public comments to permit the EAC to:

• Evaluate whether the proposed information collection is necessary and sufficient for the proper functions of the Election Supporting Technology Evaluation Program.

• Evaluate the accuracy of our estimate of burden for these proposed collections, including the validity of the methodology and assumptions used.

• Enhance the quality, utility, and clarity of the information to be collected.

• Minimize the reporting burden on those who are responding, including the use of information technology.

Please note that comments submitted in response to this notice are public record. Before including any detailed personal information, you should be aware that your comments as submitted, including your personal information, will be available for public review.

Respondents: Election Supporting Technology Manufacturers, State and Local Election Officials.

Annual Reporting Burden

OMB approval is requested for 3 years.

ANNUAL BURDEN ESTIMATES FOR ESTEP APPLICATION FOR TESTING

	Estimated number of respondents	Estimated responses per respondent	Average burden hours per response	Total annual burden hours	Total cost to respondents ($78.10/hr)
First-Time Submissions	3	1	240	720	$56,232
Subsequent Submissions	6	3	32	576	44,985.60
Total				1296	101,217.60

Estimated burden in hours—1,296.

Estimated burden cost—$101,217.60.

Seton Parsons,

Senior Associate Counsel, U.S. Election Assistance Commission.

[FR Doc. 2026–18797 Filed 9–14–26; 8:45 am]

BILLING CODE 4810–71–P

U.S. ELECTION ASSISTANCE COMMISSION

Agency Information Collection Activities: ESTEP Manufacturer Registration Form

AGENCY: Election Assistance Commission.

ACTION: Notice; request for comment.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the U.S. Election Assistance Commission (EAC) announces an information collection and seeks public comment on the provisions thereof. The EAC intends to submit this proposed information collection to the Director of the Office of Management and Budget for approval. The EAC is publishing an information collecting form for its Election Supporting Technology Evaluation Program (ESTEP). The information collected is to be used to obtain information about election-supporting technology manufacturers under ESTEP certification programs. Participation in this program is voluntary.

DATES: Comments must be received by 5 p.m. Eastern on Monday, November 16, 2026.

ADDRESSES: Comments on the proposed Election Supporting Technology Evaluation Program forms should be submitted electronically via *https://www.regulations.gov* (docket ID: EAC–2026–0266). Written comments on the proposed information collection can also be sent to the U.S. Election Assistance Commission, 633 3rd Street NW, Suite 200, Washington, DC 20001, Attn: Election Supporting Technology Evaluation Program.

FOR FURTHER INFORMATION CONTACT: Elizabeth Beatrice, Election Technology Specialist, Election Supporting Technology Evaluation Program, 202–451–2031, *estep@eac.gov.* All requests and submissions should be identified by the title of the information collection.

SUPPLEMENTARY INFORMATION:

Titles and OMB Number: ESTEP Manufacturer Registration; OMB Number 3265–0028.

Purpose

Under the PRA (44 U.S.C. 3501–3520), Federal Agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes Agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA requires Federal Agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, the EAC is publishing notice of the proposed collection of information set forth in this document.

The EAC Election Supporting Technology Evaluation Program evaluates the functionality, security, and accessibility of election-supporting technologies, including electronic poll books, voter registration systems, electronic ballot delivery systems, and election night reporting databases.

The program is publishing the ESTEP Manufacturer Registration form to collect key information about manufacturers seeking to participate in the EAC's Election Supporting Technology Evaluation Program, including ownership information, contact information for management and technical representatives, and information regarding the manufacturer's quality processes.

This information is collected to improve the quality of election-supporting technology used in federal elections.

Public Comments

We are soliciting public comments to permit the EAC to:

• Evaluate whether the proposed information collection is necessary and sufficient for the proper functions of the Election Supporting Technology Evaluation Program.

• Evaluate the accuracy of our estimate of burden for these proposed collections, including the validity of the methodology and assumptions used.

• Enhance the quality, utility, and clarity of the information to be collected.

• Minimize the reporting burden on those who are responding, including the use of information technology.

Please note that comments submitted in response to this notice are public record. Before including any detailed personal information, you should be aware that your comments as submitted, including your personal information, will be available for public review.

Respondents: Election Supporting Technology Manufacturers, State and Local Election Officials.

Annual Reporting Burden

OMB approval is requested for 3 years.

ANNUAL BURDEN ESTIMATES FOR ESTEP MANUFACTURER REGISTRATION

	Estimated number of respondents	Estimated responses per respondent	Average burden hours per response	Total annual burden hours	Total annual cost to respondents ($78.10/hr)
Initial Registration	3	1	25	2575	$5,857.50
Updated Registration	4	2	2	16	1,249.60
Total				91	7,107.10

Estimated burden in hours—91
Estimated burden cost—$7,107.10

Seton Parsons,

Senior Associate Counsel, U.S. Election Assistance Commission.

[FR Doc. 2026–18798 Filed 9–14–26; 8:45 am]

BILLING CODE 4810–71–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings in Existing Proceedings

Docket Numbers: RP26–1101–001.
Applicants: MountainWest Pipeline, LLC.
Description: Compliance filing: Amended NAESB 4.0 Compliance Filing to be effective 1/1/2027.
Filed Date: 9/9/26.
Accession Number: 20260909–5173.
Comment Date: 5 p.m. ET 9/21/26.

Docket Numbers: RP26–1102–001.
Applicants: MountainWest Overthrust Pipeline, LLC.
Description: Compliance filing: Amended NAESB 4.0 Order 587–AB Compliance Filing to be effective 1/1/2027.
Filed Date: 9/9/26.
Accession Number: 20260909–5177.
Comment Date: 5 p.m. ET 9/21/26.

Any person desiring to protest in any the above proceedings must file in accordance with Rule 211 of the Commission's Regulations (18 CFR 385.211) on or before 5:00 p.m. Eastern time on the specified comment date.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502–6595 or *OPP@ferc.gov.*

Dated: September 10, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–18842 Filed 9–14–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC26–41–000]

Commission Information Collection Activities (FERC–549D); Comment Request; Extension

AGENCY: Federal Energy Regulatory Commission, DOE.

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–549D (OMB Control No. 1902–0253), Quarterly Transportation and Storage Report for Intrastate Natural Gas and Hinshaw Pipelines. The comment period ended on September 8, 2026, with no comments received. There were no changes to the reporting requirements.

DATES: Comments on the collection of information are due October 15, 2026.

ADDRESSES: Send written comments on FERC–549D to OMB through *https://www.reginfo.gov/public/do/PRA/icrPublicCommentRequest?ref_nbr=202608-1902-006.* You can also visit *https://www.reginfo.gov/public/do/PRAMain* and use the drop-down under ''Currently under Review'' to select the ''Federal Energy Regulatory Commission'' where you can see the open opportunities to provide comments. Comments should be sent within 30 days of publication of this notice.

Please submit a copy of your comments to the Commission via email to *DataClearance@FERC.gov.* You must specify Docket No. (IC26–41–000) and the FERC Information Collection number (FERC–549D) 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: Kayla Williams at *DataClearance@FERC.gov,* telephone at (202) 502–6468.

SUPPLEMENTARY INFORMATION:

Title: FERC–549D, Quarterly Transportation and Storage Report for Intrastate Natural Gas and Hinshaw Pipelines.

OMB Control No.: 1902–0253.

Type of Request: Three-year extension of the FERC–549D information collection requirements with no changes to the current reporting requirements.

Abstract: The reporting requirements under FERC–549D are required to carry out the Commission's policies in accordance with the general authority in Section 1(c) of the Natural Gas Act (NGA) [1] and Section 311 of the Natural Gas Policy Act of 1978 (NGPA).[2] This collection promotes transparency by making available intrastate and Hinshaw pipeline transactional information. The Commission collects the data on a standardized form with all requirements outlined in 18 CFR 284.126.

The FERC–549D collects the following information:

- Full legal name and identification number of the shipper receiving service, including whether the pipeline and the shipper are affiliated;
- Type of service performed;
- The rate charged under each contract;
- The primary receipt and delivery points for each contract;
- The quantity of natural gas the shipper is entitled to transport, store, or deliver for each transaction;
- The duration of the contract, specifying the beginning and (for firm contracts only) ending month and year of current agreement;
- Total volumes transported, stored, injected or withdrawn for the shipper; and
- Annual revenues received for each shipper, excluding revenues from storage services.

Filers submit the Form–549D on a semi-annually basis.

Type of Respondents: Intrastate natural gas pipelines under NGPA Section 311 authority and Hinshaw pipelines.

Estimate of Annual Burden: [3] The Commission estimates the annual public reporting burden and cost [4] for FERC–549D as shown in the following table: FERC–549D (Quarterly Transportation and Storage Report for Intrastate Natural Gas and Hinshaw Pipelines)

FERC–549D—QUARTERLY TRANSPORTATION AND STORAGE REPORT FOR INTRASTATE NATURAL GAS AND HINSHAW PIPELINES

	Average annual number of respondents (1)	Average annual number of responses per respondent (2)	Average annual total number of responses (1) * (2) = (3)	Average burden hrs. & cost ($) per response (4)	Total annual burden hours & total annual cost ($) (rounded) (3) * (4) = (5)	Cost per respondent ($) (5) ÷ (1)
PDF filings	134	2	268	12.5 hrs.; 1,275	3,350 hrs.; 341,700	$2,550
Total			268		3,350 hrs.; 341,700	

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: September 10, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–18870 Filed 9–14–26; 8:45 am]

BILLING CODE 6717–01–P

[1] 15 U.S.C. 717(c).

[2] 15 U.S.C. 3371.

[3] 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, reference 5 Code of Federal Regulations 1320.3.

[4] The Commission staff estimates that the industry's hourly cost for wages plus benefits is similar to the Commission's $102.00 FY 2026 average hourly cost for wages and benefits.

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: EC26–139–000.

Applicants: TENASKA GEORGIA PARTNERS, L.P., Gulf Pacific Power, LLC.

Description: Supplement to 08/03/2026, Joint Application for Authorization Under Section 203 of the Federal Power Act of Tenaska Georgia Partners, L.P., et al.

Filed Date: 9/8/26.

Accession Number: 20260908–5368.

Comment Date: 5 p.m. ET 9/18/26.

Docket Numbers: EC26–166–000.

Applicants: GSP Newington LLC, GSP White Lake LLC, GSP Lost Nation LLC, Gate City Power Holdings II LLC.

Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of GSP Newington LLC, et al.

Filed Date: 9/9/26.

Accession Number: 20260909–5244.

Comment Date: 5 p.m. ET 9/30/26.

Take notice that the Commission received the following Electric Rate filings:

Docket Numbers: ER23–628–006.

Applicants: Bellflower Solar 1, LLC.

Description: Compliance filing: Compliance Filing to be effective 10/1/2023.

Filed Date: 9/10/26.

Accession Number: 20260910–5071.

Comment Date: 5 p.m. ET 10/1/26.

Docket Numbers: ER26–3743–000.

Applicants: Southwest Power Pool, Inc.

Description: 205(d) Rate Filing: 4999 San Juan Mesa Wind Project GIA to be effective 8/25/2026.

Filed Date: 9/10/26.

Accession Number: 20260910–5034.

Comment Date: 5 p.m. ET 10/1/26.

Docket Numbers: ER26–3744–000.

Applicants: PJM Interconnection, L.L.C.

Description: 205(d) Rate Filing: Original NSA, Service Agreement No. 8050; Queue No. AC2–079 to be effective 11/10/2026.

Filed Date: 9/10/26.

Accession Number: 20260910–5060.

Comment Date: 5 p.m. ET 10/1/26.

Docket Numbers: ER26–3745–000.

Applicants: PJM Interconnection, L.L.C.

Description: 205(d) Rate Filing: Amendment to GIA, Service Agreement No. 7302; AF1–272 to be effective 11/10/2026.

Filed Date: 9/10/26.

Accession Number: 20260910–5100.

Comment Date: 5 p.m. ET 10/1/26.

Docket Numbers: ER26–3746–000.

Applicants: CPV Energy & Marketing Services, LLC.

Description: 205(d) Rate Filing: Application for Market-Based Rate Authority to be effective 11/9/2026.

Filed Date: 9/10/26.

Accession Number: 20260910–5155.

Comment Date: 5 p.m. ET 10/1/26.

Docket Numbers: ER26–3747–000.

Applicants: PacifiCorp.

Description: 205(d) Rate Filing: Surplus LGIA Escalante III (SA No. 1108) to be effective 9/11/2026.

Filed Date: 9/10/26.

Accession Number: 20260910–5158.

Comment Date: 5 p.m. ET 10/1/26.

Docket Numbers: ER26–3748–000.

Applicants: Puget Sound Energy, Inc.

Description: 205(d) Rate Filing: Refiling agreements into Miscellaneous Tariffs and Service Agreements to be effective 5/1/2026.

Filed Date: 9/10/26.

Accession Number: 20260910–5213.

Comment Date: 5 p.m. ET 10/1/26.

Docket Numbers: ER26–3749–000.

Applicants: EDPR CA Solar Park VI LLC.

Description: Initial Rate Filing: Large Generator Interconnection Agreement Co-Tenancy Agreement to be effective 9/11/2026.

Filed Date: 9/10/26.

Accession Number: 20260910–5222.

Comment Date: 5 p.m. ET 10/1/26.

Docket Numbers: ER26–3750–000.

Applicants: Public Service Company of Colorado.

Description: Petition for Limited Waiver of Public Service Company of Colorado.

Filed Date: 9/8/26.

Accession Number: 20260908–5370.

Comment Date: 5 p.m. ET 9/29/26.

Take notice that the Commission received the following Electric Securities filings:

Docket Numbers: ES26–75–000.

Applicants: Horizon West Transmission, LLC.

Description: Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities of Horizon West Transmission, LLC.

Filed Date: 9/10/26.

Accession Number: 20260910–5201.

Comment Date: 5 p.m. ET 10/1/26.

Docket Numbers: PA02–2–000.

Applicants: The Williams Companies, Inc.

Description: Petition of The Williams Companies, Inc. Respecting Document Retention Obligation.

Filed Date: 8/31/26.

Accession Number: 20260831–5324.

Comment Date: 5 p.m. ET 9/21/26.

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: September 10, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–18843 Filed 9–14–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[RD26–9–000]

North American Electric Reliability Corporation; Order Approving Reliability Standard CIP–014–4

1. On July 16, 2026, the North American Electric Reliability Corporation (NERC), the Commission-certified Electric Reliability Organization (ERO), submitted a petition seeking approval of proposed Reliability Standard CIP–014–4 (Physical Security). NERC also requests approval of the associated implementation plan, violation risk factors, and violation severity levels, as well as the retirement of the currently effective Reliability Standard CIP–014–3.[1] For the reasons discussed below, pursuant to section 215(d)(2) of the Federal Power Act (FPA),[2] we grant the requested approvals.

I. Background

A. Section 215 and Mandatory Reliability Standards

2. Section 215 of the FPA provides that the Commission may certify an ERO, the purpose of which is to establish and enforce Reliability Standards, subject to Commission review and approval.[3] Once approved, the Reliability Standards may be enforced by the ERO, subject to Commission oversight, or by the Commission independently.[4] Pursuant to section 215 of the FPA, the Commission established a process to select and certify an ERO [5] and subsequently certified NERC as the ERO.[6]

B. Physical Security Reliability Standards

3. In Order No. 802, issued in November 2014, the Commission approved the Physical Security Reliability Standard CIP–014–1.[7] The stated purpose of the currently effective version of the Physical Security Reliability Standard is to ''identify and protect Transmission stations and Transmission substations, and their associated primary control centers, that if rendered inoperable or damaged as a result of a physical attack could result in instability, uncontrolled separation, or Cascading within an Interconnection.'' [8] The Physical Security Reliability Standard applies to

[1] NERC Petition at 2; Ex. B (Implementation Plan); Ex. E (VRF/VSL Analysis).

[2] 16 U.S.C. 824o(d)(2).

[3] *Id.* § 824o.

[4] *Id.* § 824o(e).

[5] *Rules Concerning Certification of the Elec. Reliability Org.; & Procs. for the Establishment, Approval, and Enf't of Elec. Reliability Standards,* Order No. 672, 114 FERC ¶ 61,104, *order on reh'g,* Order No. 672–A, 114 FERC ¶ 61,328 (2006).

[6] *N. Am. Elec. Reliability Corp.,* 116 FERC ¶ 61,062, *order on reh'g and compliance,* 117 FERC ¶ 61,126 (2006), *aff'd sub nom. Alcoa Inc.* v. *FERC,* 564 F.3d 1342 (D.C. Cir. 2009) (certifying NERC as the ERO responsible for the development and enforcement of mandatory Reliability Standards).

[7] *Physical Sec. Reliability Standard,* Order No. 802, 149 FERC ¶ 61,140 (2014), *reh'g denied,* 151 FERC ¶ 61,066 (2015).

[8] Reliability Standard CIP–014–3 (Physical Security), Section A.3, Purpose.

transmission owners that own a transmission station or substation that meets any of the criteria identified in the Applicability section of the standard: (1) transmission facilities operated at 500 kV or higher; (2) transmission facilities that are operating between 200 kV and 499 kV at a single station or substation, where the station or substation is connected at 200 kV or higher voltages to three or more other transmission stations or substations and that exceeds an ''aggregated weighted value'' as defined in the standard; (3) transmission facilities at a single station or substation location that are identified by its reliability coordinator, planning coordinator, or transmission planner as critical to the derivation of interconnection reliability operating limits and their associated contingencies; and (4) transmission facilities identified as essential to meeting nuclear plant interface requirements.[9]

4. The Physical Security Reliability Standard requires applicable transmission owners to perform risk assessments on a periodic basis to identify the applicable transmission stations, substations, and control centers. The transmission owner must have an unaffiliated third party verify the risk assessment. Applicable entities must then conduct an evaluation of the potential threats and vulnerabilities of a physical attack to each transmission station, substation and control center identified in the risk assessment, followed by the development and implementation of a documented physical security plan. The evaluation and physical security plan are also subject to unaffiliated, third-party review.[10]

C. December 2022 Order and CIP–014 Report

5. Reports of physical attacks on electric substations increased in late 2022. In response, on December 15, 2022, the Commission directed NERC to evaluate the effectiveness of Physical Security Reliability Standard CIP–014–3 in mitigating risk to the Bulk-Power System from physical attacks.[11] The Commission directed NERC to study three concerns. First, NERC was to assess ''the adequacy of the Applicability criteria set forth in the Physical Security Reliability Standard CIP–014–3.'' [12] Second, NERC was to examine ''the required risk assessment set forth in the Physical Security Reliability Standard,'' including possible ''parameters or criteria regarding how applicable entities should conduct the required risk assessment.'' [13] Third, NERC was to consider ''whether a minimum level of physical security protections should be required for all Bulk-Power System transmission stations and substations and primary control centers.'' [14] The Commission cited several recent incidents, including the December 3, 2022 physical attacks on substations in Moore County, North Carolina and the November 2022 incidents at several Pacific Northwest substations.[15]

6. NERC filed its evaluation report on April 14, 2023 to address the Commission's directive.[16] In the CIP–014 Report, NERC found that the CIP–014 Applicability criteria are meeting the objective ''[to focus] limited industry resources on risks to the reliable operation of the [Bulk-Power System] associated with physical security incidents at the most critical facilities'' and are ''broad enough to capture the subset of applicable facilities that [transmission owners] should identify as 'critical.' '' [17] Therefore, NERC did not recommend expanding those criteria.[18]

7. NERC did, however, identify concerns with the Requirement R1 risk assessment. NERC determined that ''registered entities have inconsistent approaches to performing the risk assessment and they did not always meet the technical rigor expected for other planning horizon study assessment-related Reliability Standards, such as TPL–001.'' [19] NERC further explained:

> The language within CIP–014–3 does not prescribe a specific method on how each risk assessment of the entity's Transmission station(s) and Transmission substation(s) shall be performed. As such, specific components that comprise any supporting analytics are neither defined nor listed.[20]

According to NERC, ''in certain instances, registered entities failed to provide sufficient technical studies or justification for study decisions resulting in noncompliance.'' [21] NERC determined that ''the inconsistent approach to performing the risk assessment is largely due to a lack of specificity in the requirement language as to the nature and parameters of the risk assessment.'' [22]

8. In the CIP–014 Report, NERC also addressed whether to require a minimum level of physical security for all Bulk-Power System transmission stations, transmission substations, and their associated primary control centers. NERC concluded that a ''bright line set of minimum physical security protections, while potentially preventing some forms of attack, does not account for the [design basis threat] process nor does it guarantee the protections will safeguard against more sophisticated or coordinated attacks.'' [23] NERC explained that ''[e]ffective physical security plans should align with the risks intended to be mitigated'' and ''should include responsive or adaptive controls, site-specific attributes, and a viable threat assessment from expert security professionals,'' rather than a fixed, one-size-fits-all baseline applied uniformly across all applicable facilities.[24] Therefore, NERC recommended a holistic approach that pairs physical security controls with complementary reliability and resiliency measures—such as response readiness and spare-equipment strategies—to mitigate the impact of physical attacks, rather than adopting minimum protections applicable to all Bulk-Power System transmission stations, substations and primary control centers.[25]

9. Subsequently, NERC initiated a Standard Authorization Request and commenced Project 2023–06 (Risk Assessment Refinement) to develop clarifying revisions to CIP–014–3.[26] On July 16, 2026, NERC filed its petition with these revisions for approval as proposed Reliability Standard CIP–014–4.

II. NERC's Petition

10. In NERC's petition, NERC explains that proposed Reliability Standard CIP–014–4 would revise the applicability language to reflect the inclusion of jointly owned transmission stations and

[9] *See id.,* Section A.4, Applicability (setting forth the Applicability criteria).

[10] *See id.,* Section B (Requirements and Measures) (providing additional detail regarding the physical security requirements set forth in the Physical Security Reliability Standard).

[11] *N. Am. Elec. Reliability Corp.,* 181 FERC ¶ 61,230 (2022) (December 2022 Order).

[12] *Id.* P 1.

[13] *Id.* PP 1, 8.

[14] *Id.* PP 1, 7–8.

[15] *Id.* P 6 nn.8–9.

[16] *NERC, Evaluation of the Physical Security Reliability Standard and Physical Security Attacks to the Bulk-Power System,* Docket No. RD23–2–000 at 4 (Apr. 14, 2023), *https://www.nerc.com/globalassets/who-we-are/legal--regulatory/filings--orders/nerc-filings-to-ferc/2023/nerc-report-on-cip-014-3.pd* (CIP–014 Report).

[17] *Id.* at 4, 12.

[18] *Id.* at 4–5, 12–13, 17, 25.

[19] *Id.* at 18.

[20] *Id.* at 21 (citation omitted).

[21] *Id.* at 5; *see also id.* at 24.

[22] *Id.* at 5; *see also id.* at 24.

[23] *Id.* at 30.

[24] *Id.*

[25] *Id.* at 5, 30.

[26] NERC Petition at 9, 12; CIP–014 Report at 5, 24.

transmission substations. Further, existing Applicability subsections have been relocated, without substantive revision, to a new Attachment 1 to improve organization.[27]

11. NERC explains that proposed Reliability Standard CIP–014–4, Requirement R1 would require a transmission owner to review and, if necessary, update its list of applicable transmission stations and transmission substations at least once every 36 calendar months, including both existing facilities and facilities planned to be in service within 36 calendar months. NERC explains that the 36-calendar month risk assessment cycle would align with the annual cycle for performing planning assessments under Reliability Standard TPL–001 to avoid confusion from gaps between models and study horizons that sometimes occurs under the current version of CIP–014.[28]

12. NERC states that proposed Requirement R2 would require each transmission owner with an applicable transmission station or transmission substation identified under Requirement R1 to ''identify proximate existing Bulk Electric System (BES) [t]ransmission station(s) and BES [t]ransmission substation(s), irrespective of ownership, within 1500 feet or 457 meters (the shortest distance, measured substation fence line to substation fence line).'' [29] NERC explains that the list of proximate facilities identified under Requirement R2 is used to inform the risk assessment required under the proposed Requirement R5.[30]

13. NERC explains that proposed Requirement R3 would require each transmission owner to maintain ''a documented risk assessment methodology for evaluating the loss of each applicable [t]ransmission station or [t]ransmission substation identified in Requirement R1.'' The proposed methodology would include three elements: (1) ''[d]ocumented criteria for assessing instability, uncontrolled separation, or [c]ascading within an Interconnection,'' with ''technically justified thresholds identifying unacceptable generation and load loss;'' [31] (2) ''[a] provision that steady-state and dynamic simulations shall each be performed using at a minimum one System peak Load case and one System Off-Peak Load case;'' [32] and (3) detailed specifications for simulations at applicable and proximate stations and substations, including assumptions regarding ''[p]rior loss of communication and Protection Systems,'' faults, and clearing times.[33]

14. According to NERC, proposed Requirement R4 would require transmission owners with jointly owned applicable transmission stations or transmission substations to coordinate with one another to determine and document their individual and joint responsibilities under Requirements R3 and R5.[34]

15. NERC explains that the proposed Requirement R5 would consolidate the risk assessment periodicity—30 calendar months for transmission owners that previously identified a critical facility, or 60 calendar months for those that did not—into a single 36-calendar-month cycle. NERC identifies two principal benefits of this change. First, for transmission owners that have not previously identified a critical transmission station or transmission substation, the 36-month cycle shortens the maximum reassessment interval from 60 months to 36 months, requiring more frequent reevaluation of facilities that may have become critical due to changed system conditions.[35] Second, NERC explains that the single 36-month cycle harmonizes the CIP–014–4 risk assessment schedule with two other recurring cycles: the Requirement R1 cycle for updating the Attachment 1 list of applicable facilities, and the annual planning-assessment cycle under Reliability Standard TPL–001.[36] According to NERC, this alignment avoids confusion arising from gaps between models and study horizons that can occur under the current multi-tiered version of CIP–014. Proposed Requirement R5 would further require that proximate stations and substations identified under Requirement R2 be included in the risk assessment.

16. NERC states that proposed Requirements R6 through R10 would carry forward, without substantive revision, the requirements previously numbered R2 through R6 in Reliability Standard CIP–014–3.[37]

17. NERC requests that proposed Reliability Standard CIP–014–4 become effective on the first day of the first calendar quarter that begins 24 calendar months after the Commission's approval order takes effect.[38] Reliability Standard CIP–014–3 would be retired immediately before the effective date of Reliability Standard CIP–014–4.[39] Under the proposed implementation plan, the initial risk assessment required under Requirement R5 must be completed on or before the effective date. Subsequent risk assessments must follow no later than 36 calendar months after that effective date.[40]

III. Notice of Filing

18. Notice of NERC's July 16, 2026, petition was published in the **Federal Register**, 91 FR 46418 (July 23, 2026), with interventions and protests due on or before August 17, 2026. Ameren Missouri, Ameren Illinois Company, and Ameren Transmission Company of Illinois all filed timely motions to intervene.

IV. Determination

A. Procedural Matters

19. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 CFR 385.214 (2025), the timely unopposed motions to intervene serve to make the entities that filed them parties to this proceeding.

B. Substantive Matters

20. We determine that proposed Reliability Standard CIP–014–4 improves the reliability of the Bulk-Power System by providing a consistent approach for identifying and assessing transmission stations, transmission substations, and primary control centers critical to the operation of the Bulk-Power System. Moreover, the modifications to Reliability Standard CIP–014–4 refine and strengthen the physical security framework for critical transmission facilities by tightening assessment timelines, clarifying applicability thresholds, and improving verification and oversight processes.

21. Accordingly, pursuant to section 215(d)(2) of the FPA, we approve the proposed Reliability Standard CIP–014–4 as just, reasonable, not unduly discriminatory or preferential, and in the public interest. We also approve the

[27] NERC Petition at 10–11; ex. A–1 at 3–4 (Applicability § 4.1.1, attach. 1).

[28] NERC Petition at 11–13.

[29] *Id.* at 13; ex. A–1 at 4 (Requirement R2). NERC explains that the standard drafting team selected this distance based on the Department of Homeland Security and Department of Justice ''Bomb Threat Stand-Off Card.'' NERC Petition at 13–14 (citing Cybersecurity and Infrastructure Security Agency, *DHS–DOJ Bomb Threat Stand-Off Card* (Aug. 2025), *https://www.cisa.gov/sites/default/files/2025-08/Bomb_Threat_Stand-OffCard_082025_508.pdf*).

[30] NERC Petition at 14; ex. C at 2, 6.

[31] NERC Petition at 15; ex. A–1 at 4 (Requirement R3, Part 3.1).

[32] NERC Petition at 15, 17; ex. A–1 at 4 (Requirement R3, Part 3.2).

[33] *Id.* at 15–19; ex. A–1 at 4–5 (Requirement R3, Part 3.3); *see also* CIP–014 Report at 5, 18, 21 (inconsistent risk-assessment approaches due to lack of specificity in CIP–014–3, Requirement R1).

[34] NERC Petition at 22–23; ex. A–1 at 5 (Requirement R4); ex. C at 5.

[35] *Id.* at 23–24.

[36] *Id.* at 24–25.

[37] NERC Petition at 27–28.

[38] *Id.* at 29.

[39] *Id.;* ex. B at 2.

[40] NERC Petition at 29; ex. B at 2.

associated implementation plan (including an effective date of October 1, 2028), violation risk factors and violation severity levels. We further approve the retirement of the currently effective Reliability Standard CIP–014–3, effective immediately before Reliability Standard CIP–014–4 takes effect.

V. Information Collection Statement

22. The FERC–725U information collections requirements are subject to review by the Office of Management and Budget (OMB) under section 3507(d) of the Paperwork Reduction Act of 1995. OMB's regulations require approval of certain information collection requirements imposed by agency rules. Upon approval of a collection of information, OMB will assign an OMB control number and expiration date. Respondents subject to the filing requirements will not be penalized for failing to respond to these collections of information unless the collections of information display a valid OMB control number. The Commission solicits comments on the need for this information, whether the information will have practical utility, the accuracy of the burden estimates, ways to enhance the quality, utility, and clarity of the information to be collected or retained, and any suggested methods for minimizing respondents' burden, including the use of automated information techniques.

23. The Commission bases its paperwork burden estimates on the additional paperwork burden for transmission owners presented by Reliability Standard CIP–014–4. Reliability Standards are objective-based and allow entities to choose compliance approaches best tailored to their systems. While transmission operators are applicable entities for Reliability Standard CIP–014–4, there were no changes to their burden based on the revisions. The number of transmission owners (TO) that are subject to mandatory compliance with Reliability Standard CIP–014–4, in the table below, are based on the NERC Compliance Registry as of July 21, 2026, and good faith estimates provided by NERC to Commission staff.

24. Based on these assumptions, we estimate the following change in reporting burden [41] and costs: [42]

FERC–725U—(MANDATORY RELIABILITY STANDARDS: RELIABILITY STANDARD CIP–014) CHANGE IN BURDEN

	Number of respondents [43] (1)	Number of responses per respondent (2)	Total number of responses (1) * (2) = (3)	Average burden hours & cost per response (4)	Total burden hours & total cost (rounded) (3) * (4) = (5)	Average cost per respondent (5) ÷ (1)
Change Annual Reporting and Record-keeping.	344 (TO)	1	344	10 hrs.; $833.90	3,440 hrs.; $286,862	$833.90
Total FERC–725U	.....	.....	344	.....	3,440 hrs.; $286,862	.....

25. *Titles:* FERC–725U, Mandatory Reliability Standards for the Bulk Power System; CIP–014 Reliability Standard.

Action: Revisions to Existing Collections of Information in FERC–725U (CIP–014).

OMB Control Nos: 1902–0274 (FERC–725U).

Respondents: Transmission owners.

Frequency of Responses: Annually.

Necessity of the Information: This order approves modifications to Reliability Standard CIP–014–4 that refine and strengthen the physical security framework for critical transmission facilities by tightening assessment timelines, clarifying applicability thresholds, and improving verification and oversight processes. Key changes include more objective risk-assessment requirements, clarifying language to the Applicability section, increased rigor around third-party verification and review, and expanded threat and vulnerability evaluation requirements. Overall, the revisions aim to provide clearer technical guidance, improve consistency among entities, and ensure more timely, accountable, and risk-based protection of facilities whose loss could cause instability, uncontrolled separation, or cascading within an Interconnection.

Internal review: The Commission has reviewed the proposed Reliability Standard and made a determination that its action is necessary to implement section 215 of the FPA. The Commission has assured itself, by means of its internal review, that there is specific, objective support for the burden estimates associated with the information requirements.

26. Interested persons may obtain information on the reporting requirements by contacting the Federal Energy Regulatory Commission, Office of the Executive Director, 888 First Street NE, Washington, DC 20426 [Attention: Kayla Williams, email: *DataClearance@ferc.gov,* phone: (202) 502–6468].

27. Comments concerning the information collections and requirements approved for retirement in this order and the associated burden estimates, should be sent to the Commission (identified by Docket No. RD26–9–000 as appropriate), using the following methods. Electronic filing through *https://www.ferc.gov* is preferred. Electronic Filing should be filed in acceptable native applications and print-to-PDF, but not in scanned or picture format. For those unable to file electronically, comments may be filed by U.S. Postal Service 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: Deliver to: Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

[41] 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 CFR 1320.3.

[42] 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).

[43] The number for TOs (344) represents the number of unique U.S. entities and is taken from the NERC compliance registry information as of July 21, 2026.

VI. Document Availability

28. In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (*http://www.ferc.gov*).

29. From the Commission's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

30. User assistance is available for eLibrary and the Commission's website during normal business hours from the Commission's Online Support at (202) 502–6652 (toll free at 1–866–208–3676) or email at *ferconlinesupport@ferc.gov,* or the Public Reference Room at (202) 502–8371, TTY (202) 502–8659. Email the Public Reference Room at *public.referenceroom@ferc.gov.*

The Commission orders:

Proposed Reliability Standard CIP–014–4, its associated implementation plan (including an effective date of October 1, 2028), violation risk factors, and violation severity levels, and the proposed retirement of Reliability Standard CIP–014–3 immediately prior to the effective date of proposed Reliability Standard CIP–014–4 are hereby approved, as discussed in the body of this order.

By the Commission.

Issued: September 10, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–18868 Filed 9–14–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC26–39–000]

Commission Information Collection Activities (FERC–556); Comment Request; Extension

AGENCY: Federal Energy Regulatory Commission, DOE.

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–556 (OMB Control No. 1902–0075) Certification of Qualifying Facility (QF) Status for a Small Power Production or Cogeneration Facility. The comment period ended on September 8, 2026, with no comments received. There were no changes to the reporting requirements.

DATES: Comments on the collection of information are due October 15, 2026.

ADDRESSES: Send written comments on FERC–556 to OMB through *https://www.reginfo.gov/public/do/PRA/icrPublicCommentRequest?ref_nbr=202608-1902-007.* 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. (IC26–39–000) and the FERC Information Collection number (FERC–556) 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–556, Certification of Qualifying Facility (QF) Status for a Small Power Production or Cogeneration Facility.

OMB Control No.: 1902–0075.

Type of Request: Three-year extension of the FERC–556 information collection requirements with no changes to the current reporting requirements.

Abstract: Form No. 556 is required to implement sections 201 and 210 of the Public Utility Regulatory Policies Act of 1978 [1] (PURPA). FERC is authorized, under those sections, to encourage cogeneration and small power production and to prescribe such rules as necessary to carry out the statutory directives.

A primary statutory objective is efficient use of energy resources and facilities by electric utilities. One means of achieving this goal is to encourage production of electric power by cogeneration facilities, which make use of reject heat associated with commercial or industrial processes, and by small power production facilities, which use renewable resources and other wastes. PURPA encourages the development of small power production facilities and cogeneration facilities that meet certain technical and corporate criteria through establishment of various regulatory benefits. Facilities that meet these criteria are called Qualifying Facilities (QFs).

FERC's regulations in 18 CFR part 292, as relevant here, specify: (a) the certification procedures which must be followed by owners or operators of small power production and cogeneration facilities; (b) the criteria which must be met; (c) the information which must be submitted to FERC in order to obtain qualifying status; and (d) the PURPA benefits which are available to QFs to encourage small power production and cogeneration.

18 CFR part 292 also exempts some QFs from certain corporate, accounting, reporting, and rate regulation requirements of the Federal Power Act,[2] certain state laws, and the Public Utility Holding Company Act of 2005.[3]

Type of Respondents: Facilities that are self-certifying their status as a cogenerator or small power producer or that are submitting an application for FERC certification of their status as a cogenerator or small power producer.

Estimate of Annual Burden: The Commission estimates the burden and

[1] 16 U.S.C. 796 and 824i.

[2] 16 U.S.C. 791a, *et seq.*

[3] 42 U.S.C. 16451 through 165463.

cost for this information collection as follows:

FERC–556—CERTIFICATION OF QUALIFYING FACILITY STATUS FOR A SMALL POWER PRODUCTION OR COGENERATION FACILITY

Facility type	Filing type	Number of respondents (1)	Number of responses per respondent (2)	Total number of responses (1) * (2) = (3)	Average burden hours & cost per response [4] (4)	Total annual burden hours & total annual cost (rounded) (3) * (4) = (5)	Cost per respondent ($) (rounded) (5) ÷ (1)
Cogeneration Facility >1 MW [5].	Self-certification ...	50	2.14	107	3.54 hrs; $361.08	378.78 hrs; $38,635.56	772.71
Cogeneration Facility >1 MW.	Application for FERC certification.	0	2.14	0	50 hrs; $5,100	0 hrs; $0	0
Small Power Production Facility >1 MW.	Self-certification ...	2,924	2.14	6,257.36	3.54 hrs; $361.08	22,151.05 hrs; $2,259,407.55	772.71
Small Power Production Facility >1 MW.	Application for FERC certification.	0	2.14	0	50 hrs; $5,100	0 hrs; $0	0
Cogeneration and Small Power Production Facility ≤1 MW [6].	Self-certification ...	1,422	2.14	3,043.08	3.54 hrs; $361.08	10,772.50 hrs; $1,098,795.33	772.71
Total	.....	4,396	.....	9,407.44	.....	33,302 hrs; $3,396,837.66	.....

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: September 10, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–18871 Filed 9–14–26; 8:45 am]

BILLING CODE 6717–01–P

[4] The Commission staff believes that industry is similarly situated in terms of wages and benefits. Therefore, cost estimates are based on FERC's 2026 average annual wage (and benefits) for a full-time employee of $213,003 (or $102.00/hour).

[5] MW = megawatt.

[6] The regulation at 18 CFR 292.203(d) exempts small power production facilities and cogeneration facilities from self-certification if they have a net power production capacity of 1 MW or less. However, we are disclosing burdens for these filings because some facilities seek status as qualifying facilities regardless of their capacity.

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 1894–238]

Dominion Energy South Carolina, Inc.; Notice of Availability of Environmental Assessment

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission or FERC) regulations, 18 CFR part 380, Commission staff reviewed Dominion Energy South Carolina, Inc.'s (licensee) application to amend the Turbine Venting Plan (Plan) for the Parr Hydroelectric Project No. 1894 and have prepared an Environmental Assessment (EA) for the project.[1] The licensee requests Commission approval to amend the project's Plan such that the seasonal turbine venting window specified in the Plan, currently June 15 through August 31, be modified to June 15 through October 31, to increase dissolved oxygen levels downstream of Parr Shoals Dam. The licensee also requests Commission approval to amend Article 401(b), so that it is consistent with the turbine venting window described above in the amended Plan. The project is located on the Broad River in Newberry and Fairfield counties, South Carolina, and occupies federal lands managed by the U.S. Forest Service (USFS) within the Sumter National Forest.

The EA contains Commission staff's analysis of the potential environmental effects of the proposed amendment, alternatives to the proposed action, and concludes that the proposed amendment would not constitute a major federal action that would significantly affect the quality of the human environment.

The EA may be viewed on the Commission's website at *http://www.ferc.gov* using the ''elibrary'' link. Enter the docket number (P–1894–238) in the docket number field to access the document. For assistance, contact FERC Online Support at *FERCOnlineSupport@ferc.gov* or toll-free at 1–866–208–3676, or for TTY, (202) 502–8659.

You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

All comments must be filed by October 13, 2026, 5:00 p.m. Eastern Time.

The Commission strongly encourages electronic filing. Please file comments using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* For assistance, please contact FERC Online Support. In lieu of

[1] The unique identification number for documents relating to this environmental review is EAXX–019–20–000–1782995106.

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–1894–238.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502–6595 or *OPP@ferc.gov.*

For further information, contact Ms. Joy Kurtz at 202–502–6760 or *joy.kurtz@ferc.gov.*

(Authority: 18 CFR 2.1)

Dated: September 10, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–18869 Filed 9–14–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC26–37–000]

Commission Information Collection Activities (FERC–561); Comment Request; Extension

AGENCY: Federal Energy Regulatory Commission, DOE.

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–561 (OMB Control No. 1902–0099), Annual Report of Interlocking Directorates. The comment period ended on September 8, 2026, with no comments received. There were no changes to the reporting requirements.

DATES: Comments on the collection of information are due October 15, 2026.

ADDRESSES: Send written comments on FERC–561 to OMB through *https://www.reginfo.gov/public/do/PRA/icrPublicCommentRequest?ref_nbr=202608-1902-008.* 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. (IC26–37–000) and the FERC Information Collection number (FERC–561) 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–561, Interlocking Directorates.

OMB Control No.: 1902–0099.

Abstract: The FERC Form 561 responds to the Federal Power Act (FPA) requirements for annual reporting of similar types of positions which public utility officers and directors hold with financial institutions, insurance companies, utility equipment and fuel providers, and with any of an electric utility's 20 largest purchasers of electric energy (*i.e.,* the 20 entities with high expenditures of electricity). The FPA specifically defines most of the information elements in the Form 561 including the information that must be filed, the required filers, the directive to make the information available to the public, and the filing deadline.

The Commission uses the information required by 18 CFR 131.31 and collected by the Form 561 to implement the FPA requirement that those who are authorized to hold interlocked directorates annually disclose all the interlocked positions held within the prior year. The Form 561 data identifies persons holding interlocking positions between public utilities and other entities, allows the Commission to review these interlocking positions, and allows identification of possible conflicts of interest.

Type of Respondents: Each officer or director of a public utility also holding the position of officer, director, partner, appointee, or representative of any other entity listed in section 305(c)(2) of the FPA (including but not limited to organizations primarily engaged in the business of providing financial services or credit, insurance companies, security underwriters, electrical equipment suppliers, fuel provider, and any entity which is controlled by one or more of these entities).

Estimate of Annual Burden: The Commission estimates the total annual burden and cost [1] for this information collection as follows:

FERC FORM 561—ANNUAL REPORT OF INTERLOCKING DIRECTORATES

Number of respondents	Annual number of responses per respondent	Total number of responses	Average burden & cost per response	Total annual burden hours & total annual cost	Cost per respondent ($)
(1)	(2)	(1) * (2) = (3)	(4)	(3) * (4) = (5)	(5) ÷ (1)
2,700	1	2,700	0.25 hrs.; 25.50	675 hrs.; $68,850	$25.50

[1] Commission staff estimates that the industry's skill set and cost (for wages and benefits) for FERC–561 are approximately the same as the Commission's average cost. The FERC 2026 average salary plus benefits for one FERC full-time equivalent (FTE) is $213,003/year (or $102.00/hour).

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: September 10, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–18873 Filed 9–14–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC26–38–000]

Commission Information Collection Activities (FERC–912); 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–912 (1902–0237), PURPA Section 210(m) Notification Requirements Applicable to Cogeneration and Small Power Production Facilities. The comment period ended on September 8, 2026, with no comments received. There are no changes to the reporting requirements.

DATES: Comments on the collection of information are due October 15, 2026.

ADDRESSES: Send written comments on FERC–912 to OMB through *https://www.reginfo.gov/public/do/PRA/icrPublicCommentRequest?ref_nbr=202608-1902-009.* 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. (IC26–38–000) and the FERC Information Collection number (FERC–912) 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–912, PURPA Section 210(m) Notification Requirements Applicable to Cogeneration and Small Power Production Facilities.

OMB Control No.: 1902–0237.

Type of Request: Three-year extension of the FERC–912 information collection requirements with no changes to the current reporting requirements.

Abstract: On August 8, 2005, the Energy Policy Act of 2005 (EPAct 2005) [1] was signed into law. Section 1253(a) of EPAct 2005 amended Section 210 of the Public Utility Regulatory Policies Act of 1978 (PURPA) by adding subsection ''(m),'' which provides, based on a specified showing, for the termination and subsequent reinstatement of an electric utility's obligation to purchase from, and sell energy and capacity to, qualifying facilities (QFs). In 2019, the Commission revised its regulations in 18 CFR 292.309—292.313 in Docket No. RM19–15–000 to account for industry changes. These industry changes include: the decrease in reliance on oil and natural gas, the increase of natural gas supply due to access of shale reserves, and the decreasing costs of renewable energy sources. Due to the modifications in the rulemaking, the Commission revised its information collection requirements. The Commission now collects the following information on FERC Form 912:

- § *292.310:* an electric utility's application for the *termination of its obligation* to purchase energy from a QF,
- § *292.311:* an affected entity or person's application to the Commission for an order *reinstating the electric utility's obligation* to purchase energy from a QF,
- § *292.312:* an electric utility's application for the *termination of its obligation* to sell energy and capacity to QFs, and
- § *292.313:* an affected entity or person's application to the Commission for an order *reinstating the electric utility's obligation* to sell energy and capacity to QFs.[2]

Type of Respondents: Electric utilities.

Estimate of Annual Burden: [3] The Commission estimates the total Public Reporting Burden and cost for this information collection as follows:

[1] Public Law 109–58, 119 Stat. 594 (2005).

[2] 18 CFR 292.311 and 292.313.

[3] 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 CFR 1320.3.

FERC–912 (IC22–9–000)—COGENERATION AND SMALL POWER PRODUCTION, PURPA SECTION 210(m) REGULATIONS FOR TERMINATION OR REINSTATEMENT OF OBLIGATION TO PURCHASE OR SELL

	Number of respondents (1)	Number of responses per respondent (2)	Total number of responses (1) × (2) = (3)	Average burden hours & average cost per response ($) [4] (4)	Total annual burden hours & total annual cost ($) (3) × (4) = (5)	Cost per respondent ($) (5) ÷ (1) = (6)
Termination of obligation to purchase	4	1.5	6	12 $1,224	72 $7,344	$1,836
Reinstatement of obligations to purchase	0	0	0	0 $0	0 $0	0
Termination of obligation to sell	2	1	2	8 $816	16 $1,632	816
Reinstatement of obligation to sell	0	0	0	0 $0	0 $0	0
Total			8		88 hours $8,976	2,652

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: September 10, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–18872 Filed 9–14–26; 8:45 am]

BILLING CODE 6717–01–P

FEDERAL RESERVE SYSTEM

[Docket No. OP–1880]

Proposed Third-Party Risk Management Guide for Traditional Community Banking Organizations

AGENCY: The Board of Governors of the Federal Reserve System (Board).

ACTION: Proposed guidance and request for comment.

SUMMARY: The Board invites comment on a proposed guide for traditional community banking organizations on managing risks associated with third-party relationships. The proposed guide would reflect the Board's supervisory experience and lessons learned through examining community banking organizations' third-party risk management practices. In particular, the proposed guide would discuss the key risks faced by traditional community banking organizations in their third-party relationships in general and in relation to particular categories of third-party relationships most common to traditional community banking organizations.

DATES: Comments must be received on or before November 16, 2026.

ADDRESSES: You may submit comments, identified by Docket No. OP–1880 by any of the following methods:

- *Agency Website: https://www.federalreserve.gov/apps/proposals/.* Follow the instructions for submitting comments, including attachments. *Preferred Method.*
- *Mail:* Benjamin W. McDonough, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.
- *Hand Delivery/Courier:* Same as mailing address.
- *Other Means: publiccomments@frb.gov.* You must include docket number in the subject line of the message.

Comments received are subject to public disclosure. In general, comments received will be made available on the Board's website at *https://www.federalreserve.gov/apps/proposals/* without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would be not appropriate for public disclosure. Public comments may also be viewed electronically or in person in Room M–4365A, 2001 C St. NW, Washington, DC 20551, between 9 a.m. and 5 p.m. during Federal business weekdays.

FOR FURTHER INFORMATION CONTACT: Juan Climent, Deputy Associate Director, (202) 460–2180, Jeff Ernst, Manager, (202) 369–9439, Allison Boller, Sr., Financial Institution Policy Analyst II, (202) 253–4686, Joseph Vall-Llobera, Director of Examinations, (470) 733–1198, Division of Supervision and Regulation; or Claudia Von Pervieux, Special Counsel, (202) 469–1020, Benjamin Nuyens, Senior Counsel, (202) 909–7574, Legal Division; Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

SUPPLEMENTARY INFORMATION:

I. Overview

As described elsewhere in today's **Federal Register**, the Board, the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, and the National Credit

[4] The estimates for cost per response are derived using the following formula: Average Burden Hours per Response * $102.00 per Hour = Average Cost per Response. The hourly cost figure comes from the FERC average salary ($213,003/year). Commission staff believes the 2026 FERC average salary to be a representative wage for industry respondents.

Union Administration (collectively, the ''agencies'') published for comment proposed guidance on third-party risk management that would apply to all banking organizations supervised by the agencies, *Proposed Third-Party Risk Management Guidance* (Proposed All-Bank TPRM Guidance). The Proposed All-Bank TPRM Guidance would provide principles for banking organizations to consider when managing third-party risks.

Some community banks have expressed the need for additional resources to support their third-party risk management efforts. To address that need, the Board is issuing for comment a proposed guide on third-party risk management for ''traditional community banking organizations'' [1] (Community Bank Guide) that is intended to serve as a companion document to the Proposed All-Bank TPRM Guidance. The proposed Community Bank Guide would have the explicit goal of assisting TCBOs in understanding and conducting third-party risk management. It would articulate how the principles in the Proposed All-Bank TPRM Guidance can be applied in practice by TCBOs. Limiting the scope to TCBOs and the third parties they tend to engage with makes it possible to provide clear examples of how smaller banking organizations can operationalize the high-level principles in the Proposed All-Bank TPRM Guidance.

The proposed Community Bank Guide would not be relevant to other institutions, as it would be specifically tailored to the unique characteristics and risk profiles of TCBOs. It would not be a rule, and banking organizations would not be required to take the actions described in the guide.

The Board seeks comment on whether the proposed Community Bank Guide would be useful to TCBOs and how it could be improved. In particular, the Board is interested in feedback on whether the proposed guide provides the appropriate level of detail, such that it will serve as a useful resource for TCBOs without establishing *de facto* supervisory standards.

[1] ''Traditional community banking organizations'' (''TCBOs'') are banking organizations with less than $30 billion in assets that focus on serving their local communities. The proposed guide is not intended for community banking organizations with more complex business models or third-party relationship profiles, such as complex bank-fintech partnerships (*e.g.,* where a bank makes products or services available through an arrangement with one or more fintech companies and the fintech company, rather than the bank, markets, distributes, or otherwise provides access to the products or services).

In drafting the proposed Community Bank Guide, the Board has endeavored to distill the key risks and risk management considerations associated with third-party relationships most engaged in by TCBOs. In doing so, the Board consulted various resources, including relevant sections of examination materials (*e.g.,* the Federal Financial Institutions Examination Council's *IT Examination Handbook* and *Bank Secrecy Act/Anti-Money Laundering Examination Manual*), industry materials, and responses to the agencies' relevant requests for information.[2] The Board also used information learned from the supervisory process, including sound risk management practices the Board has seen at TCBOs (including associated materials such as risk assessment methodologies, sample contracts, and due diligence files).

II. Request for Comment

The Board invites comment on all aspects of the proposed Community Bank Guide. The Board also seeks feedback on ways to improve upon the proposed guide so that it can be as useful as possible for TCBOs in managing their third-party risks. In addition, the Board invites comment on these specific topics:

- What are the advantages and disadvantages of tailoring the expectations established in the proposed Community Bank Guide to banking organizations with assets below $30 billion?
- How, if at all, could the Board further clarify the characteristics of a TCBO? What additional examples of community banking organization profiles, if any, would be helpful to clarify whether a community banking organization would be within the scope of the proposed Community Bank Guide?
- The proposed guide is meant to serve as a resource for TCBOs to support their efforts to manage risks from third-party relationships. To what extent would the information included in the proposed guide be useful for TCBOs? How can the proposed guide be clarified or modified to advance that objective?
- In drafting the proposed guide, the Board sought to provide a level of detail that would make the document a useful practical resource. At the same time, the Board sought to avoid creating *de facto* standards that TCBOs believe they would be evaluated against. To what extent has the Board appropriately calibrated the level of detail in the proposed guide?
- What changes or additional clarifications, if any, would be helpful regarding the overarching third-party risk management considerations used by TCBOs, provided in Section IV.B?
- What adjustments should the Board consider to the proposed categories of vendor types most used by TCBOs? What additional categories, if any, should Section IV.C provide?
- How can the proposed guide be improved to better support contract negotiations with third parties?
- Should ''deposit placement networks'' be included as an additional vendor category in Section IV.C? Would TCBOs benefit from having specific third-party risk management considerations for this type of relationship? If so, how do the overarching risk management considerations apply and what additional risk considerations are most relevant?

[2] ''Request for Information on Bank-Fintech Arrangements Involving Banking Products and Services Distributed to Consumers and Businesses,'' 89 FR 61577 (July 31, 2024); ''Request for Information Regarding Community Bank Digitalization,'' 90 FR 20212 (May 12, 2025); and ''Request for Information Regarding Community Banks' Engagement With Core Service Providers and Other Essential Third-Party Service Providers,'' 90 FR 54882 (November 28, 2025).

III. Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521) (PRA) states that no agency may conduct or sponsor, nor is the respondent required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number.

The guide does not revise any existing, or create any new, information collections pursuant to the PRA. Rather, any reporting, recordkeeping, or disclosure activities mentioned in the guide are usual and customary and should occur in the normal course of business as defined in the PRA.[3] Consequently, no submissions will be made to the OMB for review.

IV. Text of Proposed Third-Party Risk Management Guide for Traditional Community Banking Organizations

A. Introduction
B. Overarching Third-Party Risk Management Considerations
1. Operational Resilience
2. System and Information Security
3. Compliance With Rules and Regulations
4. Financial Resilience
C. TPRM Considerations on a Vendor-by-Vendor Basis
1. Core Providers
2. Information Technology (IT) Infrastructure Providers
3. Cybersecurity Providers

[3] 5 CFR 1320.3(b)(2).

4. Payment Processing and Digital Banking Providers
5. Loan Management System Providers
6. Card Issuing and Processing Providers
7. BSA/AML and Financial Crime Platform Providers
8. Fraud Prevention and Detection Providers

A. Introduction

Community banking organizations regularly rely on third parties [4] to support their banking operations. Third-party relationships can offer community banking organizations access to new technologies, risk-management tools, human capital, delivery channels, products, services, and markets. The Board of Governors of the Federal Reserve System (''Board'') is issuing this guide to provide a resource for traditional community banking organizations in managing risks that arise from their third-party relationships. For purposes of this guide, ''traditional community banking organizations'' (''TCBOs'') are banking organizations with less than $30 billion in assets that focus on serving their local communities.[5] For the purposes of this guide, consumer compliance is not in scope.

This guide complements the proposed guidance described elsewhere in today's **Federal Register**, *Proposed Third-Party Risk Management Guidance,* which applies to all banking organizations supervised by the agencies (All-Bank TPRM Guidance). This guide is an additional resource for TCBOs supervised by the Board and helps explain how such institutions could operationalize the principles articulated in the All-Bank TPRM Guidance.

This guide is divided into two main sections. The first section discusses four overarching third-party risk management topics, which are common to the types of third-party relationships [6] that TCBOs typically engage with:

- *Operational Resilience:* How a third party's operational disruptions could affect a TCBO.
- *System and Information Security:* A third party's impact on the security of a TCBO's sensitive networks, systems or data.
- *Compliance with Rules and Regulations:* How a third party impacts a banking organization's compliance with applicable rules and regulations.
- *Financial Resilience:* The impact of a third party's financial standing on a TCBO.

The second section identifies eight categories of third parties that smaller banking organizations often engage with, namely, core service providers, information technology infrastructure providers, cybersecurity providers, payment processing and digital banking providers, loan management system providers, card issuing and processing providers, Bank Secrecy Act/Anti-Money Laundering (BSA/AML) and financial crime platform providers, and fraud prevention and detection providers. For each third-party type, this guide discusses (1) how the overarching considerations discussed in the first section apply; and (2) additional risk management considerations specific to the third-party category. In the case of certain categories, this guide also includes a discussion of risk management strategies a TCBO may consider when transitioning to a new provider.

There are many ways to manage third-party risks effectively, and the suggestions in this guide are not the only available practices for TCBOs to effectively manage their risks. There is no one-size-fits-all approach to effective risk management. The examples and details in this guide are intended to support TCBOs in establishing appropriate third-party risk management practices. This guide does not set forth enforceable standards or prescriptive requirements; accordingly, non-compliance with this guide will not by itself result in supervisory criticism against a banking organization.[7] Additionally, each banking organization is responsible for operating in a safe and sound manner and adopting risk management practices that are best suited to managing the specific risks that it faces. All examples and risk considerations in this guide are illustrative, are not comprehensive, and will not be applicable to all situations.

B. Overarching Third-Party Risk Management Considerations

This section discusses four third-party risk management topics that will generally be the highest priority for TCBOs. For each topic, it provides overarching risk management considerations.

1. Operational Resilience

A TCBO typically has several third-party relationships that are essential to its operations, such that if the vendor experiences a serious disruption, the TCBO would struggle to operate. With this degree of reliance, the TCBO's operational resilience depends to a large degree on the operational resiliency of the third party. As a result, assessing the operational resilience of such third parties may be a high priority for the TCBO.

A third party's operational resilience can become compromised in any number of ways, such as cyberattacks and information technology failures. A TCBO is generally not expected to have the technical expertise to assess such risks itself. It may, therefore, rely on a review of reasonably conducted independent assessments for the matters covered therein, such as:

- SSAE 18 SOC Reports (Statement on Standards for Attestation Engagement Service Organization Control Reports);
- Technology service provider reports from the Federal banking agencies (if applicable);
- Audit reports;
- Penetration testing reports;
- Industry standard assessments (*e.g.,* Payment Card Industry Data Security Standard (PCI DSS), National Institute of Standards and Technology (NIST), and International Organization for Standardization (ISO)).

Additionally, as part of due diligence, contract negotiation, and monitoring, a TCBO may consider the third party's historical system uptime performance, service availability metrics, and whether performance capabilities align with the TCBO's needs. This may involve reviewing the results of business continuity/disaster recovery tests in light of the TCBO's recovery time and recovery point objectives. To facilitate this review, it is useful for contracts to address a TCBO's right to access these reports, or the right to audit directly if reports are unavailable.

A TCBO may also seek to negotiate service level agreements (SLAs) for operational resiliency in contracts with third parties (*e.g.,* system availability commitments and cyber incident notification requirements) and monitor for compliance against the SLAs. The Board recognizes that a TCBO may lack leverage in contract negotiations with

[4] For the purposes of this document, the term ''third party'' is interchangeable with ''service provider'' and ''vendor.''

[5] This guide is not intended for community banking organizations with more complex business models or third-party relationship profiles, such as complex bank-fintech partnerships (*e.g.,* where a bank makes products or services available through an arrangement with one or more fintech companies and the fintech company, rather than the bank, markets, distributes, or otherwise provides access to the products or services).

[6] A third-party relationship is defined in the All-Bank TPRM Guidance as a business arrangement between a banking organization and an entity or individual for the provision of one or more products, services, and other activities that support the banking organization.

[7] *See* 12 CFR part 262, Appendix A. However, supervisory action may result for any violations of law or unsafe or unsound practices stemming from insufficient management of third-party risk.

certain third parties, and may not be able to obtain optimal terms.[8]

2. System and Information Security

Third-party relationships can also complicate a TCBO's efforts to protect sensitive systems, data, and information. Third parties often need access to sensitive banking organization systems to provide their services. While granting this access can allow a TCBO to benefit from the third party's services, it can also create new vulnerabilities to cyberattacks. A third party's interaction with a banking organization's systems and information creates a new ''attack vector'' that can be exploited. Security incidents at vendors could lead to the theft of banking organization customer data or compromise banking organization systems and may require regulatory reporting.[9]

Effective due diligence and ongoing monitoring of third parties with access to sensitive banking organization systems may include reviewing audit reports and other independent assessments that identify the design and operating effectiveness of controls that protect banking organization information. Independent assessments often include information on the type of sensitive data protected and the access controls, encryption, incident response, backup and disaster recovery processes and associated operational effectiveness. Independent assessments may also evaluate the third party's ability to identify unauthorized activity and suspicious patterns indicative of a party seeking to access sensitive information and the effectiveness of remediation activities if information is comprised.

Contracts may address access to audits and other relevant reports, and a third party's responsibility for notifying the TCBO of cybersecurity incidents and remediation, including acceptable reporting timelines. A TCBO may also consider negotiating for liability provisions for security breaches, data loss, and regulatory violations resulting from vendor security failures and requirements that vendors maintain insurance to cover costs associated with information security breaches, investigations, recoveries, and business interruption. A TCBO may benefit from monitoring cyber events that impact the vendor, and ongoing enhancements to the vendor's information systems control environment.

When terminating a relationship with a vendor that has access to sensitive systems or data, a TCBO may benefit from verifying that the data has been successfully migrated or destroyed, that access has been removed, and that any continuing obligations (*e.g.,* transition assistance and log retention) are in place.

3. Compliance With Rules and Regulations

A TCBO's third-party relationships may have implications for its compliance with applicable rules and regulations, either because the third party performs a service on the TCBO's behalf that is subject to a compliance regime; or because the third party offers services that support the TCBO's compliance efforts. For example, use of a third-party BSA/AML system directly impacts a TCBO's ability to comply with BSA/AML laws. Meanwhile, a core service provider's ability to accurately store and transmit data can impact regulatory reporting requirements. Additionally, many TCBOs participate in payment networks, such as the National Automated Clearing House Association (NACHA) or card networks. These networks often maintain operating rules, and TCBOs may rely on third parties to help them comply with those rules. In such cases, third-party errors could leave a TCBO out of compliance with network rules, and lead to fines or in severe cases, loss of network access.

Due diligence and ongoing monitoring of third parties that provide services that support a TCBO's compliance efforts may include a review of negative news screens, compliance attestations, certifications of good standing from relevant entities, and independent audit reports to understand the third party's historical record of regulatory and rules compliance; quality and consistency of alerts, errors and exception reporting; and the third party's ability to incorporate regulatory changes into services. A TCBO may consider contractually identifying the third party's roles and responsibilities for supporting the TCBO's compliance with rules and regulations, including implementing timely regulatory changes, notification requirements, and responding to regulatory or TCBO customer inquiries, where applicable. Contracts may consider liability or indemnification provisions for network rules or regulatory violations caused by the third party, as well as access to audits or attestations that validate the third party's ability to comply with such rules and regulations. Where relevant, contracts can establish clear data retention obligations aligned with regulatory requirements.

Finally, a TCBO is ultimately responsible for compliance with rules and regulations and may benefit from tracking regulator or network rule changes that may have implications for the provider's services; and confirming the vendor makes any changes necessary to ensure compliance.

4. Financial Resilience

A third party's financial resilience can also be an important risk management consideration to the extent a TCBO relies on the third party for essential operations and the availability of substitutes. During due diligence and ongoing monitoring, a TCBO may approach evaluating the financial resilience of a third party in a manner consistent with the third party's risk profile. For example, a TCBO may limit a review of the third party's financial standing to publicly available information such as credit ratings, SEC filings, and market intelligence when the third party is a publicly-registered entity with established operating history. Conversely, when the third party is a private company or newer market entrant, a TCBO may benefit from a more concentrated assessment of the third party's financial standing. This may include reliance on funding sources, cash outlay, and *pro forma* financial statements, among other factors.

A TCBO may experience challenges in acquiring reliable or independently validated financial information from privately-owned third parties, including third parties in the startup phase. In such cases, the TCBO may choose to accept higher inherent risk or even be willing to contribute financially to the third party, depending on the distinct advantages it may offer. The TCBO may consider establishing contractual commitments for the third party to provide financial information at a future point in time, hold adequate levels of insurance, or limit growth of its services to the TCBO until financial performance can be adequately assessed.

C. TPRM Considerations on a Vendor-by-Vendor Basis

This section contains third-party risk management considerations for the third-party relationships most common to TCBOs. For each category, the guide explains how the overarching risk management considerations from

[8] This qualifier applies in all cases where the guide describes effective risk management principles for contract negotiation. As stated in the All-Bank TPRM Guidance, ''[t]he banking organization may still reasonably proceed with the relationship if, for example, the banking organization has a reasonable understanding of the risks relevant to the third-party relationship and any residual risks are in line with the banking organization's risk appetite and tolerances, especially if there are limited alternative options.''

[9] *See* 12 CFR part 208, App. D–2, 12 CFR part 225, subpart N.

Section IV.B apply, and then discusses additional risk management considerations that may be relevant. In some categories, the guide also discusses considerations for transitioning to a new third party.

1. Core Providers

Many TCBOs rely on core processing service providers (core providers) to develop and maintain the central system of record and operational backbone for TCBOs. These systems manage customer accounts, process daily transactions across deposits and loans, maintain the general ledger, generate regulatory reports, and serve as the integration hub connecting specialized applications. Generally, core providers are the most material and complex third-party relationship for TCBOs.

Overarching Risk Management Considerations

A core provider's availability, integrity, and security are essential to nearly all banking operations. Moreover, core providers often deliver multiple services beyond the core processing platform, such as payment processing, card programs, loan origination, or digital banking. Relying on a single provider for multiple services may offer operational efficiencies and simplified third-party risk management, but can also create heightened risk if the third party experiences financial distress, operational failures, or security compromises. For all these reasons, financial and operational resilience and system and information security are primary risk factors for a TCBO to consider when overseeing core provider relationships. In managing these risks, a TCBO may benefit from consulting the risk management strategies discussed in Section IV.B.

Specific Risk Management Considerations

Core systems can play an essential role in integrating various applications and platforms TCBOs rely on. For example, in order to operate effectively, BSA/AML and fraud detection systems must be able to communicate with payments, card, or loan processing systems. Such integration between a TCBO's systems can be essential to its operations. Integration failures can lead to significant operational breakdowns. To mitigate the risk of such failures, a TCBO may consider:

- testing integrations in a separate test environment, prior to going live;
- establishing contractual service agreements to maintain the security and availability of integrations; and
- monitoring performance of established connections and integrations, especially following material business or regulatory changes and through periodic continuity testing.

Given the core system's integration into a wide array of daily banking operations, monitoring can primarily occur through routine business practices that include system-generated alerts for failed transactions or processing errors. Daily reconciliation processes between connected systems provide inherent monitoring of core platform accuracy through ledger balancing, exception investigation, and researching if errors were appropriately captured and detected within the system. TCBOs may benefit from closely controlling for and resolving any ledger reconciliation issues prior to going live following a core conversion. Furthermore, when integrating new cores, other systems may require substantial migrations such as card or loan systems. Phasing these complex and resource intensive migrations over time can aid the TCBO in managing risk.

Core Conversion

The process of switching to a new core provider or platform is often referred to as a ''core conversion.'' A TCBO may consider a core conversion for a variety of reasons, including to:

- benefit from a more modern system that is more reliable and offers straightforward integration with other third parties;
- migrate from a platform being sunset or discontinued by the vendor;
- negotiate more equitable pricing and contract terms;
- gain greater control over the TCBO's own data; and
- obtain more responsive customer support (from the core to the TCBO).

These benefits, however, can come at a cost. Core conversions can be expensive and involve significant operational complexity. The Board supports TCBOs' pursuing modernization to meet customer needs and recognizes that TCBOs may reasonably accept higher risk when adopting technology-forward core systems that enable greater agility and innovation. The decision whether to undertake a core conversion is TCBO-specific. An individual TCBO must ultimately determine whether the benefits justify the risks and expense, based on its business model and risk tolerance. Many TCBOs benefit from specialized core conversion consultants or special counsel when undertaking a conversion.

As an alternative to full conversion, a TCBO may consider relying on an integration platform, often referred to as a middleware provider. Integration platform providers assist banking organizations when legacy core providers cannot facilitate integrations with desired products. An integration platform enables the flow of data between the TCBO's core and ancillary systems, and the systems of another third party. As an example, a TCBO may contract with a third party to offer a specific product that records transactions in a separate ledger. To pass transactional information back to the TCBO's core system, it chooses to contract with another third-party integration platform to establish Application Programming Interface (API) connections. Adding such a platform extends the value chain and presents different inherent risks than a conversion.

In addition to the factors discussed in Section IV.B, a TCBO deciding whether to undertake a core conversion and which provider to use may consider:

- direct and indirect costs of conversion, which may include licensing or subscription fees, implementation and conversion services, potential early termination fees for the existing provider, third-party consulting services, and internal staff time diverted from normal responsibilities;
- whether the prospective core provider will be able to meet the TCBO's evolving strategic needs, based on the provider's current and planned offerings;
- ease and cost of integration with other systems the TCBO relies on;
- historical operating reports (*e.g.,* error and exception reports) to determine whether the provider's performance aligns with the TCBO's risk appetite; and
- testimonials from other financial institutions on conversion experience.

Negotiating favorable contract terms is an important aspect of the conversion process, though the Board recognizes that TCBOs may have limited leverage in such negotiations. Contractual considerations may include:

- whether the contract provides a reasonable and transparent pricing structure. The TCBO may seek to negotiate provisions about the costs of upgrades to enable compliance with evolving regulatory requirements; variable costs impacted by the number of accounts the TCBO maintains on the core system, the TCBO's asset size, or its transaction volume; whether billing statements are required to clearly explain each service that is being charged; and how long the ''back billing'' window is for the core provider

to issue retroactive charges for items missing from prior invoices.

- whether the terms of the contract are reasonable and transparent, including initial term length and automatic renewal conditions.
- whether the third party is subject to SLAs with measurable performance standards that reflect the TCBO's individual needs and risk profile, along with provisions that enable the TCBO to monitor and enforce the SLAs.
- liability provisions that reflect the criticality of core banking services, with appropriate indemnification for security breaches, intellectual property claims against the TCBO, and data protection violations.
- flexibility to terminate the relationship, taking into account the conditions under which termination is allowed and any fees the TCBO will incur.

2. Information Technology (IT) Infrastructure Providers

Many TCBOs use IT infrastructure providers to deliver foundational services for their technology environment, including cloud hosting, software applications, and physical infrastructure.

Overarching Risk Management Considerations

Disruption to an IT infrastructure provider's networks and systems could significantly impact the TCBO's internal operations and the delivery of products and services to customers. It could also expose sensitive customer data. Consequently, operational and financial resilience and information security are all important risk factors to consider when engaging with IT infrastructure providers; and a TCBO may benefit from considering the risk management strategies for these areas discussed in Section IV.B.

Transitioning to a Cloud-Based Infrastructure Provider

Depending on its business model, a TCBO may realize significant benefits from migrating to a cloud-based IT infrastructure, including reduced capital expenditure, improved scalability, and access to advanced computing resources and security capabilities. However, cloud migration may also involve significant operational complexity, depending on the implementation model a TCBO chooses.

TCBO cloud migrations can vary significantly. For example, a minimalist migration could be limited to applications that have already been optimized for the cloud, such as office productivity suite applications. A TCBO may also choose to migrate individual applications, such as loan processing systems and customer relationship systems. A maximalist migration would include a TCBO's entire IT infrastructure, including all its information systems. Each decision carries different tradeoffs with respect to complexity, cost, and expertise. There can also be variation in how specific applications are migrated. For example, a TCBO may choose to simply replicate its existing loan management system in the cloud; alternatively, a TCBO could choose to modify the application to optimize it for the cloud.

Such choices can impact the operational complexity of a TCBO's migration and have implications related to the degree of IT expertise that it will need to oversee its cloud-based systems. As a general matter, many cloud service providers (CSPs) have resources to help TCBOs understand the provider's offerings and assess what implementation model best fits the TCBO's individual needs. A TCBO may benefit from discussing with the CSP:

- the level of in-house expertise the TCBO will need for a successful migration;
- the categories of data to be migrated and any compromises to data accuracy and integrity that might arise; and
- how operational disruptions during the transition can be minimized, and how the TCBO will be notified of material incidents, consistent with applicable rules and regulations, when information systems are successfully migrated.

As part of its planning for a cloud migration, a TCBO may consider various operational aspects of the transition, including how the TCBO will dispose of physical equipment and transfer or cancel software licenses.

A TCBO may benefit from becoming more familiar with the types of audits and periodic assessments its infrastructure provider conducts, and how this information captures security and performance metrics. In general, infrastructure providers will capture their reporting through customizable dashboard interfaces, which the TCBO can rely on for ongoing monitoring activities. For example, many infrastructure providers allow customers to view how the contracted services are complying with standards and customer-driven compliance rules.

3. Cybersecurity Providers

TCBOs often rely on cybersecurity vendors to help protect their information systems, networks, and data. Among other things, these third parties offer products and services that can bolster defenses against attacks, detect malicious activity, and help TCBOs respond to and recover from cybersecurity incidents. In many cases, an IT infrastructure provider may provide cybersecurity services in connection with its products and services.

Overarching Risk Management Considerations

Cybersecurity has increasingly become an operational imperative for banking organizations. To the extent a TCBO depends on a third party for its cybersecurity, that third party's operational resilience becomes a key risk management consideration.[10] A vendor's information and systems security are also important considerations, given that cybersecurity providers often have access to a TCBO's sensitive information, including customer data. The discussion on how to manage these issues in Section IV.B is generally relevant to cybersecurity vendors.

Specific Risk Management Considerations

An ineffective cybersecurity vendor can make a TCBO vulnerable to cyber incidents, which can lead to financial losses. For example, cyber incidents can cause operational disruptions to banking portals, ATMs, or other services, which, in turn, can drive customers to competitor banking organizations or cause loss of confidential customer information, leading to regulatory fines and customer lawsuits.

To assess the effectiveness of a cybersecurity vendor's product or service, either as part of due diligence or ongoing monitoring, a TCBO may consider:

- reviewing independent assessment reports (*e.g.,* SOC 2 reports and ISO reports);
- consulting with peer banking organizations;
- reading publicly available reviews of the third party's product and service capabilities; and
- reviewing system performance reports and analyzing error rates (*e.g.,* false positives or negatives), mean time to detect threats, and testing the accuracy of threat detection through simulated exercises.

[10] For example, a past significant failure by an infrastructure and cybersecurity provider in delivering global internet traffic to its customers caused widespread customer website outages.

If a TCBO has specific standards or requirements [11] that it needs a cybersecurity provider to meet (*e.g.,* computer-security incident notification requirements, periodic reviews or audits, state privacy laws, data processing and retention timelines, encryption requirements, system availability standards, and multi-factor authentication requirements), it may benefit from incorporating those standards into the governing contract as SLAs. A TCBO may also benefit from obtaining contractual rights to adjust threat detection sensitivity to reflect the TCBO's risk tolerance and review output reports on a periodic basis to ensure that the vendor is complying with agreements.

4. Payment Processing and Digital Banking Providers

Payment processing and digital banking providers deliver transaction and account management services including wire transfers, ACH origination, peer-to-peer payments, bill pay, mobile/online banking portals, treasury management platforms, commercial or retail digital banking services (customer facing mobile and digital applications), and customer service/call center operations. This may also include third-party payment processors engaged by TCBOs, rather than by a TCBO's customer.

Overarching Risk Management Considerations

A payment processing and digital banking provider's operational resilience is a significant risk consideration, since disruptions can prevent customers from accessing accounts and making payments. The strategies for managing these risks discussed in Section IV.B are generally applicable to payment processing and digital banking providers. In addition, a TCBO may consider developing tested backup processing methods, such as switching payments to another processing rail or manually processing time-sensitive transactions.

Payment processing and digital banking providers often support a TCBO's adherence to payment network rules. To help manage these risks, a TCBO may benefit from consulting the compliance discussion in Section IV.B. In addition, a TCBO may consider assessing whether a payment processor is in good standing with the relevant payment network. Payment networks typically require payment processors to conduct audits or file attestations to remain in good standing. Examples include annual NACHA audits and FedLine Solutions Security self-assessments. These reports can help the TCBO assess the third party's ongoing ability to process transactions and secure data consistent with network rules, and maintain the bank's access to critical payments infrastructure.

Finally, the provider's information security can be another important focus area, since payment processing and digital banking providers typically maintain customer credentials and transaction data, and security breaches affecting the vendor could expose sensitive customer data. The discussion of information and systems security in section IV.B is generally relevant to managing these risks.

Specific Risk Management Considerations

Different payment channels require different data processing capabilities. For example, instant payment channels may require higher frequency data exchanges than channels that rely on batch processing. As part of due diligence, a TCBO may benefit from verifying that its payment processor has the data processing capabilities for the payment channels it wants to offer customers, as well as the ability to effectively feed information into compliance and fraud detection systems. To do this, a TCBO can consider requesting product demonstrations that reflect its individual specifications and business needs.

As part of routine monitoring of payment processing and digital banking providers, a TCBO may consider:

- the quality and accuracy of system-generated alerts to identify any posting or reconciliation issues between payment processing systems and core systems;
- analyzing relevant customer complaints to identify recurring or emerging issues; and
- reviewing failed transactions or discrepancies to verify whether the systems accurately flagged issues.

5. Loan Management System Providers

Loan management system providers support some or all elements of the lending lifecycle from origination through payoff. They generally provide loan origination platforms, loan servicing systems, document management solutions, and lending compliance tools.

Overarching Risk Management Considerations

Loan management system failures can halt new loan originations, prevent loan servicing activities, and disrupt loan payment processing. Given that loans typically constitute the largest asset class for TCBOs, such problems can quickly become a material threat to a TCBO's business. Thus, a loan management system provider's operational resilience is an important focus area, and TCBOs may benefit from consulting the operational resilience considerations discussed in Section IV.B. In addition, a TCBO may consider whether it can temporarily substitute manual processes for the third party's services in the event of sustained disruption.

Loan management systems also contain extensive personal and financial information. Security breaches affecting loan systems can expose sensitive borrower information with significant potential for identity theft and fraud. The discussion of systems and information security in Section IV.B may be useful in managing these risks.

Specific Risk Management Considerations

Loan management systems are designed to originate, process, and/or service loans based on the TCBO's established credit risk management practices and underwriting standards. Some loan management systems may use automated credit decisioning or risk scoring approaches. During due diligence, a TCBO may consider the third party's ability to consistently apply the TCBO's credit policies as part of this automation. For example, a TCBO may have specific requirements for certain loan types (*e.g.,* oil and gas loans require specific structures, covenants, or collateral that must be configured into the system). A TCBO can verify these requirements are being met through implementation testing. In addition, a TCBO can consider whether the third party can support the TCBO's efforts to maintain compliance with applicable lending laws, and scale with portfolio growth.

Unlike payment processing where errors are often identified quickly, loan origination or processing errors may remain undetected for extended periods, allowing errors to accumulate, create loan origination backlogs, delay loan closings, and prevent customers from accessing credit during the disruption period. Examples include automated credit scorecards miscalculating debt ratios due to incomplete data, incorrect past-due date calculations that generate

[11] *See e.g.* Computer-Security Incident Notification, 12 CFR 225.303 (bank service provider notification).

erroneous late fees, or incorrect interest compounding frequencies. To assess the risk that a provider's systems are prone to such errors, a TCBO may consider reviewing independent assessments (such as independent audits or SOC reports) for controls effectiveness, past regulatory violations, or publicly available complaints databases such as Consumer Financial Protection Bureau (CFPB) Consumer Complaint Database.

A TCBO may benefit from sampling loan files to verify that they are booked accurately, contain the required disclosures, are delivered timely, and are properly documented. A TCBO remains responsible for accurate loan processing and disclosures, and may consider contractual provisions requiring the third party to indemnify the bank for losses caused by third-party errors, maintain appropriate insurance coverage, and provide the TCBO access to system documentation or the right to audit third-party processes.

6. Card Issuing and Processing Providers

Card issuing and processing third parties provide a range of services for debit card, credit card, and ATM card programs, including card production, network integration, transaction authorization, settlement processing, dispute resolution, fraud monitoring, and bank-identification-number (BIN) sponsorship arrangements. BIN sponsorship is necessary when the TCBO does not have direct membership in a card network (*e.g.,* Visa or Mastercard). The BIN sponsoring bank acts as issuer of the cards, while the TCBO maintains the customer relationship.

Overarching Risk Management Considerations

Operational resilience is a significant consideration, since system failures, network disruptions, or processing errors can prevent customers from accessing their funds, completing purchases, or withdrawing cash. Financial resilience can become particularly important when a TCBO relies on a BIN sponsor; if the BIN sponsor becomes insolvent, the TCBO could lose network access, forcing rushed program termination and card reissuance. For co-branded card programs with merchant partners, partner insolvency may leave the institution liable for unpaid rewards obligations. System and information security is also a material overarching risk management consideration. Card programs involve continuous transmission of sensitive cardholder data across multiple parties and networks, resulting in multiple points of entry for security breaches. Finally, the provider's adherence to network rules is a relevant consideration.

In addition to the strategies for addressing these risks discussed in Section IV.B, a TCBO may review a processor's network compliance certification and monitor network bulletins for security events. Further, card networks generally require processors to maintain PCI DSS attestations and reports of compliance, where applicable. These attestations and accompanying reports can assist TCBOs with evaluating the third party's security risk management practices in alignment with risk appetite.

Specific Risk Management Considerations

In cases where a TCBO is transitioning card service providers, the TCBO may consider the following to minimize service disruptions:

- keeping the old processor active while bringing the new one online to avoid customer card outages;
- developing communication strategies to inform customers of card replacement timing, activation procedures, and payment arrangements that may require updating;
- validating the accuracy of card holder data (*e.g.,* active/inactive cards, fraud blocks, or temporary holds) to ensure accurate reissuing, if necessary; and
- coordinating with outgoing and incoming BIN sponsors to migrate card holder data, test network access, and re-issue cards (if applicable).

As part of ongoing monitoring, a TCBO may benefit from reviewing customer complaints and system-generated alerts related to card authorization failures, fraud incidents, or dispute resolution to assist the TCBO in identifying recurring issues or service quality concerns. Furthermore, a TCBO may monitor card processing reports to ensure third parties and processors are not issuing outside of agreement.

7. BSA/AML and Financial Crime Platform Providers

BSA/AML and financial crime platform providers deliver transaction monitoring, sanctions screening, currency transaction reporting (CTR), suspicious activity reporting (SAR), Customer Due Diligence (CDD), and Customer Identification Program (CIP) services.

Overarching Risk Management Considerations

The principal risk to a TCBO from BSA/AML third parties is the impact on the TCBO's ability to comply with banking regulations. System failures, configuration errors, or inadequate transaction coverage can result in the TCBO facilitating money laundering or terrorist financing and regulatory violations. While operational resilience of BSA/AML vendors can be important, TCBOs may be able to rely on manual workarounds in the event of interruptions. System and information security is also a key risk consideration, as security breaches affecting BSA/AML platforms could expose sensitive customer information and investigation details. A TCBO may benefit from reviewing the risk management strategies on these issues discussed in Section IV.B.

Specific Risk Management Considerations

In deciding on appropriate BSA/AML tools that meets its compliance needs, a TCBO may consider reviewing vendor system documentation to understand detection rules, logic, thresholds, and scenario coverage for alignment with its risk profile and applicable regulatory guidance (*e.g.,* FinCEN advisories and sanctions lists). A TCBO may benefit from considering the extent to which its BSA/AML provider aligns with the TCBO's risks and business profile. For most TCBOs, basic BSA/AML tools will be sufficient. Where, however, a TCBO's clients present higher risk (*e.g.,* marijuana-related businesses), tools with more advanced capabilities may be appropriate.

As part of ongoing monitoring, a TCBO may consider analyzing scenarios that generate excessive false positives or do not generate any useful alerts. Increasing false positive rates may indicate system tuning is needed, while decreasing alert volumes may indicate system issues or that tuning is too lenient. Additionally, a TCBO may consider verifying that the third party delivers timely sanctions list updates and regulatory changes.

Contract negotiation is also important in managing compliance risks associated with BSA/AML and financial crime platform providers. When negotiating contracts, a TCBO may consider:

- clarifying the third party's responsibilities for maintaining system compliance with BSA/AML regulations, FinCEN requirements, and applicable examination guidance. This could include sanctions list updates and rule changes within defined timeframes;
- the TCBO's rights to tune alert thresholds, modify transaction monitoring scenarios, and adjust risk scoring parameters, including any associated costs and timeframes; and

• the TCBO's ownership of customer data, alert histories, investigation documentation, and SAR filings, with rights to access and extract data throughout and beyond the contract term.

8. Fraud Prevention and Detection Providers

Fraud prevention and detection providers offer real-time fraud monitoring, device fingerprinting, behavioral analytics, identity verification tools, and authentication services across banking channels. A TCBO may receive these services embedded in another provider's solution (*e.g.,* the TCBO uses fraud prevention and detection tools provided through its payment and card processor), or establish separate relationships to address shortcomings in fraud prevention or detection for specific delivery channels, products, or transaction stages.

Overarching Risk Management Considerations

Fraud prevention tools typically operate in real time to prevent fraudulent transactions before they occur. Operational resilience is important because system failures can immediately affect the customer experience—either by blocking legitimate transactions or allowing fraudulent transactions to proceed, potentially leading to operational losses at the TCBO. System and information security is important, as these tools may include access to sensitive customer information such as biometrics and authentication credentials. Failures to implement appropriate fraud risk management systems could result in the TCBO being in violation of network rules. The discussion of these issues in Section IV.B may be helpful as a TCBO considers how to manage these risks.

Specific Risk Management Considerations

A fraud detection tool's effectiveness can depend on how thoroughly and promptly it can take advantage of fraud intelligence data. During due diligence, a TCBO may consider the third party's ability to integrate with multiple data sources, including other third-party systems and threat intelligence feeds (such as dark web monitoring and shared fraud databases), and apply them to identity verification and transaction authorization controls.

Many of the risk management strategies that apply to BSA/AML providers are equally relevant to fraud prevention and detection providers. As with BSA/AML providers, ongoing monitoring of fraud prevention and detection providers can include analyzing trends in fraud alerts, customer complaints, and scenarios that generate excessive false positives, as increasing false positive rates may indicate system tuning is needed, while decreasing alert volumes may indicate system issues or tuning that is too lenient. A TCBO may also consider the extent to which the provider can calibrate its model based on the TCBO's direction in keeping with the TCBO's risk appetite.

In addition, when the service provider plays a role in customer communication and investigating disputes, a TCBO may consider tracking investigation and resolution timelines to ensure compliance with contractual commitments and regulatory requirements.

By order of the Board of Governors of the Federal Reserve System.

Benjamin W. McDonough,

Secretary of the Board.

[FR Doc. 2026–18852 Filed 9–14–26; 8:45 am]

BILLING CODE 6201–01–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at *https://www.federalreserve.gov/foia/request.htm.* Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)).

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Benjamin W. McDonough, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551–0001, not later than October 15, 2026.

A. Federal Reserve Bank of Minneapolis (Mark Nagle, Assistant Vice President) 90 Hennepin Avenue, Minneapolis, Minnesota 55480–0291. Comments can also be sent electronically to *MA@mpls.frb.org:*

1. *Profinium Financial Holdings, Inc., Fairmont, Minnesota;* to acquire F&M Community Bank, N.A., Preston, Minnesota.

Board of Governors of the Federal Reserve System.

Benjamin W. McDonough,

Secretary of the Board.

[FR Doc. 2026–18861 Filed 9–14–26; 8:45 am]

BILLING CODE P

FEDERAL TRADE COMMISSION

Civil Penalty Inflation Adjustments

AGENCY: Federal Trade Commission.

ACTION: Notice.

SUMMARY: In accordance with guidance from the Office of Management and Budget (''OMB''), the Federal Trade Commission (''FTC'')'s civil penalty amounts will remain unchanged during 2026. The FTC will continue to apply the 2025 civil penalty levels.

DATES: Effective September 15, 2026.

FOR FURTHER INFORMATION CONTACT: Marie Choi, Attorney (202–326–3368), Office of the General Counsel, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580.

SUPPLEMENTARY INFORMATION: The Federal Civil Penalties Inflation Adjustment Act Improvements Act (''FCPIAA'') of 2015 directs Federal agencies to annually adjust each civil monetary penalty under their jurisdiction for inflation pursuant to a cost-of-living adjustment.[1] The cost-of-living adjustment is based on the percent change between the U.S.

[1] Public Law 114–74, 701, 129 Stat. 599 (2015). The Act amends the Federal Civil Penalties Inflation Adjustment Act, Public Law 101–410, 104 Stat. 890 (codified at 28 U.S.C. 2461 note).

Department of Labor's Consumer Price Index for All-Urban Consumers (''CPI–U'') for the month of October preceding the date of the adjustment, and the CPI–U for October of the prior year.[2]

Under the FCPIAA, the OMB Director must annually provide agencies with guidance on carrying out civil penalty inflation adjustments.[3] On April 17, 2026, the OMB Director issued Memorandum M–26–11, *Cancellation of Penalty Inflation Adjustments for 2026, Regarding the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015,* which stated that the inflation adjustment for 2026 was cancelled. M–26–11 explained that due to the government shutdown, the Bureau of Labor Statistics (''BLS'') was unable to produce the October 2025 CPI–U data, which is needed to make adjustments under the FCPIAA. Therefore, M–26–11 announced that there would be no updated cost-of-living adjustment multiplier for 2026 and that agencies would continue using the 2025 civil monetary penalty amounts.

The FTC is publishing this notice to announce that no civil penalty adjustments will be made in 2026. The FTC will continue to apply the 2025 penalty levels.[4]

The FCPIAA, as amended, directs agencies to adjust civil monetary penalties through rulemaking and to publish the required inflation adjustments in the **Federal Register**, notwithstanding section 553 of title 5 in the United States Code. Because this notice does not amend regulatory text, prior public notice and comment under the Administrative Procedure Act and a delayed effective date are not required. The requirements of the Regulatory Flexibility Act (''RFA'') do not apply.[5] In addition, this notice does not contain any collection of information requirements as defined by the Paperwork Reduction Act of 1995 as amended. 44 U.S.C. 3501 *et seq.*

By direction of the Commission.

April J. Tabor,

Secretary.

[FR Doc. 2026–18853 Filed 9–14–26; 8:45 am]

BILLING CODE 6750–01–P

[2] 28 U.S.C. 2461 note at (3), (5)(b).

[3] *Id.* (7)(a).

[4] *See* 16 CFR 1.98.

[5] A regulatory flexibility analysis under the RFA is required only when an agency must publish a notice of proposed rulemaking for comment. *See* 5 U.S.C. 603.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[NIOSH Docket 094]

World Trade Center Health Program; Petitions 048 and 051a—Stroke; Finding of Insufficient Evidence

AGENCY: Centers for Disease Control and Prevention, Department of Health and Human Services.

ACTION: Denial of petition for addition of a health condition.

SUMMARY: The Administrator of the World Trade Center (WTC) Health Program has received two petitions (Petitions 048 and 051a) to add ''stroke'' to the List of WTC-Related Health Conditions. Upon reviewing the scientific and medical literature, including information provided by the petitioners, the Administrator has determined that there is insufficient evidence available to support taking further action regarding stroke at this time. The Administrator also finds that insufficient evidence exists to request a recommendation of the WTC Health Program Scientific/Technical Advisory Committee, publish a proposed rule, or publish a determination not to publish a proposed rule.

DATES: The Administrator of the WTC Health Program is denying these petitions for the addition of a health condition as of September 15, 2026.

ADDRESSES: Visit the WTC Health Program website at *https://www.cdc.gov/wtc/received.html* to review Petitions 048 and 051a.

FOR FURTHER INFORMATION CONTACT: Rachel Weiss, Program Analyst, 1090 Tusculum Avenue, MS: C–48, Cincinnati, OH 45226; telephone (404) 498–2500 (this is not a toll-free number); email *NIOSHregs@cdc.gov.*

SUPPLEMENTARY INFORMATION:

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F. Approval To Submit Document to the Office of the Federal Register

A. WTC Health Program Statutory Authority

Title I of the James Zadroga 9/11 Health and Compensation Act of 2010 (Pub. L. 111–347, as amended by Pub. L. 114–113, Pub. L. 116–59, Pub. L. 117–328, Pub. L. 118–31, and Pub. L. 119–75), added Title XXXIII to the Public Health Service (PHS) Act,[1] establishing the WTC Health Program within the Department of Health and Human Services (HHS). The WTC Health Program provides medical monitoring and treatment benefits for health conditions on the List of WTC-Related Health Conditions (List) [2] to eligible firefighters and related personnel, law enforcement officers, and rescue, recovery, and cleanup workers who responded to the September 11, 2001, terrorist attacks in New York City, at the Pentagon, and in Shanksville, Pennsylvania (responders). The Program also provides benefits to eligible persons who were present in the dust or dust cloud on September 11, 2001, or who worked, resided, or attended school, childcare, or adult daycare in the New York City disaster area [3] (survivors).

All references to the Administrator of the WTC Health Program (Administrator) in this document mean the Director of the National Institute for Occupational Safety and Health (NIOSH) or his designee.

In accordance with section 3312(a)(6)(B) of the PHS Act, interested parties may petition the Administrator to add a health condition to the List in 42 CFR 88.15. Within 90 days after receipt of a valid petition to add a condition to the List, the Administrator must take one of the following four actions described in section 3312(a)(6)(B) of the PHS Act and § 88.16(a)(2) of the WTC Health Program regulations: (1) Request a recommendation of the WTC Health Program Scientific/Technical Advisory Committee (STAC); (2) publish a proposed rule in the **Federal Register** to add such health condition; (3) publish in the **Federal Register** the Administrator's determination not to publish such a proposed rule and the basis for such determination; or (4) publish in the **Federal Register** a determination that insufficient evidence exists to take action under (1) through (3) above.

[1] Title XXXIII of the PHS Act is codified at 42 U.S.C. 300mm to 300mm–64. Those portions of the James Zadroga 9/11 Health and Compensation Act of 2010 found in Titles II and III of Public Law 111–347 do not pertain to the WTC Health Program and are codified elsewhere.

[2] The List of WTC-Related Health Conditions is established in 42 U.S.C. 300mm–22(a)(3)–(4) and 300mm–32(b); additional conditions may be added through rulemaking, and the complete list is provided in WTC Health Program regulations at 42 CFR 88.15.

[3] *See* 42 U.S.C. 300mm–5(8); 42 CFR 88.1.

More information about the WTC Health Program, including the List and the petition process, is available at *www.cdc.gov/wtc/.*

B. Procedures for Evaluating a Petition

In addition to the regulatory provisions, the WTC Health Program has developed policies to guide the review of submissions and petitions,[4] as well as the analysis of evidence supporting the potential addition of a non-cancer health condition to the List.[5]

A valid petition must include sufficient medical basis for the association between the September 11, 2001, terrorist attacks and the health condition to be added. In accordance with WTC Health Program *Policy and Procedures for Handling Submissions and Petitions to Add a Health Condition to the List of WTC-Related Health Conditions,*[6] reference to a peer-reviewed, published, epidemiologic study about the health condition among 9/11-exposed populations or clinical case reports of health conditions in WTC responders or survivors may demonstrate the required medical basis.[7] Studies linking 9/11 agents or hazards [8] to the petitioned health condition may also provide sufficient medical basis for a valid petition.[9] In accordance with 42 CFR 88.16(a)(5), the Administrator is required to consider a new petition for a previously evaluated health condition determined not to qualify for addition to the List only if the new petition presents a new medical basis for the association between 9/11 exposures and the condition to be added. A new medical basis is evidence not previously reviewed by the Administrator.

After the Program has determined that a petition is valid, and in accordance with the *Policy and Procedures for Adding Non-Cancer Conditions to the List of WTC-Related Health Conditions* (*Policy and Procedures*), the Administrator directs the WTC Health Program Science Team (Science Team) to conduct a review of the scientific literature. The literature review includes a keyword search of relevant scientific databases intended to identify peer-reviewed, published, epidemiologic studies about the health condition among 9/11-exposed populations.

The Science Team evaluates the scientific quality of each peer-reviewed, published, epidemiologic study of the health condition identified in the literature search using validity indicators described in the *Policy and Procedures.*[10] Studies exhibiting sufficient validity indicators have the potential to provide a basis for deciding whether to propose adding the health condition to the List and are considered ''high-quality'' studies. The Science Team then evaluates the identified high-quality studies, individually and together, to characterize the evidence of a causal association between 9/11 exposures and the health condition. As part of this evaluation, the Science Team considers the Bradford Hill weight of evidence criteria,[11] study limitations, and whether the studies are representative of the 9/11-exposed population of responders and survivors. After evaluating the totality of the evidence, the Science Team assesses the degree to which the evidence supports a causal association between 9/11 exposures and the health condition and assigns the evidence to one of the following five categories:

Category I Evidence supports substantial likelihood of causal association

Category II Evidence supports high likelihood of causal association

Category III Evidence supports limited likelihood of causal association

Category IV Evidence does not support causal association

Category V Evidence is inadequate to determine the likelihood of causal association.

The Science Team provides the outcome of its evaluation to the Administrator. A health condition may be added to the List if peer-reviewed, published, epidemiologic studies provide support that there is a substantial likelihood of a causal association between the health condition and 9/11 exposures (Category I).[12] If the evaluation of evidence provided in peer-reviewed, published, epidemiologic studies of the health condition in 9/11 populations shows a high, but not substantial, likelihood of a causal association between the 9/11 exposures and the health condition (Category II),[13] then the Administrator may consider additional highly relevant scientific evidence regarding exposures to 9/11 agents in non-9/11 exposure scenarios. If that additional assessment establishes that there is now sufficient evidence to support the conclusion that a causal association between the 9/11 exposures and the health condition is substantially likely among 9/11-exposed populations (Category I), then the Administrator may propose the addition of the health condition to the List.

C. Petitions 048 and 051a

On September 3, 2023, the Administrator received a submission (Petition 048) requesting the addition of several cardiovascular conditions, including ''stroke'' to the List.[14] The

[4] *See* WTC Health Program [2026], *Policy and Procedures for Handling Submissions and Petitions to Add a Health Condition to the List of WTC-Related Health Conditions,* January 22, 2026, *https://www.cdc.gov/wtc/pdfs/policies/PNP_SubmissionsPetitions%20_20260122-508.pdf.*

[5] *See* WTC Health Program [2026], *Policy and Procedures for Adding Non-Cancer Conditions to the List of WTC-Related Health Conditions,* May 14, 2026, *https://www.cdc.gov/wtc/pdfs/policies/WTCHP_PP_Adding_NonCancer_Health_Conditions_20260514.pdf.*

[6] *Supra* note 4.

[7] *Id.* at 7.

[8] 9/11 agents are chemical, physical, biological, or other hazards reported in a published, peer-reviewed exposure assessment study of responders, recovery workers, or survivors who were present in the New York City disaster area, or at the Pentagon site, or the Shanksville, Pennsylvania site, as those locations are defined in 42 CFR 88.1, as well as those hazards not identified in a published, peer-reviewed exposure assessment study, but which are reasonably assumed to have been present at any of the three sites. *See* WTC Health Program [2018], *Development of the Inventory of 9/11 Agents,* July 17, 2018, *https://www.cdc.gov/wtc/pdfs/policies/Development_of_the_Inventory_of_9-11_Agents_20180717.pdf.*

[9] *Supra* note 4 at 7.

[10] *Supra* note 5 at 7–8.

[11] Hill AB [1965], *The Environment and Disease: Association or Causation?* Proc R Soc Med 58(5):295–300.

According to the *Policy and Procedures,* the Bradford Hill criteria are a leading weight of evidence framework ''which comprises nine aspects of association. These aspects comprise strength of association, consistency, specificity, temporality, biological gradient, plausibility, coherence, experiment, and analogy.'' *See supra* note 5 at 9–10 and footnotes 21–30, discussion of Bradford Hill analysis.

[12] *Substantial likelihood of causal association* means that the association is strongly supported by evidence from high-quality, peer-reviewed, published epidemiologic studies of the health condition in 9/11-exposed populations and there is high confidence that the association cannot be explained by chance, bias, confounding, or any other alternative explanation. *See supra* note 5 at 12.

[13] *High likelihood of causal association* means that the scientific evidence, taken as a whole, demonstrates that the likelihood of a causal association is less than substantial, but definitively more than limited. Therefore, there is some meaningful likelihood that the association can be explained by chance, bias, confounding, or another alternative explanation. *See supra* note 5 at 12.

[14] *See* Petition 048, *WTC Health Program: Petitions Received, http://www.cdc.gov/wtc/received.html.* The submission received on September 3, 2023, requested the addition of three discrete health condition groupings: (1) ''myocardial infraction (*sic*), unstable angina, obstructive coronary artery disease, ischemic cardiomyopathy, ischemic congestive heart failure, arrythmias (due to any of the above);'' (2) ''stroke;'' and (3) ''peripheral vascular disease.'' Because the submission was found to be valid for each group of health conditions, the Administrator exercised his discretion to separate the conditions into three separate petitions and evaluations. Group (1) health conditions were evaluated as ''ischemic heart disease'' under Petition 047, addressed in a **Federal Register** notice published on June 30, 2026 (91 FR 39616). The second condition, stroke, is assessed in

petition's validity was established by references to 10 peer-reviewed, published, epidemiologic studies that provided a medical basis for the association between 9/11 exposures and stroke. The referenced studies establishing a medical basis are as follows:

• *Particulate Matter Air Pollution and Cardiovascular Disease: An Update to the Scientific Statement from the American Heart Association,* by Brook et al. [2010],[15] an updated scientific statement concluding that the available evidence supports a causal relationship between exposure to particulate matter (PM) <2.5 micrometers (μm) in diameter ($PM_{2.5}$) and increased stroke morbidity and mortality. The paper also briefly discussed other 9/11 agents such as nitrogen oxide and dioxide (NO_X), carbon monoxide (CO), and ozone (O_3), associated with cardiovascular diseases (CVD), including ischemic stroke.

• *Expert Position Paper on Air Pollution and Cardiovascular Disease,* by Newby et al. [2015],[16] a scientific review and consensus document that evaluated the evidence linking air pollution (comprising the 9/11 agents $PM_{2.5}$ and PM ≤10 μm (PM_{10}), ozone, nitrogen dioxide (NO_2), volatile organic compounds (including benzene), carbon monoxide (CO), and sulfur dioxide (SO_2)) to stroke and other types of CVD. The authors concluded that air pollution increases the risk of stroke morbidity and mortality, outlined potential biological mechanisms underlying this relationship and determined that air pollution should be considered a modifiable risk factor for CVD, including stroke.

• *Estimates and 25-Year Trends of the Global Burden of Disease Attributable to Ambient Air Pollution: An Analysis of Data from the Global Burden of Diseases Study 2015,* by Cohen et al. [2017],[17] which examined trends in morbidity and mortality, including increased stroke, related to ambient air pollution ($PM_{2.5}$) from 1990 to 2015. The authors found that ambient $PM_{2.5}$ was the fifth-ranked risk factor for global deaths in 2015, with CVD, including stroke, accounting for most of those deaths.

• *A Joint ERS/ATS Policy Statement: What Constitutes an Adverse Health Effect of Air Pollution? An Analytical Framework,* by Thurston et al. [2017],[18] a joint European Respiratory Society/American Thoracic Society policy statement on what constitutes an adverse health effect of air pollution. It provides an analytical framework for interpreting scientific evidence on the health effects of air pollution for risk management purposes. The statement defines ischemic stroke as an adverse effect of air pollution. It also provides references to papers that describe increased risks for stroke from $PM_{2.5}$ exposure.

• *Ambient Air Quality and Cardiovascular Health: Translation of Environmental Research for Public Health and Clinical Care,* by Cascio and Long [2018],[19] a non-systematic review on CVD outcomes, including stroke, associated with air pollution. The review reported that $PM_{2.5}$ is associated with increased cerebrovascular events.

• *Long-Term Cardiovascular Disease Risk among Firefighters after the World Trade Center Disaster,* by Cohen et al. [2019],[20] a peer-reviewed, published longitudinal cohort study designed to assess whether 9/11 exposures were associated with elevated CVD risk, including stroke, in Fire Department of New York (FDNY) firefighters. The study found that positive associations were observed between CVD and 9/11 exposures related to time of arrival and length of response.

• *Integrated Science Assessment (ISA) for Particulate Matter,* by EPA's Center for Public Health and Environmental Assessment [2019],[21] a detailed integrated science assessment that examined the impact of PM, including $PM_{2.5}$, on CVD outcomes including stroke. The assessment concluded that there is some evidence that long-term (one month to years) exposure to $PM_{2.5}$ increases stroke risk.

• *Cardiopulmonary Impact of Particulate Air Pollution in High-Risk Populations: JACC State-of-the-Art Review,* by Newman et al. [2020], a Journal of the American College of Cardiology (JACC) state-of-the-art review of the cardiopulmonary impact of PM in high-risk populations. It recognized that air pollution, including $PM_{2.5}$, poses ischemic stroke and other CVD risks.

• *Cardiovascular Disease in the World Trade Center Health Program General Responder Cohort,* by Sloan et al. [2021],[22] a peer-reviewed, published prospective cohort study designed to examine the annual and cumulative incidence of CVD, including stroke, among the WTC Health Program general responder cohort (GRC). The study reported increased CVD risk in males and females exposed to the WTC dust cloud compared to those who were not exposed to the dust cloud (*i.e.,* arrived on or after September 12, 2021).

• *Stroke Hospitalizations, Posttraumatic Stress Disorder, and 9/11-Related Dust Exposure: Results from the World Trade Center Health Registry,* by Yu et al. [2021],[23] a longitudinal study that examined the risk of stroke among WTC Health Registry enrollees. The

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the current evaluation under a new ordinal number as Petition 048. The third condition, peripheral vascular disease (commonly referred to as peripheral artery disease, PAD), has been evaluated separately under a new ordinal number Petition 048a, and is addressed in a **Federal Register** notice published in this issue.

[15] Brook RD, Rajagopalan S, Pope CA, Brook JR, Bhatnagar A, Diez-Roux AV, Holguin F, Hong Y, Luepker RV, Mittleman MA, Peters A, Siscovick D, Smith SC, Whitsel L, Kaufman JD, and on behalf of the American Heart Association Council on Epidemiology and Prevention, Council on the Kidney in Cardiovascular Disease, and Council on Nutrition, Physical Activity and Metabolism [2010], *Particulate Matter Air Pollution and Cardiovascular Disease: An Update to the Scientific Statement from the American Heart Association,* Circulation 121(21):2331–2378.

[16] Newby DE, Mannucci PM, Tell GS, Baccarelli AA, Brook RD, Donaldson K, Forastiere F, Franchini M, Franco OH, Graham I, Hoek G, Hoffmann B, Hoylaerts MF, Künzli N, Mills N, Pekkanen J, Peters A, Piepoli MF, Rajagopalan S, Storey RF, on behalf of ESC Working Group on Thrombosis, European Association for Cardiovascular Prevention and Rehabilitation and ESC Heart Failure Association [2014], *Expert Position Paper on Air Pollution and Cardiovascular Disease,* Eur Heart J 36(2):83–93.

[17] Cohen AJ, Brauer M, Burnett R, Anderson R, Frostad J, Estep K, Balakrishnan K, Brunekreef B, Dandona L, Dandona R, Feigin V, Freedman G, Hubbell B, Jobling A, Kan H, Knibbs L, Liu Y, Martin R, Morawska L, Pope A, FOrouzanfar MH [2017], *Estimates and 25-Year Trends of the Global Burden of Disease Attributable to Ambient Air Pollution: An Analysis of Data from the Global Burden of Diseases Study 2015,* The Lancet 389(10082):1907–1918.

[18] Thurston GD, Kipen H, Annesi-Maesano I, Balmes J, Brook RD, Cromar K, DeMatteis S, Forastiere F, Forsberg B, Frampton MW, Grigg J, Heederik D, Kelly FJ, Kuenzli N, Laumbach R, Peters A, Rajagopalan ST, Rich D, Ritz B, Samet JM, Sandstrom T, Sigsgaard T, Sunyer J, Brunekreef B [2017], *A Joint ERS/ATS Policy Statement: What Constitutes an Adverse Health Effect of Air Pollution? An Analytical Framework,* Eur Respir J 49(1):1600419.

[19] Cascio WE, Long TC [2018], *Ambient Air Quality and Cardiovascular Health: Translation of Environmental Research for Public Health and Clinical Care,* NC Med J 79(5):306–312.

[20] Cohen HW, Zeig-Owens R, Joe C, Hall CB, Webber MP, Weiden MD, Cleven KL, Jaber N, Skerker M, Yip J, Schwartz T, Prezant DJ [2019], *Long-Term Cardiovascular Disease Risk among Firefighters after the World Trade Center Disaster,* JAMA Netw Open 2(9):e199775.

[21] EPA [2019], *Integrated Science Assessment (ISA) for Particulate Matter (Final Report, Dec 2019),* EPA/600/R–19/188.

[22] Sloan NL, Shapiro MZ, Sabra A, Dasaro CR, Crane MA, Harrison DJ, Luft BJ, Moline JM, Udasin IG, Todd AC, Teitelbaum SL [2021], *Cardiovascular Disease in the World Trade Center Health Program General Responder Cohort,* Am J Ind Med 64:97–107.

[23] Yu S, Alper HE, Nguyen A–M, Maqsood J, Brackbill RM [2021], *Stroke Hospitalizations, Posttraumatic Stress Disorder, and 9/11-Related Dust Exposure: Results from the World Trade Center Health Registry,* Am J Ind Med 64(10):827–836.

study found that WTC dust exposure is a possible risk factor for ischemic stroke but not for hemorrhagic strokes.

These studies suggest a potential association between exposure to 9/11 agents and stroke and thus provided sufficient medical basis to consider the submission a valid petition.

On November 1, 2023, the Administrator received a submission (Petition 051a) requesting the addition of cardiovascular diseases, including, among other conditions, ''stroke'' to the List.[24] The petition's validity was established by reference to two peer-reviewed, published, epidemiologic studies that provided a medical basis for the association between 9/11 exposures and stroke. The referenced studies (Cohen et al. [2019] and Sloan et al. [2021]) each individually establish a medical basis and are described above. These two studies suggest a potential association between exposure to 9/11 agents and stroke and thus provided sufficient medical basis to consider the submission a valid petition.

Together, the two petitions requested the addition of stroke, including both ischemic and hemorrhagic types. Of the 10 studies that provided sufficient medical basis, 4 distinguish between the two types of stroke and provide sufficient medical basis for both ischemic and hemorrhagic stroke [Brook et al. 2010; Newby et al. 2015; EPA 2019; Yu et al. 2021]. The other six studies do not distinguish between the two types of stroke [Cohen et al. 2017; Thurston et al. 2017; Casio and Long 2018, Cohen et al. 2019; Newman et al. 2020; Sloan et al. 2021]. The Administrator determined that the evaluation of scientific evidence should address both ischemic and hemorrhagic stroke.

D. Evaluation of Scientific Evidence: Findings and Conclusion

In response to Petitions 048 and 051a and pursuant to the *Policy and Procedures,* the Administrator of the WTC Health Program directed the Science Team to conduct a systematic search of the scientific literature to identify all peer-reviewed, published, epidemiologic studies of stroke among 9/11-exposed populations. Identified studies were assessed for quality; those studies determined to be high-quality were then evaluated to determine if they provide evidence to support a likelihood of a causal association between 9/11 exposure and the health condition under consideration. The Science Team provided the Administrator with a paper describing its findings, *Evaluation of Scientific Evidence Supporting the Addition of Ischemic and Hemorrhagic Stroke to the List of WTC-Related Health Conditions.* This paper, which builds on previous evaluations of atherosclerosis and stroke conducted in response to Petitions 012 and 020, respectively, is available in the docket for this activity [25] and on the Program's website.[26]

The literature search conducted by the WTC Health Program identified 18 peer-reviewed, published, epidemiologic studies of stroke in 9/11-exposed populations. Of those, nine studies were found not to demonstrate sufficient validity indicators to be considered high-quality studies and were not evaluated further.[27] The remaining nine studies were determined to have sufficient validity indicators to be considered high-quality studies eligible for further evaluation in accordance with the Program's *Policy and Procedures.*[28] Three of the high-quality studies were previously evaluated in the Program's response to Petition 020:

- Jordan HT, Stellman SD, Morabia A, Miller-Archie SA, Alper H, Laskaris Z, Brackbill RM, Cone JE [2013], *Cardiovascular Disease Hospitalizations in Relation to Exposure to the September 11, 2001 World Trade Center Disaster and Posttraumatic Stress Disorder,* J Am Heart Assoc 2(5):e000431.
- Yu S, Alper HE, Nguyen AM, Brackbill RM [2018], *Risk of Stroke Among Survivors of the September 11, 2001, World Trade Center Disaster,* J Occup Environ Med 60(8):e371–e376.
- Remch M, Laskaris Z, Flory J, Mora-McLaughlin C, Morabia A [2018], *Post-Traumatic Stress Disorder and Cardiovascular Diseases: A Cohort Study of Men and Women Involved in Cleaning the Debris of the World Trade Center Complex,* Circ Cardiovasc Qual Outcomes 11(7):e004572.

The six newly-identified high-quality studies were:

- Cohen HW, Zeig-Owens R, Joe C, Hall CB, Webber MP, Weiden MD, Cleven KL, Jaber N, Skerker M, Yip J, Schwartz T, Prezant DJ [2019], *Long-Term Cardiovascular Disease Risk Among Firefighters After the World Trade Center Disaster,* JAMA Netw Open 2(9):e199775.
- Colbeth HL, Zeig-Owens R, Hall CB, Webber MP, Schwartz TM, Prezant DJ [2020], *Mortality Among Fire Department of the City of New York Rescue and Recovery Workers Exposed to the World Trade Center Disaster, 2001–2017,* Int J Environ Res Public Health 17(17):6266.
- Sloan NL, Shapiro MZ, Sabra A, Dasaro CR, Crane MA, Harrison DJ, Luft BJ, Moline JM, Udasin IG, Todd AC, Teitelbaum SL [2021], *Cardiovascular Disease in the World Trade Center Health Program General Responder Cohort,* Am J Ind Med 64(2):97–107.
- Yu S, Alper HE, Nguyen A–M, Maqsood J, Brackbill RM [2021], *Stroke Hospitalizations, Posttraumatic Stress Disorder, and 9/11-Related Dust Exposure: Results from the World Trade Center Health Registry,* Am J Ind Med 64(10):827–836.

[24] *See* Petition 051a, *WTC Health Program: Petitions Received, http://www.cdc.gov/wtc/received.html.* The submission received on November 1, 2023, was found to be valid for both cardiovascular diseases and stroke. The Administrator exercised his discretion to separate the health conditions into two petitions and evaluations. Cardiovascular diseases were evaluated as ''ischemic heart disease'' under Petition 051, addressed **Federal Register** notice published on June 30, 2026 (91 FR 39616). Stroke is assessed in the current evaluation under a new ordinal number Petition 051a.

[25] *https://www.cdc.gov/niosh/docket/archive/docket094.html.*

[26] *https://www.cdc.gov/wtc/received.html.*

[27] Brackbill RM, Thorpe LE, DiGrande L, Perrin M, Sapp JH, Wu D, Campolucci S, Walker DJ, Cone J, Pulliam P, Thalji L, Farfel MR, Thomas P [2006], *Surveillance for World Trade Center Disaster Health Effects Among Survivors of Collapsed and Damaged Buildings,* MMWR Surveill Summ 55(2):1–18; Jordan HT, Brackbill RM, Cone JE, Debchoudhury I, Farfel MR, Greene CM, Hadler JL, Kennedy J, Li J, Liff J, Stayner L, Stellman SD [2011a], *Mortality Among Survivors of the Sept 11, 2001, World Trade Center Disaster: Results from the World Trade Center Health Registry Cohort,* Lancet 378(9794):879–887; Mani V, Wong SK, Sawitt ST, Calcagno C, Maceda C, Ramachandran S, Fayad ZA, Moline J, McLaughlin MA [2013], Relationship Between Particulate Matter Exposure and Atherogenic Profile in ''Ground Zero'' Workers as Shown by Dynamic Contrast Enhanced MR Imaging, Int J Cardiovasc Imaging 29:827–833; Stein CR, Wallenstein S, Shapiro M, Hashim D, Moline JM, Udasin I, Crane MA, Luft BJ, Lucchini RG, Holden WL [2016], *Mortality Among World Trade Center Rescue and Recovery Workers, 2002–2011,* Am J Ind Med 59(2):87–95; Wilkenfeld M, Fazzari M, Segelnick J, Stecker M [2016], *Neuropathic Symptoms in World Trade Center Disaster Survivors and Responders,* J Occup Environ Med 58(1):83–86; Jordan HT, Stein CR, Li J, Cone JE, Stayner L, Hadler JL, Brackbill RM, Farfel MR [2018], *Mortality Among Rescue and Recovery Workers and Community Members Exposed to the September 11, 2001 World Trade Center Terrorist Attacks,* 2003–2014, Environ Res 163:270–279; Li J, Hall CB, Yung J, Kehm RD, Zeig-Owens R, Singh A, Cone JE, Brackbill RM, Farfel MR, Qiao B, Schymura MJ, Shapiro MZ, Dasaro CR, Todd AC, Prezant DJ, Boffetta P [2023], *A 15-Year Follow-Up Study of Mortality in a Pooled Cohort of World Trade Center Rescue and Recovery Workers,* Environ Res 219:115116; Singh A, Zeig-Owens R, Cannon M, Webber MP, Goldfarb DG, Daniels RD, Prezant DJ, Boffetta P, Hall CB [2023], *All-Cause and Cause-Specific Mortality in a Cohort of WTC-Exposed and Non-WTC-Exposed Firefighters,* Occup Environ Med 80(6):297–303; Parvin A, Kehm RD, Qiao B, Cone JE, Farfel MR, Zeig-Owens R, Goldfarb DG, Shapiro MZ, Todd AC, Insaf T, Hall CB, Boffetta P, Li J [2026], *Effect of World Trade Center Health Program on Mortality Among 9/11 Responders,* Ann Epidemiol 115:8–14.

[28] *See supra* note 5 at 7–8.

• Alper HE, Brite J, Cone JE, Brackbill RM [2021], *Comparison of Prevalence and Exposure-Disease Associations Using Self-Report and Hospitalization Data Among Enrollees of the World Trade Center Health Registry,* BMC Med Res Methodol 21(162).
• Mueller AK, Cohen H, Singh A, Webber MP, Hall CB, Prezant DJ, Zeig-Owens R [2024], *Self-Reported Cardiovascular Disease in Career Firefighters With and Without World Trade Center Exposure,* J Occup Environ Med 66(2):135–140.

The Science Team conducted an evaluation, separately and together, of the nine studies to determine the likelihood of a causal association between 9/11 exposures and the petitioned health condition. The systematic literature search, the Science Team's evaluation and synthesis of the available literature, and the Science Team's conclusions regarding the association between 9/11 exposure and stroke are described in full in the Science Team's *Evaluation of Scientific Evidence Supporting the Addition of Ischemic and Hemorrhagic Stroke to the List of WTC-Related Health Conditions.*

In accordance with the *Policy and Procedures,*[29] the WTC Health Program uses the following Bradford Hill criteria to evaluate studies of 9/11-exposed populations: strength of association,[30] precision of the risk estimate,[31] consistency of associations,[32] temporality,[33] biological gradient,[34] and biological plausibility,[35] coherence,[36] and analogy.[37] The Science Team also considered the limitations of the evaluated evidence and whether the evidence is representative of the complete 9/11-exposed population of responder and survivors, including those exposed in the New York City disaster area as well as the Pentagon and Shanksville, Pennsylvania sites. The nine high-quality studies are discussed in full in the Science Team's Evaluation; a summary of the evidence synthesis is found in Table 11, reproduced here:

Aspect of associative causal inference	Evaluation findings
Strength of the Association (and estimate of precision).	Modest positive associations were evident in some studies that were suggestive of a causal association. One earlier study of self-reported stroke reported a modest but statistically significant association with WTC-dust exposure [Yu et al. 2018]. However, statistically significant estimates of exposure-related stroke were not reported by any study published since the evaluation for Petition 020 was published. Two studies of responders reported significant positive associations between 9/11 exposure and a composite outcome in which cerebrovascular disease was a minor contributor [Cohen et al. 2019; Sloan et al. 2021]. Objective measures of stroke events and stroke risk were limited to three studies published since the previous evaluation [Alper et al. 2021; Yu et al. 2021; Mueller et al. 2024], and none of those studies found significant risk elevations in those objective stroke measures from 9/11 exposures.
Consistency of Associations	Findings among studies were inconsistent, ranging from strong deficits in mortality [Colbeth et al. 2020] to modest, but statistically significant increases in incidence in four studies [Yu et al. 2018; Cohen et el. 2019; Alper et al. 2021; Sloan et al. 2021]. In general, the inconsistency may be attributable to large differences in outcome definition and study designs. For example, large differences in risk estimates were observed in one study using both self-reported stroke and stroke ascertained from medical records [Mueller et al. 2024]. In another study using both self-reported stroke and stroke ascertained from medical records, risk estimates were statistically significant only for self-reported stroke [Alper et al. 2021]. Only one study differentiated between ischemic and hemorrhagic stroke subtypes [Yu et al. 2021]. That study reported a modest but imprecise estimate of an association between 9/11 exposure and ischemic stroke, and no evidence of an association with hemorrhagic stroke. Despite ischemic and hemorrhagic stroke having similar risk factors, Yu et al. [2021] did not report findings for all types of stroke combined.
Temporality	Longitudinal study designs reduced the potential for errors from preexisting conditions. Researchers attempted to exclude persons with previous stroke. However, given potentially long latency, stroke and related health conditions may have manifested prior to 9/11. Analyses examining temporal effects (e.g., latency and persistence) were not conducted.
Biological Gradient	Mueller et al. [2024] was the only study that used a specific stroke outcome and also examined biological gradient. It found evidence suggestive of modestly increasing stroke risk across increasing categories of 9/11 exposure, but the trend was not statistically significant.
Plausibility, Coherence, and Analogy.	An association between WTC dust exposure and stroke is coherent with the available evidence. There is large uncertainty in an analogy comparing a proposed causal association between WTC dust exposure and stroke and the possible relationship between $PM_{2.5}$ in air pollution and stroke. The latter is supported by evidence linking long-term exposure to ambient air pollution to increased stroke risk. Chronic exposure to $PM_{2.5}$ in air pollution and acute exposure to WTC dusts are largely dissimilar. There is sparse evidence available on the relevant etiologic period for late cardiovascular effects from $PM_{2.5}$ exposure; therefore, the biological plausibility of these effects remains largely uncertain.
Representativeness	There was representation of all groups of 9/11-exposed populations.

[29] *Supra* note 5 at 9–10.

[30] It is generally thought that strong associations are more likely to be causal than weak associations; however, a weak association does not rule out a causal relationship.

[31] Precision of the risk estimate describes the uncertainty inherent in estimating the strength of association (the effect size) between exposure and health effect from observational data. It is expressed as a confidence interval illustrating a range of values that contains the true effect size. A narrow confidence interval indicates a more precise measure of the effect size, and a wider interval indicates greater uncertainty. While precision is not a Bradford Hill criterion, the Science Team takes it into consideration to evaluate the existence of random error in a study.

[32] Consistent findings are demonstrated when they have been repeatedly reported by multiple studies.

[33] Temporality is the condition that the 9/11 exposure must precede the health condition of interest and is typically assessed when considering aspects of exposure in the study design.

[34] Studies establish an exposure-response relationship by demonstrating that increases in exposure (*i.e.,* exposures of greater intensity and/or longer duration) are associated with a greater incidence of disease. A thorough evaluation of exposure-response requires analysis of multiple levels of exposure such that the investigator can demonstrate that the risk increases with increasing levels of exposure.

[35] Study findings demonstrate a basis in scientific theory that supports the relationship between the exposure and the health effect and do not conflict with known facts about the biology of the health condition.

[36] Coherence implies that the interpretation of a causal association agrees with known disease etiology.

[37] Analogy is used to inform on biological plausibility and coherence by contrasting the evidence on the suspected causal association with that from an established association between similar (analogous) causes or effects.

Upon review of the evidence available in high-quality studies regarding stroke among 9/11-exposed populations, the Science Team found that the current evidence is insufficient to support a finding of *substantial* or *high likelihood* of a causal association. Based on weight of evidence, the Science Team has concluded that: (1) the available evidence of a causal association between 9/11 exposures and ischemic stroke is *limited* (Category III);[38] and (2) the available evidence of a causal association between 9/11 exposures and hemorrhagic stroke or a transient ischemic attack is *inadequate* (Category V).[39]

E. Administrator's Final Decision on Whether To Propose the Addition of Stroke to the List

Pursuant to the PHS Act, sec. 3312(a)(6)(B)(iv) and 42 CFR 88.16(a)(2)(iv), and in accordance with Sec. VIII.B. of the *Policy and Procedures,* the Administrator has determined that insufficient evidence is available to take further action at this time, including proposing the addition of stroke to the List (pursuant to the PHS Act, sec. 3312(a)(6)(B)(ii) and 42 CFR 88.16(a)(2)(ii)) or publishing a determination not to publish a proposed rule in the **Federal Register** (pursuant to the PHS Act, sec. 3312(a)(6)(B)(iii) and 42 CFR 88.16(a)(2)(iii)). The Administrator has also determined that requesting a recommendation from the STAC (pursuant to the PHS Act, sec. 3312(a)(6)(B)(i) and 42 CFR 88.16(a)(2)(i)) is unwarranted.

For the reasons discussed above, the request in Petitions 048 and 051a to add stroke to the List of WTC-Related Health Conditions is denied.

F. Approval To Submit Document to the Office of the Federal Register

The Secretary, HHS, or his designee, the Director, Centers for Disease Control and Prevention (CDC) and Administrator, Agency for Toxic Substances and Disease Registry (ATSDR), authorized the undersigned, the Administrator of the WTC Health Program, to sign and submit the document to the Office of the Federal Register for publication as an official document of the WTC Health Program. Erica Schwartz, MD, MPH, JD, RADM, USPHS (ret), Director, CDC, and Administrator, ATSDR, approved this document for publication on September 8, 2026.

John J. Howard,

Administrator, World Trade Center Health Program and Director, National Institute for Occupational Safety and Health, Centers for Disease Control and Prevention, Department of Health and Human Services.

[FR Doc. 2026–18900 Filed 9–14–26; 8:45 am]

BILLING CODE 4163–18–P

[38] *See Policy and Procedures supra* note 5 at Section V.C. Category III—Evidence Supports Limited Likelihood of Causal Association.

[39] *See Policy and Procedures supra* note 5 at Section V.E. Category V—Evidence is Inadequate to Determine a Causal Association.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[NIOSH Docket 094]

World Trade Center Health Program; Petition 048a—Peripheral Artery Disease; Finding of Insufficient Evidence

AGENCY: Centers for Disease Control and Prevention, Department of Health and Human Services.

ACTION: Denial of petition for addition of a health condition.

SUMMARY: The Administrator of the World Trade Center (WTC) Health Program has received a petition (Petition 048a) to add ''peripheral vascular disease'' (referred to herein as ''peripheral artery disease'') to the List of WTC-Related Health Conditions. Upon reviewing the scientific and medical literature, including information provided by the petitioner, the Administrator has determined that there is insufficient evidence available to support taking further action at this time regarding peripheral artery disease. The Administrator also finds that insufficient evidence exists to request a recommendation of the WTC Health Program Scientific/Technical Advisory Committee, publish a proposed rule, or publish a determination not to publish a proposed rule.

DATES: The Administrator of the WTC Health Program is denying this petition for the addition of a health condition as of September 15, 2026.

ADDRESSES: Visit the WTC Health Program website at *https://www.cdc.gov/wtc/received.html* to review Petition 048a.

FOR FURTHER INFORMATION CONTACT: Rachel Weiss, Program Analyst, 1090 Tusculum Avenue, MS: C–48, Cincinnati, OH 45226; telephone (404) 498–2500 (this is not a toll-free number); email *NIOSHregs@cdc.gov.*

SUPPLEMENTARY INFORMATION:

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A. WTC Health Program Statutory Authority

Title I of the James Zadroga 9/11 Health and Compensation Act of 2010 (Pub. L. 111–347, as amended by Pub. L. 114–113, Pub. L. 116–59, Pub. L. 117–328, Pub. L. 118–31, and Pub. L. 119–75), added Title XXXIII to the Public Health Service (PHS) Act,[1] establishing the WTC Health Program within the Department of Health and Human Services (HHS). The WTC Health Program provides medical monitoring and treatment benefits for health conditions on the List of WTC-Related Health Conditions (List)[2] to eligible firefighters and related personnel, law enforcement officers, and rescue, recovery, and cleanup workers who responded to the September 11, 2001, terrorist attacks in New York City, at the Pentagon, and in Shanksville, Pennsylvania (responders). The Program also provides benefits to eligible persons who were present in the dust or dust cloud on September 11, 2001, or who worked, resided, or attended school, childcare, or adult daycare in the New York City disaster area[3] (survivors).

All references to the Administrator of the WTC Health Program (Administrator) in this document mean the Director of the National Institute for Occupational Safety and Health (NIOSH) or his designee.

In accordance with section 3312(a)(6)(B) of the PHS Act, interested parties may petition the Administrator to add a health condition to the List in 42 CFR 88.15. Within 90 days after receipt of a valid petition to add a condition to the List, the Administrator must take one of the following four actions described in section 3312(a)(6)(B) of the PHS Act and

[1] Title XXXIII of the PHS Act is codified at 42 U.S.C. 300mm to 300mm–64. Those portions of the James Zadroga 9/11 Health and Compensation Act of 2010 found in Titles II and III of Public Law 111–347 do not pertain to the WTC Health Program and are codified elsewhere.

[2] The List of WTC-Related Health Conditions is established in 42 U.S.C. 300mm–22(a)(3)–(4) and 300mm–32(b); additional conditions may be added through rulemaking, and the complete list is provided in WTC Health Program regulations at 42 CFR 88.15.

[3] *See* 42 U.S.C. 300mm–5(8); 42 CFR 88.1.

§ 88.16(a)(2) of the WTC Health Program regulations: (1) Request a recommendation of the WTC Health Program Scientific/Technical Advisory Committee (STAC); (2) publish a proposed rule in the **Federal Register** to add such health condition; (3) publish in the **Federal Register** the Administrator's determination not to publish such a proposed rule and the basis for such determination; or (4) publish in the **Federal Register** a determination that insufficient evidence exists to take action under (1) through (3) above.

More information about the WTC Health Program, including the List and the petition process, is available at *www.cdc.gov/wtc/.*

B. Procedures for Evaluating a Petition

In addition to the regulatory provisions, the WTC Health Program has developed policies to guide the review of submissions and petitions,[4] as well as the analysis of evidence supporting the potential addition of a non-cancer health condition to the List.[5]

A valid petition must include sufficient medical basis for the association between the September 11, 2001, terrorist attacks and the health condition to be added. In accordance with WTC Health Program *Policy and Procedures for Handling Submissions and Petitions to Add a Health Condition to the List of WTC-Related Health Conditions,*[6] reference to a peer-reviewed, published, epidemiologic study about the health condition among 9/11-exposed populations or clinical case reports of health conditions in WTC responders or survivors may demonstrate the required medical basis.[7] Studies linking 9/11 agents or hazards [8] to the petitioned health condition may also provide sufficient medical basis for a valid petition.[9] In accordance with 42 CFR 88.16(a)(5), the Administrator is required to consider a new petition for a previously evaluated health condition determined not to qualify for addition to the List only if the new petition presents a new medical basis for the association between 9/11 exposures and the condition to be added. A new medical basis is evidence not previously reviewed by the Administrator.

After the Program has determined that a petition is valid, and in accordance with the *Policy and Procedures for Adding Non-Cancer Health Conditions to the List of WTC-Related Health Conditions* (*Policy and Procedures*), the Administrator directs the WTC Health Program Science Team (Science Team) to conduct a review of the scientific literature. The literature review includes a keyword search of relevant scientific databases intended to identify peer-reviewed, published, epidemiologic studies about the health condition among 9/11-exposed populations.

The Science Team evaluates the scientific quality of each peer-reviewed, published, epidemiologic study of the health condition identified in the literature search using validity indicators described in the *Policy and Procedures.*[10] Studies exhibiting sufficient validity indicators have the potential to provide a basis for deciding whether to propose adding the health condition to the List and are considered ''high-quality'' studies. The Science Team then evaluates the identified high-quality studies, individually and together, to characterize the evidence of a causal association between 9/11 exposures and the health condition. As part of this evaluation, the Science Team considers the Bradford Hill weight of evidence criteria,[11] study limitations, and whether the studies are representative of the 9/11-exposed population of responders and survivors. After evaluating the totality of the evidence, the Science Team assesses the degree to which the evidence supports a causal association between 9/11 exposures and the health condition and assigns the evidence to one of the following five categories:

Category I—Evidence supports substantial likelihood of causal association

Category II—Evidence supports high likelihood of causal association

Category III—Evidence supports limited likelihood of causal association

Category IV—Evidence does not support causal association

Category V—Evidence is inadequate to determine the likelihood of causal association.

The Science Team provides the outcome of its evaluation to the Administrator. A health condition may be added to the List if peer-reviewed, published, epidemiologic studies provide support that there is a substantial likelihood of a causal association between the health condition and 9/11 exposures (Category I).[12] If the evaluation of evidence provided in peer-reviewed, published, epidemiologic studies of the health condition in 9/11 populations shows a high, but not substantial, likelihood of a causal association between the 9/11 exposures and the health condition (Category II),[13] then the Administrator may consider additional highly relevant scientific evidence regarding exposures to 9/11 agents in non-9/11 exposure scenarios. If that additional assessment establishes that there is now sufficient evidence to support the conclusion that a causal association between the 9/11 exposures and the health condition is substantially likely among 9/11-exposed populations (Category I), then the Administrator may propose the addition of the health condition to the List.

C. Petition 048a

On September 3, 2023, the Administrator received a submission (Petition 048a) requesting the addition of several cardiovascular conditions, including ''peripheral vascular disease''

[4] *See* WTC Health Program [2026], *Policy and Procedures for Handling Submissions and Petitions to Add a Health Condition to the List of WTC-Related Health Conditions,* January 22, 2026, *https://www.cdc.gov/wtc/pdfs/policies/PNP_SubmissionsPetitions%20_20260122-508.pdf.*

[5] *See* WTC Health Program [2026], *Policy and Procedures for Adding Non-Cancer Health Conditions to the List of WTC-Related Health Conditions,* May 14, 2026, *https://www.cdc.gov/wtc/pdfs/policies/WTCHP_PP_Adding_NonCancer_Health_Conditions_20260514.pdf.*

[6] *Supra* note 4.

[7] *Id.* at 7.

[8] 9/11 agents are chemical, physical, biological, or other hazards reported in a published, peer-reviewed exposure assessment study of responders, recovery workers, or survivors who were present in the New York City disaster area, or at the Pentagon site, or the Shanksville, Pennsylvania site, as those locations are defined in 42 CFR 88.1, as well as those hazards not identified in a published, peer-reviewed exposure assessment study, but which are reasonably assumed to have been present at any of the three sites. *See* WTC Health Program [2018], *Development of the Inventory of 9/11 Agents,* July 17, 2018, *https://www.cdc.gov/wtc/pdfs/policies/Development_of_the_Inventory_of_9-11_Agents_20180717.pdf.*

[9] *Supra* note 4 at 7.

[10] *Supra* note 5 at 7–8.

[11] Hill AB [1965], *The Environment and Disease: Association or Causation?* Proc R Soc Med 58(5):295–300.

According to the *Policy and Procedures,* the Bradford Hill criteria are a leading weight of evidence framework ''which comprises nine aspects of association. These aspects comprise strength of association, consistency, specificity, temporality, biological gradient, plausibility, coherence, experiment, and analogy.'' *See supra* note 5 at 9–10 and footnotes 21–30, discussion of Bradford Hill analysis.

[12] *Substantial likelihood of causal association* means that the association is strongly supported by evidence from high-quality, peer-reviewed, published epidemiologic studies of the health condition in 9/11-exposed populations and there is high confidence that the association cannot be explained by chance, bias, confounding, or any other alternative explanation. *See supra* note 5 at 12.

[13] *High likelihood of causal association* means that the scientific evidence, taken as a whole, demonstrates that the likelihood of a causal association is less than substantial, but definitively more than limited. Therefore, there is some meaningful likelihood that the association can be explained by chance, bias, confounding, or another alternative explanation. *See supra* note 5 at 12.

to the List.[14] The Administrator understands the term ''peripheral vascular disease'' to mean the health condition commonly known as ''peripheral artery disease'' (PAD). The petition's validity was established by references to seven peer-reviewed, published, epidemiologic studies that provided a medical basis for the association between 9/11 exposures and PAD. The referenced studies establishing a medical basis are as follows:

- *Particulate Matter Air Pollution and Cardiovascular Disease: An Update to the Scientific Statement from the American Heart Association,* by Brook et al. [2010],[15] an updated scientific statement concluding that modest epidemiologic evidence supports a causal relationship between exposure to particulate matter (PM) <2.5 micrometers (μm) in diameter ($PM_{2.5}$) and increased PAD morbidity.
- *Expert Position Paper on Air Pollution and Cardiovascular Disease,* by Newby et al. [2015],[16] a scientific review and consensus document by the European Society of Cardiology that evaluated the evidence linking air pollution (comprising the 9/11 agents $PM_{2.5}$ and PM ≤10 μm (PM_{10}), ozone, nitrogen dioxide (NO_2), volatile organic compounds (including benzene), carbon monoxide (CO), and sulfur dioxide (SO_2)) to cardiovascular disease (CVD) outcomes including PAD.
- *A Joint ERS/ATS Policy Statement: What Constitutes an Adverse Health Effect of Air Pollution? An Analytical Framework,* by Thurston et al. [2017],[17] a joint European Respiratory Society/American Thoracic Society policy statement on what constitutes an adverse health effect of air pollution. It provides an analytical framework for interpreting scientific evidence on the health effects of air pollution for risk management purposes and references to papers that describe increased risks of impaired vascular function—a manifestation of PAD—and increased carotid artery stenosis from $PM_{2.5}$ exposure.
- *Ambient Air Quality and Cardiovascular Health: Translation of Environmental Research for Public Health and Clinical Care,* by Cascio and Long [2018],[18] a non-systematic review on CVD outcomes, including PAD, associated with air pollution. The review reported that residential proximity to major roads is associated with increased PAD risk. Traffic-related air pollution includes several 9/11 agents, *e.g.,* $PM_{2.5}$, PM_{10}, nitrogen oxides, sulfur dioxide, and carbon monoxide.
- *Long-Term Cardiovascular Disease Risk among Firefighters after the World Trade Center Disaster,* by Cohen et al. [2019],[19] a peer-reviewed, published longitudinal cohort study of Fire Department of New York (FDNY) firefighters designed to assess whether 9/11 exposures were associated with elevated CVD risk, including a composite outcome variable. Among firefighters with the composite outcome, very few had PAD, however, the study found positive associations between this composite cardiovascular outcome and 9/11 exposures related to time of arrival and length of response.
- *Integrated Science Assessment (ISA) for Particulate Matter,* by EPA's Center for Public Health and Environmental Assessment [2019],[20] a detailed integrated science assessment that examined the impact of PM, including $PM_{2.5}$, on CVD outcomes including PAD. The assessment summarized several studies that found increased PAD risk associated with $PM_{2.5}$ exposure.
- *Environmental Pollution and Peripheral Artery Disease,* by Serra et al. [2021],[21] provided a review of environmental pollutant exposures associated with PAD. This study provided evidence supporting an association between exposure to PM_{10} and increased PAD risk.

These studies suggest a potential association between exposure to 9/11 agents and PAD and thus provided sufficient medical basis to consider the submission a valid petition.

D. Evaluation of Scientific Evidence: Findings and Conclusion

In response to Petition 048a and pursuant to the *Policy and Procedures,* the Administrator of the WTC Health Program directed the Science Team to conduct a systematic search of the scientific literature to identify all peer-reviewed, published, epidemiologic studies of PAD among 9/11-exposed populations. Identified studies were assessed for quality; any studies determined to be high-quality would then be evaluated to determine if they provide evidence to support a likelihood of a causal association between 9/11 exposure and the health condition under consideration. The Science Team provided the Administrator with a paper describing its findings, *Evaluation of Scientific Evidence Supporting the Addition of Peripheral Artery Disease to the List of WTC-Related Health Conditions.* This evaluation builds on a previous evaluation of atherosclerosis, an antecedent health condition leading to the development of PAD, conducted in response to Petition 012. The current evaluation for Petition 048a is available in the docket for this activity [22] and on the Program's website.[23]

[14] *See* Petition 048a, *WTC Health Program: Petitions Received, http://www.cdc.gov/wtc/received.html.* The submission received on September 3, 2023, requested the addition of three discrete health condition groupings: (1) ''myocardial infraction (*sic*), unstable angina, obstructive coronary artery disease, ischemic cardiomyopathy, ischemic congestive heart failure, arrythmias (due to any of the above);'' (2) ''stroke;'' and (3) ''peripheral vascular disease.'' Because the submission was found to be valid for each group of health conditions, the Administrator exercised his discretion to separate the conditions into three separate petitions and evaluations. Group (1) health conditions were evaluated as ''ischemic heart disease'' under Petition 047, addressed in a **Federal Register** notice published on June 30, 2026 (91 FR 39616). The second condition, stroke, was evaluated under Petition 048, and is addressed in a **Federal Register** notice published in this issue. The third condition, peripheral vascular disease (commonly referred to as peripheral artery disease, ''PAD''), is assessed in the current evaluation under Petition 048a.

[15] Brook RD, Rajagopalan S, Pope CA, Brook JR, Bhatnagar A, Diez-Roux AV, Holguin F, Hong Y, Luepker RV, Mittleman MA, Peters A, Siscovick D, Smith SC, Whitsel L, Kaufman JD, and on behalf of the American Heart Association Council on Epidemiology and Prevention, Council on the Kidney in Cardiovascular Disease, and Council on Nutrition, Physical Activity and Metabolism [2010], *Particulate Matter Air Pollution and Cardiovascular Disease: An Update to the Scientific Statement from the American Heart Association,* Circulation 121(21):2331–2378.

[16] Newby DE, Mannucci PM, Tell GS, Baccarelli AA, Brook RD, Donaldson K, Forastiere F, Franchini M, Franco OH, Graham I, Hoek G, Hoffmann B, Hoylaerts MF, Künzli N, Mills N, Pekkanen J, Peters A, Piepoli MF, Rajagopalan S, Storey RF, on behalf of ESC Working Group on Thrombosis, European Association for Cardiovascular Prevention and Rehabilitation and ESC Heart Failure Association [2014], *Expert Position Paper on Air Pollution and Cardiovascular Disease,* Eur Heart J 36(2):83–93.

[17] Thurston GD, Kipen H, Annesi-Maesano I, Balmes J, Brook RD, Cromar K, DeMatteis S, Forastiere F, Forsberg B, Frampton MW, Grigg J, Heederik D, Kelly FJ, Kuenzli N, Laumbach R, Peters A, Rajagopalan ST, Rich D, Ritz B, Samet JM, Sandstrom T, Sigsgaard T, Sunyer J, Brunekreef B [2017], *A Joint ERS/ATS Policy Statement: What Constitutes an Adverse Health Effect of Air Pollution? An Analytical Framework,* Eur Respir J 49(1):1600419.

[18] Cascio WE, Long TC [2018], *Ambient Air Quality and Cardiovascular Health: Translation of Environmental Research for Public Health and Clinical Care,* NC Med J 79(5):306–312.

[19] Cohen HW, Zeig-Owens R, Joe C, Hall CB, Webber MP, Weiden MD, Cleven KL, Jaber N, Skerker M, Yip J, Schwartz T, Prezant DJ [2019], *Long-Term Cardiovascular Disease Risk among Firefighters after the World Trade Center Disaster,* JAMA Netw Open 2(9):e199775.

[20] EPA [2019], *Integrated Science Assessment (ISA) for Particulate Matter (Final Report, Dec 2019),* EPA/600/R–19/188.

[21] Serra R, Abramo A, Ielapi N, Procopio S, Marino P [2021], *Environmental Pollution and Peripheral Artery Disease,* Risk Manag Healthc Policy 14:2181–2190.

[22] *https://www.cdc.gov/niosh/docket/archive/docket094.html.*

[23] *https://www.cdc.gov/wtc/received.html.*

The literature search conducted by the WTC Health Program identified nine peer-reviewed, published, epidemiologic studies of PAD in 9/11-exposed populations (including one study by Mani et al. [2013] that was reviewed in the Petition 012 evaluation). None of the nine identified studies, however, demonstrate sufficient validity indicators to be considered high-quality studies.[24] Accordingly, the Science Team did not conduct further evaluation of the studies identified in the literature search described above.

Upon review of the evidence available in peer-reviewed, published, epidemiologic studies regarding PAD among 9/11-exposed populations, the Science Team found that there is inadequate evidence to determine a causal association [25] between 9/11 exposures and PAD (Category V).

[24] Jordan HT, Brackbill RM, Cone JE, Debchoudhury I, Farfel MR, Greene CM, Hadler JL, Kennedy J, Li J, Liff J, Stayner L, Stellman SD [2011a], *Mortality Among Survivors of the Sept 11, 2001, World Trade Center Disaster: Results from the World Trade Center Health Registry Cohort,* Lancet 378(9794):879–887; Mani V, Wong SK, Sawitt ST, Calcagno C, Maceda C, Ramachandran S, Fayad ZA, Moline J, McLaughlin MA [2013], *Relationship Between Particulate Matter Exposure and Atherogenic Profile in ''Ground Zero'' Workers as Shown by Dynamic Contrast Enhanced MR Imaging,* Int J Cardiovasc Imaging 29:827–833; Stein CR, Wallenstein S, Shapiro M, Hashim D, Moline JM, Udasin I, Crane MA, Luft BJ, Lucchini RG, Holden WL [2016], *Mortality Among World Trade Center Rescue and Recovery Workers, 2002–2011,* Am J Ind Med 59(2):87–95; Jordan HT, Stein CR, Li J, Cone JE, Stayner L, Hadler JL, Brackbill RM, Farfel MR [2018], *Mortality Among Rescue and Recovery Workers and Community Members Exposed to the September 11, 2001 World Trade Center Terrorist Attacks,* 2003–2014, Environ Res 163:270–279; Cohen HW, Zeig-Owens R, Joe C, Hall CB, Webber MP, Weiden MD, Cleven KL, Jaber N, Skerker M, Yip J, Schwartz T, Prezant DJ [2019], *Long-Term Cardiovascular Disease Risk among Firefighters after the World Trade Center Disaster,* JAMA Netw Open 2(9):e199775; Colbeth HL, Zeig-Owens R, Hall CB, Webber MP, Schwartz TM, Prezant DJ [2020]; Mortality Among Fire Department of the City of New York Rescue and Recovery Workers Exposed to the World Trade Center Disaster, 2001–2017, Int J Environ Res Public Health 17(17):6266; Li J, Hall CB, Yung J, Kehm RD, Zeig-Owens R, Singh A, Cone JE, Brackbill RM, Farfel MR, Qiao B, Schymura MJ, Shapiro MZ, Dasaro CR, Todd AC, Prezant DJ, Boffetta P [2023], *A 15-Year Follow-Up Study of Mortality in a Pooled Cohort of World Trade Center Rescue and Recovery Workers,* Environ Res 219:115116; Singh A, Zeig-Owens R, Cannon M, Webber MP, Goldfarb DG, Daniels RD, Prezant DJ, Boffetta P, Hall CB [2023], *All-Cause and Cause-Specific Mortality in a Cohort of WTC-Exposed and Non-WTC-Exposed Firefighters,* Occup Environ Med 80(6):297–303; Parvin A, Kehm RD, Qiao B, Cone JE, Farfel MR, Zeig-Owens R, Goldfarb DG, Shapiro MZ, Todd AC, Insaf T, Hall CB, Boffetta P, Li J [2026], *Effect of World Trade Center Health Program on Mortality Among 9/11 Responders,* Ann Epidemiol 115:8–14.

[25] *See supra* note 5 at Sec. V.E.—Evidence is Inadequate to Determine a Causal Association.

E. Administrator's Final Decision on Whether To Propose the Addition of Peripheral Artery Disease to the List

Pursuant to the PHS Act, sec. 3312(a)(6)(B)(iv) and 42 CFR 88.16(a)(2)(iv), and in accordance with Sec. VIII.B. of the *Policy and Procedures,* the Administrator has determined that insufficient evidence is available to take further action at this time, including proposing the addition of PAD to the List (pursuant to the PHS Act, sec. 3312(a)(6)(B)(ii) and 42 CFR 88.16(a)(2)(ii)) or publishing a determination not to publish a proposed rule in the **Federal Register** (pursuant to the PHS Act, sec. 3312(a)(6)(B)(iii) and 42 CFR 88.16(a)(2)(iii)). The Administrator has also determined that requesting a recommendation from the STAC (pursuant to the PHS Act, sec. 3312(a)(6)(B)(i) and 42 CFR 88.16(a)(2)(i)) is unwarranted.

For the reasons discussed above, the request in Petition 048a to add PAD to the List of WTC-Related Health Conditions is denied.

F. Approval To Submit Document to the Office of the Federal Register

The Secretary, HHS, or his designee, the Director, Centers for Disease Control and Prevention (CDC) and Administrator, Agency for Toxic Substances and Disease Registry (ATSDR), authorized the undersigned, the Administrator of the WTC Health Program, to sign and submit the document to the Office of the Federal Register for publication as an official document of the WTC Health Program. Erica Schwartz, MD, MPH, JD, RADM, USPHS (ret), Director, CDC, and Administrator, ATSDR, approved this document for publication on September 8, 2026.

John J. Howard,

Administrator, World Trade Center Health Program and Director, National Institute for Occupational Safety and Health, Centers for Disease Control and Prevention, Department of Health and Human Services.

[FR Doc. 2026–18901 Filed 9–14–26; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

[Office of Management and Budget #: 0970–0196]

Proposed Information Collection Activity; Multistate Financial Institution Data Match With Federally Assisted State Transmitted Levy

AGENCY: Office of Child Support Enforcement, Administration for Children and Families, Department of Health and Human Services.

ACTION: Request for public comments.

SUMMARY: The Office of Child Support Enforcement (OCSE), Administration for Children and Families (ACF), is requesting a 3-year extension of the Multistate Financial Institution Data Match (MSFIDM) with Federally Assisted State Transmitted (FAST) Levy (Office of Management and Budget #: 0970–0196, expiration January 31, 2027). OCSE revised the MSFIDM handbook and the FAST Levy record specifications. Burden estimates were reduced by 32.71 percent to reflect the expected estimated number of respondents and responses per respondent over the next 3 years.

DATES: *Comments due* November 16, 2026.

ADDRESSES: In compliance with the requirements of the Paperwork Reduction Act, ACF is soliciting public comment on the specific aspects of the information collection described above. You can obtain copies of the proposed collection of information and submit comments by emailing *infocollection@acf.hhs.gov.* Identify all by the title of the information collection.

SUPPLEMENTARY INFORMATION:

Description: State child support agencies (CSAs) are statutorily required to enter into data matching agreements with financial institutions doing business in their state to locate obligors' accounts. OCSE operates the MSFIDM program through the Federal Parent Locator Service (FPLS) and facilitates the required data match between state and multistate financial institutions (MSFIs). State CSAs use the data match outcomes to fulfill a statutory requirement to seize an obligor's assets to satisfy past-due child support.

OCSE also operates FAST Levy, which is an automated application within the FPLS to exchange electronic lien/levy information securely and efficiently. State CSAs and financial institutions use FAST Levy to exchange

information to freeze and seize financial assets more quickly and efficiently.

On December 19, 2025, ACF published a notice in the **Federal Register** Volume 90, Number 242, Page 59525 to announce that the Office of Child Support Services (OCSS) is now the Office of Child Support Enforcement (OCSE). Any reference to OCSS is changed to OCSE in the collection materials. Further, OCSE revised the MSFIDM handbook to include additional guidance for connectivity, testing, and production. The FAST Levy specifications also underwent other revisions to remove obsolete text and to clarify file name requirements.

Respondents: MSFIs and State CSAs.

Annual Burden Estimates

The burden estimates were updated to reflect current estimates for the respondents and responses over the next 3 years. The burden reduction is attributable to a reduction in the estimated number of financial institutions electing to join FAST Levy because they use programming on their end and not a transmitter to send their files. Over the last 3 years, only one financial institution has joined FAST Levy; therefore, we changed the projection from 2 to 1 for each year. Also, the number of financial transmitters using the Child Support Portal decreased from 263 to 160. Many of the transmitters switched to an automated process through Secure File Transfer Protocol while others no longer transmit at all. The prior burden was 5,029.3 hours, the current burden is 3,384.1 hours, and this amounts to a burden reduction of 1,645.2 hours, or 32.71 percent.

Information collection instrument	Total annual number of respondents	Total annual number of responses per respondent	Average annual burden hours per response	Total annual burden hours
Financial Data Match Record Specifications Match File Upload/Download: Portal Users	160	4	0.083	53.12
Election Form	10	1	0.5	5.00
FAST-Levy Response Withhold Record Specifications: Financial Institutions	1	1	1,716	1,716.00
FAST-Levy Request Withhold Record Specifications: State Child Support Agencies	1	1	1,610	1,610.0

Estimated Total Annual Burden Hours: 3,384.12.

Comments: The Department specifically requests comments on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Authority: 42 U.S.C. 652(l); 42 U.S.C. 666(a)(2) and (c)(1)(G)(ii); 42 U.S.C. 666(a)(17)(A); 42 U.S.C. 652(a)(7); and 45 CFR 303.7(a)(5).

Samantha L. Illangasekare,

ACF/OPRE Certifying Officer.

[FR Doc. 2026–18841 Filed 9–14–26; 8:45 am]

BILLING CODE 4184–41–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2026–N–10165]

Statistical Considerations for the Design of Rare Disease Clinical Investigations; Establishment of a Public Docket; Request for Information and Comments

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice; establishment of a public docket; request for information and comments.

SUMMARY: The Food and Drug Administration (FDA, the Agency, or we) is establishing a public docket to collect feedback on statistical considerations for rare disease clinical investigations. This docket is open in conjunction with a Rare disease Innovation, Science, and Exploration (RISE) Workshop on the same topic. Feedback is welcome both on the attached pre-read documents and on the content covered in the Workshop itself.

DATES: Either electronic or written comments on the notice must be submitted by November 13, 2026.

ADDRESSES: You may submit comments as follows. Please note that late, untimely filed comments will not be considered. The *https://www.regulations.gov* electronic filing system will accept comments until 11:59 p.m. Eastern Time at the end of November 13, 2026. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are received on or before that date.

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

• *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

• For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2026–N–10165 for ''Statistical Considerations for the Design of Rare Disease Clinical Investigations; Establishment of a Public Docket; Request for Information and Comments.'' Received comments, those filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

• Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240–402–7500.

FOR FURTHER INFORMATION CONTACT: Philipa Friedman, Rare Disease Innovation Hub, *rdinnovationhub@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

The RISE Workshop series, co-convened by the FDA Rare Disease Innovation Hub and the Duke Margolis Institute for Health Policy, brings together innovators in drug development, rare disease research, patient advocacy, and regulatory science to discuss challenges in the development of medical products for rare diseases that are common to multiple rare diseases or a class of diseases and for which evolving science offers innovative solutions. The workshops focus on cross-cutting or common issues and do not cover specific products under review by the Agency.

The September 29, 2026, RISE Workshop focuses on statistical considerations for rare disease clinical investigations. Statistical considerations affect numerous aspects of drug development, testing, and review, including clinical trial design and measurement of product effectiveness. Statistical review for rare disease products can be particularly complex, and it requires significant attention to the nuance of the disease state and specific product. Small patient populations constrain sample sizes, limit statistical power, and increase the risk of inconclusive results, yet the urgency of patient need makes timely, reliable evidence critically important. Every clinical investigation design decision involves trade-offs between efficiency and reliability, as well as feasibility and rigor. Meeting this challenge requires both scientific innovation and a shared commitment to transparency about those trade-offs.

II. Issues for Consideration and Request for Information

FDA is seeking feedback from the public—including rare disease medical product developers, disease advocates, and researchers—on the appropriate use of tailored approaches to statistical review of rare disease medical products. FDA has developed two pre-read documents that inform the September 29, 2026, RISE Workshop; one document discusses statistical considerations for clinical trials of rare disease drugs and biologics, and the other document covers statistical considerations for clinical studies of rare disease medical devices. FDA welcomes feedback on either or both of the pre-read documents, as well as feedback related to the content discussed in the RISE Workshop itself.

The pre-read documents are attached in their entirety, and FDA is specifically seeking information that addresses the following discussion questions from the pre-read documents:

For Drugs and Biologics

1. To what extent should we consider adjusting standard success criteria (*e.g.,* significance thresholds) in a rare disease trial and how should disease severity, feasibility constraints, and the availability of corroborating evidence factor into that decision?

2. What would make randomized designs more acceptable and feasible to patients and sponsors in rare disease settings and what role can enhanced medical care for participants in the control arm, patient engagement, and innovative design features play in addressing the concerns of patients and advocacy communities? Examples may include:

a. Ensuring that participants on the control arm always receive treatment and care that meets or exceeds the standard of care they would receive in clinical practice if they did not participate in the study.

b. Incorporating sequential analyses to ensure that the study stops as soon as possible if there is convincing evidence of efficacy or continues if results are promising but not yet sufficient to inform reliable conclusions.

3. Endpoint selection in rare diseases involves balancing what matters most to patients, what is statistically feasible, and what regulators can accept as evidence of benefit. Where does the rare disease and statistical community see the greatest unmet need in this space—and what would most help move the field toward endpoints that are both meaningful to patients and credible to regulators?

4. Which efficiency-enhancing strategies offer the most feasible and meaningful gains in rare disease studies—and what practical barriers currently stand in the way of their wider adoption?

For Medical Devices

1. For new Class III devices for small patient populations, what are important considerations for the premarket-postmarket data shift specific to products serving small populations?

What mechanisms (*e.g.,* registries, electronic health records, post-approval studies) would best support timely, reliable postmarket data collection? *(Note: the pre-read document uses brain-computer interface (BCI) devices for amyotrophic lateral sclerosis (ALS) as a case example.)*

2. Under what clinical situations and statistical conditions can a single-arm device study with a performance goal or external control provide acceptable evidence of reasonable assurance of safety and effectiveness for devices for small patient populations—and what pre-specifications are needed to ensure such designs provide reliable and acceptable evidence? *(Note: the pre-read document uses BCI devices for ALS as a case example.)*

3. What design features would make an external data source appropriate for future pivotal studies in small populations? What infrastructure should be built proactively and by whom? *(Note: the pre-read document uses BCI devices for ALS as a case example.)*

4. What sources of prior information—feasibility studies, natural history data, international experience, prior device generations—are most appropriate and credible in small patient populations, and can hierarchical borrowing and Bayesian adaptive designs meaningfully improve efficiency and accelerate reliable evidence generation in this space?

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2026–18805 Filed 9–14–26; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the Center for Scientific Review Special Emphasis Panel, Optimization of the Health Services Workforce, October 08, 2026, 09:00 a.m. to October 09, 2026, 06:00 p.m., National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 which was published in the **Federal Register** on September 08, 2026, 91 FR 57156, Doc. No. 2026–18193.

This meeting is being amended to change the meeting from a 2-day to a 1-day meeting on October 8, 2026. The meeting is closed to the public.

Dated: September 11, 2026.

Rosalind M. Niamke,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2026–18874 Filed 9–14–26; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the Oncology 2—Translational Clinical Integrated Review Group, Translational Immuno-oncology Study Section, October 15, 2026, 09:00 a.m. to October 16, 2026, 06:30 p.m., National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 which was published in the **Federal Register** on September 01, 2026, 91 FR 56151, Doc. No. 2026–17896.

This meeting is being amended to change the meeting from a 2-day to a 1-day meeting on October 15, 2026. And the start time to change from 9 a.m. to 8:30 a.m. The meeting is closed to the public.

Dated: September 10, 2026.

Rosalind M. Niamke,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2026–18825 Filed 9–14–26; 8:45 am]

BILLING CODE 4167–05–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Prospective Grant of an Exclusive Patent License: Development and Commercialization of Engineered Cell Therapies for the Treatment of HPV 16 E6-Expressing Cancers

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: The National Cancer Institute, an institute of the National Institutes of Health, Department of Health and Human Services, is contemplating the grant of an Exclusive Patent License to practice the inventions embodied in the patents and patent applications listed in the **SUPPLEMENTARY INFORMATION** section of this notice to MedGene Therapeutics, Inc. (''MedGene''), a company located in Silver Spring, Maryland, the United States of America.

DATES: Only written comments and/or applications for a license which are received by the National Cancer Institute's Technology Transfer Center on or before September 30, 2026 will be considered.

ADDRESSES: Inquiries and comments relating to the contemplated Exclusive Patent License should be directed to: Andrew Burke, Ph.D., Senior Technology Transfer Manager, NCI Technology Transfer Center, Telephone: (240) 276–5484; Email: *burkear@mail.nih.gov.*

SUPPLEMENTARY INFORMATION:

INTELLECTUAL PROPERTY

Reference No. (with country code)	Application No.	File date	Patent No.	Issue date
E–495–2013–0–US–01	61/846,167	7/15/2013		
E–495–2013–0–PCT–02	PCT/US2014/046480	7/14/2014		
E–495–2013–0–JP–07	2016–527006	1/15/2016	6628719	12/13/2019
E–495–2013–0–US–08	14/905,108	1/14/2016	9,822,162	11/21/2017
E–495–2013–0–US–09	15/786,966	10/18/2017	10,329,339	6/25/2019
E–495–2013–0–US–11	16/408,939	5/10/2019	10,913,785	2/9/2021
E–495–2013–0–JP–19	2019–219105	12/3/2019	6959970	10/12/2021
E–495–2013–0–US–22	17/142,486	1/6/2021	11,697,676	7/11/2023
E–495–2013–0–JP–23	2021–166407	10/8/2021	7223822	2/8/2023
E–495–2013–0–US–02	18/323,493	5/25/2023	12,187,779	1/7/2025

The prospective exclusive license territory may be ''Japan, Republic of Korea and the United States of America'', and the field of use may be limited to the following:

''Ex vivo generated T cell therapy products comprising autologous or allogeneic T cells genetically engineered to express exogenous T-cell receptors reactive to the HPV–16 E6 oncoprotein for the treatment of HPV-associated cervical cancer, head and neck cancer (including oropharyngeal cancer), and anogenital cancer in humans.''

The E–495–2013 patent family is primarily directed to an isolated T cell receptor (TCR) reactive to HPV 16 E6 antigen in the context of HLA–A*02. Among other applications, the claimed TCR may be useful in the development of engineered adoptive cell therapy products for the treatment of HPV–16 E6-positive cancers in patients who also express HLA–A*02.

Human papillomaviruses (HPV) are a diverse group of viral pathogens which commonly infect humans. While most infections are rapidly cleared by the host, certain HPV (*e.g.,* HPV 16 and 18) may establish chronic infections and are highly associated with the development of cancer. In such cases, cancer formation is facilitated by the sustained activity of certain oncoproteins, chiefly E5, E6 and E7.

E6 is a small (~150 amino acid) protein that promotes malignant transformation primarily through its ability to bind the tumor suppressor p53 in complex with the cellular ubiquitin ligase E6–AP (UBE3A), thereby targeting p53 for proteasomal degradation. Together with the E7 oncoprotein (which inactivates the tumor suppressor pRb), E6 cooperatively drives carcinogenesis in infected cells, and its continued expression is required for maintenance of the transformed phenotype. By virtue of this essential role and its restricted expression to diseased cells, E6 is a recognized therapeutic target.

The prospective exclusive license will be royalty bearing, and the prospective exclusive license may be granted unless within fifteen (15) days from the date of this published notice, the National Cancer Institute receives written evidence and argument that establishes that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR part 404.

In response to this Notice, the public may file comments or objections. Complete applications for a license that are timely filed in response to this notice will be treated as objections to the grant of the contemplated exclusive patent license. Comments and objections, other than those in the form of a license application, will not be treated confidentially, and may be made publicly available.

License applications submitted in response to this Notice will be presumed to contain business confidential information and any release of information in these license applications will be made only as required and upon a request under the Freedom of Information Act, 5 U.S.C. 552.

''This Notice is made in accordance with 35 U.S.C. 209(e) and 37 CFR 404 Authority to grant exclusive licenses.''

Dated: September 11, 2026.

Richard U. Rodriguez,

Associate Director, Technology Transfer Center, National Cancer Institute.

[FR Doc. 2026–18877 Filed 9–14–26; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Institutional Research Training Programs in the Behavioral Health and Population.

Date: October 13–14, 2026.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Janetta Lun, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–4660, *janetta.lun@nih.gov*.

Name of Committee: Cardiovascular and Respiratory Sciences Integrated Review Group; Therapeutic Development and Preclinical Studies Study Section.

Date: October 14–15, 2026.

Time: 9:00 a.m. to 6:30 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Imoh Sunday Okon, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20817, (301) 451–1125, *imoh.okon@nih.gov*.

Name of Committee: Interdisciplinary Molecular Sciences and Training Integrated Review Group; Enabling Bioanalytical and Imaging Technologies Study Section.

Date: October 15–16, 2026.

Time: 9:30 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Kenneth Ryan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3218, MSC 7717, Bethesda, MD 20892, 301–435–0229, *kenneth.ryan@nih.gov*.

Name of Committee: Risk, Prevention and Health Behavior Integrated Review Group; Interdisciplinary Clinical Care in Specialty Care Settings Study Section.

Date: October 15–16, 2026.

Time: 9:30 a.m. to 5:30 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Abu Saleh Mohammad Abdullah, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 827–4043, *abuabdullah.abdullah@nih.gov*.

Name of Committee: Infectious Diseases and Immunology A Integrated Review Group; Viral Pathogenesis and Immunity Study Section.

Date: October 15–16, 2026.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Neerja Kaushik-Basu, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3198, MSC 7808, Bethesda, MD 20892, (301) 435–1742, *kaushikbasun@csr.nih.gov*.

Name of Committee: Population Sciences and Epidemiology Integrated Review Group; Social and Environmental Determinants of Health Study Section.

Date: October 15–16, 2026.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Gheda Khodr Temsah, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 496–8016, *temsahgk@csr.nih.gov*.

Name of Committee: Social and Community Influences on Health Integrated Review Group; Social and Interpersonal Processes of Health Disparities Study Section.

Date: October 15–16, 2026.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Abigail Alexander Haydon, Ph.D., MPH, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Dr., Bethesda, MD 20892, (301) 435–4806, *haydonaba@csr.nih.gov*.

Name of Committee: Social and Community Influences on Health Integrated Review Group; Population Dynamics and Health Study Section.

Date: October 15–16, 2026.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Suzanne Ryan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3139, MSC 7770, Bethesda, MD 20892, (301) 435–1712, *ryansj@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Myalgic Encephalomyelitis/Chronic Fatigue Syndrome.

Date: October 16, 2026.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Aleksey Gregory Kazantsev, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5201, Bethesda, MD 20817, (301) 480–8652, *aleksey.kazantsev@nih.gov*.

Name of Committee: Oncology 2—Translational Clinical Integrated Review Group; Clinical Oncology Study Section.

Date: October 19–20, 2026.

Time: 8:00 a.m. to 6:30 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Bo Hong, Ph.D., BS, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6194, MSC 7804, Bethesda, MD 20892, 301–827–3370, *hongb@csr.nih.gov*.

Name of Committee: Risk, Prevention and Health Behavior Integrated Review Group; Clinical Management in General Care Settings Study Section.

Date: October 19–20, 2026.

Time: 9:00 a.m. to 9:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Jessica Campbell Chambers, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 496–5693, *jessica.chambers@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Health Informatics in Patient Care Services.

Date: October 19–20, 2026.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Shiv A Prasad, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–4377, *shiv.prasad@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: September 10, 2026.

Kuleni D. Onnen,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2026–18821 Filed 9–14–26; 8:45 am]

BILLING CODE 4167–05–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Biological Chemistry and Macromolecular Biophysics Integrated Review Group; Macromolecular Structure and Function A Study Section.

Date: October 15–16, 2026.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Ian Frederick Thorpe, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 903K, Bethesda, MD 20892, (301) 480–8662, *ian.thorpe@nih.gov*.

Name of Committee: Population Sciences and Epidemiology Integrated Review Group; Cardiovascular and Respiratory Diseases Study Section.

Date: October 15–16, 2026.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Raquel L. Velazquez-Kronen, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Dr., Bethesda, MD 20892, (301) 594–0447, *velazquezrl@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Clinical and Therapeutic Research for Developmental Brain Disorders.

Date: October 15–16, 2026.

Time: 10:00 a.m. to 9:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Patricia Manos Kraemer, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5200, MSC 7846, Bethesda, MD 20892, (301) 827–2551, *manospa@csr.nih.gov*.

Name of Committee: Oncology 1—Basic Translational Integrated Review Group; Gene Regulation in Cancer Study Section.

Date: October 19–20, 2026.

Time: 9:30 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Manzoor A. Zarger, Ph.D., Scientific Review Officer, Center for

Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6208, MSC 7804, Bethesda, MD 20892, (301) 435–2477, *zargerma@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Training and Career Development: Brain Development, Aging, and Cognition.

Date: October 20–21, 2026.

Time: 9:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Sindhu Kizhakke Madathil, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–9649, *sindhu.kizhakkemadathil@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Metabolic-Associated Liver Disease

Date: October 20–21, 2026.

Time: 9:00 a.m. to 6:30 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Murali Ganesan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–9448, *murali.ganesan@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Translational and Diagnostic Oncology (R21).

Date: October 20–21, 2026.

Time: 9:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Shree Ram Singh, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (240) 496–3713, *singhshr@mail.nih.gov.*

Name of Committee: Biological Chemistry and Macromolecular Biophysics Integrated Review Group; Macromolecular Structure and Function B Study Section.

Date: October 20–21, 2026.

Time: 9:30 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Alexei A. Yeliseev, Ph.D. Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 443–0552, *yeliseeva@mail.nih.gov.*

Name of Committee: Infectious Diseases and Immunology A Integrated Review Group; Molecular and Cellular Biology of Virus Infection Study Section.

Date: October 20–21, 2026.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Syed Mohammad Moin, Ph.D. Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20817, (301) 402–8530, *syed.moin@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Pathophysiological Basis of Mental Disorders.

Date: October 20–21, 2026.

Time: 10:00 a.m. to 9:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Jingshan Chen, Ph.D. Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Dr., Bethesda, MD 20892, (301) 594–9284, *jingshan.chen@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Musculoskeletal and Oral Sciences.

Date: October 21–22, 2026.

Time: 9:00 a.m. to 9:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Sushmita Purkayastha, Ph.D. Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 451–1138, *sushmita.purkayastha@nih.gov.*

Name of Committee: Oncology 1—Basic Translational Integrated Review Group; Tumor Evolution, Heterogeneity and Metastasis Study Section.

Date: October 21–22, 2026.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Adriana Stoica, Ph.D. Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 443–9734, *Stoicaa2@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: September 10, 2026.

Kuleni D. Onnen,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2026–18826 Filed 9–14–26; 8:45 am]

BILLING CODE 4167–05–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; P01 Program Project: Cancer Research.

Date: October 14–15, 2026.

Time: 9:00 a.m. to 9:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Jennifer Ann Sanders, Ph.D., Scientific Review Officer, Center for Scientific Review, 6701 Rockledge Drive, Bethesda, MD 20892, 301–496–3553, *jennifer.sanders@nih.gov.*

Name of Committee: Emerging Technologies and Training Neurosciences Integrated Review Group; Molecular Neurogenetics Study Section.

Date: October 15–16, 2026.

Time: 8:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Prithi Rajan, Ph.D., Scientific Review Officer, Center for Scientific Review, 6701 Rockledge Drive, Bethesda, MD 20892, 301–594–8206, *prithi.rajan@nih.gov.*

Name of Committee: Surgical Sciences, Biomedical Imaging and Bioengineering Integrated Review Group; Emerging Imaging Technologies and Applications Study Section.

Date: October 15–16, 2026.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Zheng Li, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–3385, *zheng.li3@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Training and Career Development (K Awards).

Date: October 15, 2026.

Time: 9:30 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Steven G. Britt, MD, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Dr., Bethesda, MD 20892, (301) 451–1486, *steve.britt@nih.gov*.

Name of Committee: Integrative, Functional and Cognitive Neuroscience Integrated Review Group; Behavioral Neuroendocrinology, Neuroimmunology, Rhythms, and Sleep Study Section.

Date: October 19–20, 2026.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Simon Peter Peron, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Dr., Room 1009K Bethesda, MD 20892, (301) 594–6236, *peronsp@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Training and Career Development: Health Technology and Methodologies.

Date: October 20–21, 2026.

Time: 9:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892,

Meeting Format: Virtual Meeting.

Contact Person: Michael J. McQuestion, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3114, Bethesda, MD 20892, 301–480–1276, *mike.mcquestion@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Infectious Diseases and Immunology: NIH Collaborative International Research Project Applications (PF5)—Panel B.

Date: October 20, 2026.

Time: 10:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Anuja Mathew, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 435–0389, *anuja.mathew@nih.gov*.

Name of Committee: Biobehavioral and Behavioral Processes Integrated Review Group; Biological Processes and Social-Ecological Factors Study Section (BPSF).

Date: October 20–21, 2026.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Brittany L. Mason-Mah, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1000A, Bethesda, MD 20892, (301) 594–0081, *masonmahbl@mail.nih.gov*.

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group; Human Studies of Diabetes and Obesity Study Section.

Date: October 21, 2026.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Baskaran Thyagarajan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 800B, Bethesda, MD 20892, (301) 594–0331, *baski.thyagarajan@nih.gov*.

Name of Committee: Aging and Neurodegeneration Integrated Review Group; Cellular Mechanisms of Neurodegeneration Study Section.

Date: October 21–22, 2026.

Time: 9:30 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Victor Henriquez, Ph.D., BS Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892–4878, (301) 435–0813, *victor.henriquez@nih.gov*.

Name of Committee: Infectious Diseases and Immunology A Integrated Review Group; Innate Immunity B Study Section.

Date: October 21, 2026.

Time: 10:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Bakary Drammeh, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 805–P, Bethesda, MD 20892, (301) 594–0362, *drammehbs@csr.nih.gov*.

Name of Committee: Cardiovascular and Respiratory Sciences Integrated Review Group; Integrative Myocardial Physiology/Pathophysiology A Study Section.

Date: October 21–22, 2026.

Time: 10:00 a.m. to 6:30 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Abdelouahab Aitouche, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4222, MSC 7814, Bethesda, MD 20892, 301–435–2365, *aitouchea@csr.nih.gov*.

Name of Committee: Integrative, Functional and Cognitive Neuroscience Integrated Review Group; Neuroscience of Basic Visual Processes Study Section.

Date: October 21–22, 2026.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Kirk Thompson, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5184, MSC 7844, Bethesda, MD 20892, 301–435–1242, *kgt@mail.nih.gov*.

Name of Committee: Social and Community Influences on Health Integrated Review Group; Community and Place-Based Determinations of Health Study Section.

Date: October 21–22, 2026.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Maria De Jesus Diaz Perez, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1000G, Bethesda, MD 20892, (301) 496–4227, *diazperezm2@csr.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: September 11, 2026.

Rosalind M. Niamke,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2026–18875 Filed 9–14–26; 8:45 am]

BILLING CODE 4167–05–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer 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 Board of Scientific Counselors, National Cancer Institute.

The meeting will be closed to the public as indicated below in accordance with the provisions set forth in section 552b(c)(6), Title 5 U.S.C., as amended for the review, discussion, and evaluation of individual intramural programs and projects conducted by the National Cancer Institute, including consideration of personnel qualifications and performance, and the competence of individual investigators, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Board of Scientific Counselors, National Cancer Institute.

Date: November 9–10, 2026.

Time: 10:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate personnel qualifications and performance, and competence of individual investigators.

Address: National Institutes of Health, National Cancer Institute, 9609 Medical Center Drive, Rockville, MD 20850.

Meeting Format: Virtual Meeting.

Contact Person: Mehrdad M. Tondravi, Ph.D., Chief Institute Review Office, National Cancer Institute, National Institutes of Health, 9609 Medical Center Drive, Room 2W–464 MSC 9711, Rockville, MD 20852, 240–276–5664, *tondravim@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. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

Information is also available on the Institute's/Center's home page: *https://deainfo.nci.nih.gov/advisory/bsc/index.htm,* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.392, Cancer Construction; 93.393, Cancer Cause and Prevention Research; 93.394, Cancer Detection and Diagnosis Research; 93.395, Cancer Treatment Research; 93.396, Cancer Biology Research; 93.397, Cancer Centers Support Grants; 93.398, Cancer Research Manpower; 93.399, Cancer Control, National Institutes of Health, HHS).

Dated: September 10, 2026.

Kuleni D. Onnen,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2026–18822 Filed 9–14–26; 8:45 am]

BILLING CODE 4167–05–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of Bennett Testing Service, Inc. (Rahway, NJ), as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Bennett Testing Service, Inc. (Rahway, NJ), as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Bennett Testing Service, Inc. (Rahway, NJ), has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of August 28, 2025.

DATES: Bennett Testing Service, Inc. (Rahway, NJ) was approved and accredited as a commercial gauger and laboratory as of August 28, 2025. The next triennial inspection date will be scheduled for August 2028.

FOR FURTHER INFORMATION CONTACT: Robert Harvey, Laboratories and Scientific Services, U.S. Customs and Border Protection, 1331 Pennsylvania Avenue NW, Suite 1501A North, Washington, DC 20004, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Bennett Testing Service, Inc., 1045 E Hazelwood Ave., Rahway, NJ 07065, has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13.

Bennett Testing Service, Inc. (Rahway, NJ), is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
12	Calculation of Petroleum Quantities.
17	Marine Measurement.

Bennett Testing Service, Inc. (Rahway, NJ), is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27–48	D4052	Standard Test Method for Density, Relative Density, and API Gravity of Liquids by Digital Density Meter.

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to *CBPGaugersLabs@cbp.dhs.gov.* Please reference the website listed below for a complete listing of CBP approved gaugers and accredited laboratories. *http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories*

Patricia A. Coleman,

Acting Assistant Commissioner, Laboratories and Scientific Services.

[FR Doc. 2026–18834 Filed 9–14–26; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of Saybolt LP (Deer Park, TX), as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Saybolt LP (Deer Park, TX), as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Saybolt LP (Deer Park, TX), has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of October 29, 2025.

DATES: Saybolt LP (Deer Park, TX), was approved and accredited as a commercial gauger and laboratory as of October 29, 2025. The next triennial inspection date will be scheduled for October 2028.

FOR FURTHER INFORMATION CONTACT: Robert Harvey, Laboratories and Scientific Services, U.S. Customs and Border Protection, 1331 Pennsylvania Avenue NW, Suite 1501A North, Washington, DC 20004, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Saybolt LP, 201 Deerwood Glen Dr., Deer Park, TX 77536, has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13.

Saybolt LP (Deer Park, TX), is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank Gauging.
5	Metering.
7	Temperature Determination.
8	Sampling.
12	Calculation of Petroleum Quantities.
17	Marine Measurement.

Saybolt LP (Deer Park, TX), is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27–01	D287	Standard Test Method for API Gravity of Crude Petroleum and Petroleum Products (Hydrometer Method).
27–02	D1298	Standard Test Method for Density, Relative Density, or API Gravity of Crude Petroleum and Liquid Petroleum Products by Hydrometer Method.
27–03	D4006	Standard Test Method for Water in Crude Oil by Distillation.
27–04	D95	Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation.
27–05	D4928	Standard Test Method for Water in Crude Oils by Coulometric Karl Fischer Titration.
27–06	D473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27–07	D4807	Standard Test Method for Sediment in Crude Oil by Membrane Filtration.
27–08	D86	Standard Test Method for Distillation of Petroleum Products at Atmospheric Pressure.
27–11	D445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids (and Calculation of Dynamic Viscosity).
27–13	D4294	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-ray Fluorescence Spectrometry.
27–14	D2622	Standard Test Method for Sulfur in Petroleum Products by Wavelength Dispersive X-Ray Fluorescence Spectrometry.
27–46	D5002	Standard Test Method for Density, Relative Density, and API Gravity of Crude Oils by Digital Density Analyzer.
27–48	D4052	Standard Test Method for Density, Relative Density, and API Gravity of Liquids by Digital Density Meter.
27–50	D93	Standard Test Methods for Flash-Point by Pensky-Martens Closed Cup Tester.

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to *CBPGaugersLabs@cbp.dhs.gov.* Please reference the website listed below for a complete listing of CBP approved gaugers and accredited laboratories. *http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories*

Patricia A. Coleman,

Acting Assistant Commissioner, Laboratories and Scientific Services.

[FR Doc. 2026–18832 Filed 9–14–26; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Approval of Saybolt LP (Pittsburgh, PA), as a Commercial Gauger

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of approval of Saybolt LP (Pittsburgh, PA), as a commercial gauger.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Saybolt LP (Pittsburgh, PA), has been approved to gauge petroleum and certain petroleum products for customs purposes for the next three years as of September 3, 2025.

DATES: Saybolt LP (Pittsburgh, PA), was approved as a commercial gauger as of September 3, 2025. The next triennial inspection date will be scheduled for September 2028.

FOR FURTHER INFORMATION CONTACT: Robert Harvey, Laboratories and Scientific Services, U.S. Customs and Border Protection, 1331 Pennsylvania Avenue NW, Suite 1501A North, Washington, DC 20004, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.13, that Saybolt LP, 100 McNeilly Road, Pittsburgh, PA 15226, has been approved to gauge petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.13.

Saybolt LP (Pittsburgh, PA) is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
12	Calculation of Petroleum Quantities.
17	Marine Measurement.

Anyone wishing to employ this entity to conduct gauger services should request and receive written assurances from the entity that it is approved by the U.S. Customs and Border Protection to conduct the specific gauger service requested. Alternatively, inquiries regarding the specific gauger service this entity is approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to *CBPGaugersLabs@cbp.dhs.gov*. Please reference the website listed below for a complete listing of CBP approved gaugers and accredited laboratories. *http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories*

Patricia A. Coleman,

Acting Assistant Commissioner, Laboratories and Scientific Services.

[FR Doc. 2026–18833 Filed 9–14–26; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID: FEMA–2026–0265; OMB No. 1660–0009]

Agency Information Collection Activities: Submission for OMB Review, Comment Request; The Declaration Process: Requests for Preliminary Damage Assessment (PDA), Requests for Supplemental Federal Disaster Assistance, Appeals, and Requests for Cost Share Adjustments.

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: 30-Day notice of extension and request for comments.

SUMMARY: The Federal Emergency Management Agency (FEMA) will submit the information collection abstracted below to the Office of Management and Budget for review and clearance in accordance with the requirements of the Paperwork Reduction Act of 1995. FEMA invites the general public to take this opportunity to comment on an extension of a currently approved information collection. In accordance with the requirements of the Paperwork Reduction Act of 1995, this notice seeks comments concerning the Declaration Process: Requests for Preliminary Damage Assessment (PDA), Requests for Supplemental Federal Disaster Assistance, Appeals, and Requests for Cost Share Adjustments collection. This collection allows states and Tribes to request a major disaster or emergency declaration.

DATES: Comments must be submitted on or before October 15, 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: Requests for additional information or copies of the information collection should be made to Director, Information Management Division, 500 C Street SW, Washington, DC 20472, email address *FEMA-Information-Collections-Management@fema.dhs.gov* or Dean Webster, Declaration Section, Federal Emergency Management Agency at (202) 646–2833 or *Dean.Webster@fema.dhs.gov.*

SUPPLEMENTARY INFORMATION: Under Sections 401 and 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) (42 U.S.C 5170 and 5191), if a state or Tribe is impacted by an event of the severity and magnitude that is beyond its response capabilities, the state Governor or Chief Executive may seek a declaration by the President that a major disaster or emergency exists. Any major disaster or emergency request must be submitted through FEMA, which evaluates the request and makes a recommendation to the President about what response action to take. If the major disaster or emergency declaration request is granted, the state or Tribe may be eligible to receive assistance under 42 U.S.C. 5170a–5170c; 5172–5186; 5189c–5189d; and 5192. A state or Tribe may appeal denials of a major disaster or emergency declaration request for determinations under section 44 CFR 206.46 and seek an adjustment to the cost share percentage under section 44 CFR 206.47. FEMA is extending the currently approved information collection.

This proposed information collection previously published in the **Federal Register** on June 1, 2026, at 91 FR 32409 with a 60-day public comment period. One comment was received, but the comments were not germane to this information collection as they detailed several programmatic issues with the damage assessment process and program evaluation factors. Those comments will be reviewed and considered outside the renewal process. The purpose of this notice is to notify the public that FEMA will submit the information collection abstracted below to the Office of Management and Budget for review and clearance.

Collection of Information

Title: The Declaration Process: Requests for Preliminary Damage Assessment (PDA), Requests for Supplemental Federal Disaster Assistance, Appeals, and Requests for Cost Share Adjustments.

Type of Information Collection: Extension of a currently approved information collection.

OMB Number: 1660–0009.

FEMA Forms: FEMA Form FF–104–FY–22–232 (formerly 010–0–13), Request for Presidential Disaster Declaration Major Disaster or Emergency.

Abstract: When a disaster occurs, the Governor of the state or the Chief Executive of an affected Indian tribal government may request a major disaster declaration or an emergency declaration. The Governor or Chief Executive should submit the request to the President through the appropriate Regional Administrator to ensure prompt acknowledgement and processing. The information obtained by joint Federal, state, and local preliminary damage assessments will be analyzed by FEMA regional senior level staff. The regional summary and the regional analysis and recommendation will include a discussion of state and local resources and capabilities, and other assistance available to meet the disaster related needs. The Administrator of FEMA provides a recommendation to the President and also provides a copy of the Governor's or Chief Executive's request. In the event the information required by law is not contained in the request, the Governor's or Chief Executive's request cannot be processed and forwarded to the White House. In the event the Governor's or Chief Executive's request

for a major disaster declaration or an emergency declaration is not granted, the Governor or Chief Executive may appeal the decision.

Affected Public: State, Local or Tribal Government.

Estimated Number of Respondents: 140.

Estimated Number of Responses: 240.

Estimated Total Annual Burden Hours: 4,040.

Estimated Total Annual Respondent Cost: $241,886.

Estimated Respondents' Operation and Maintenance Costs: $0.

Estimated Respondents' Capital and Start-Up Costs: $0.

Estimated Total Annual Cost to the Federal Government: $9,942,947.

Comments

Comments may be submitted as indicated in the **ADDRESSES** caption above. Comments are solicited to (a) evaluate whether the proposed data collection is necessary for the proper performance of the Agency, including whether the information shall have practical utility; (b) evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Nigel S. Allicock,

Records Management Branch Chief, Office of the Chief Administrative Officer, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. 2026–18784 Filed 9–14–26; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7110–N–14; OMB Control No.: 2502–0041]

60-Day Notice of Proposed Information Collection: Multifamily Delinquency and Default Reporting System

AGENCY: Office of the Assistant Secretary for 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 November 16, 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,* or telephone (202) 402–4144. 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 supporting documents for the proposed collection 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: Multifamily Delinquency and Default Reporting System.

OMB Approval Number: 2502–0041.

OMB Expiration Date: July 31, 2026.

Type of Request: Revision of a currently approved collection.

Form Number: N/A.

Description of the need for the information and proposed use: The regulations at 24 CFR 207.256, 207.256a, and 207.258 require a mortgagee to notify HUD when a mortgage payment is in default (more than 30 days past due), when a mortgagee has reinstated a loan, and to submit an election to assign a defaulted loan to HUD within a specified timeframe from the date of default. Regulation 24 CFR part 200 Subpart B requires lenders to submit delinquency, default, election to assign, and other related loan information statuses electronically to HUD. Lenders previously used the HUD–92426 form for these submissions, however, with the implementation of the regulation requiring electronic notification, the Multifamily Delinquency and Default Reporting System (MDDR) was established to replace the paper form HUD–92426. HUD uses the information as an early warning mechanism to work with project owners and lenders to develop a plan that will reinstate a loan and avoid an insurance claim. It also provides HUD staff with a mechanism for mortgagee compliance with HUD's loan servicing procedures and assignments.

Respondents: Respondents are FHA-approved multifamily lenders (business or other for-profit).

Estimated Number of Respondents: 400.

Estimated Number of Responses: 2,400.

Frequency of Response: 1 per year.

Average Hours per Response: 30 minutes.

Total Estimated Burdens: 1,200 hours.

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. 2026–18824 Filed 9–14–26; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7110–N–10; OMB Control No. 2502–0423]

60-Day Notice of Proposed Information Collection: Single Family Premiums Collections Subsystem—Upfront

AGENCY: Office of the Assistant Secretary for 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 November 16, 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 supporting documents for the proposed collection 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: Single Family Premiums Collections Subsystem-Upfront.

OMB Approval Number: 2502–0423.

Type of Request: Revision.

Form Number: N/A.

Description of the need for the information and proposed use: Single Family Premiums Collections Subsystem—Upfront (SFPCS–U) strengthens HUD's ability to manage and process upfront single-family mortgage insurance premium collections and corrections to submit data. It also improves data integrity for the Single Family Mortgage Insurance Program. FHA approved lenders use Automated Clearing House (ACH) applications for all transmissions with SFPCS–U. The collection of information is used to update HUD's Single Family Insurance System. The information collection is also used in calculating refunds due to former mortgagors of a portion of the unearned upfront mortgage insurance payment if mortgage insurance is terminated by conveyance to someone other than FHA and a claim for insurance is not presented for payment, by prepayment of the mortgage, or by voluntary agreement with FHA approval. Without this information the premium collection/monitoring process would be severely impeded, and program data would be unreliable. In general, lender respondents use the ACH applications to remit the upfront premium through SFPCS–U to obtain mortgage insurance.

Refund of one-time payment set forth by 24 CFR 203.283:

(a) The Commissioner shall provide for the refund to the mortgagor of a portion of the unearned MIP paid pursuant to § 203.280 if the contract of insurance covering the mortgage is terminated:

(1) By conveyance to one other than the Commissioner and a claim for the insurance benefits is not presented for payment (§ 203.315),

(2) By prepayment of the mortgage (§ 203.316), or

(3) By voluntary agreement with the approval of the Commissioner (§ 203.317).

(b) The Commissioner shall determine the amount of the premium refund by multiplying the amount the premium paid at the time the mortgage was insured by the applicable premium refund percentage for mortgages insured in the year the mortgage was endorsed for insurance. The Commissioner shall determine the applicable premium refund percentage for each year in an equitable manner and in accordance with sound financial and actuarial practice, taking into account:

(1) Projected salaries and expenses,

(2) prospective losses generated by insurance claims, and

(3) expected future payments of premium refunds.

Respondents: FHA approved lenders.

Estimated Number of Respondents: 1,080.

Estimated Number of Responses: 26,752.

Frequency of Response: 24.77.

Average Hours per Response: .15.

Total Estimated Burdens: $224,672.

Information collection	Number of respondents	Frequency of response	Responses per annum	Burden hour per response	Annual burden hours	Hourly cost per response	Annual cost
Single Family Premiums Collections Subsystem-Upfront	1,080	24.77	26,752	.15	4,012	$56	$224,672

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. 2026–18827 Filed 9–14–26; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–HQ–IA–2026–3070; FXIA16710900000–267–FF09A30000]

Foreign Endangered Species; Receipt of Permit Applications

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of permit applications; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), invite the public to comment on applications to conduct certain activities with foreign species that are listed as endangered under the Endangered Species Act (ESA). With some exceptions, the ESA prohibits activities with listed species unless Federal authorization is issued that allows such activities. The ESA also requires that we invite public comment before issuing permits for any activity otherwise prohibited by the ESA with respect to any endangered species.

DATES: Comments will be accepted on or before October 15, 2026. Comments submitted electronically using the Federal eRulemaking Portal (see **ADDRESSES**, below) must be received by 11:59 p.m. eastern time on the closing date.

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

ADDRESSES: Comment submission: All submissions must include the docket number FWS–HQ–IA–2026–3070 for this document. You must submit comments using one of the following methods:

- *Electronic submission:* Federal eRulemaking Portal at: *https://www.regulations.gov.* In the Search box, enter FWS–HQ–IA–2026–3070, which is the docket number for this action. Then click the Search button. On the resulting page, you may submit a comment by clicking on ''Comment.'' Please ensure that you have found the correct document before submitting your comments.
- *U.S. mail:* Public Comments Processing, Attn: Docket No. FWS–HQ–IA–2026–3070, Policy and Regulations Branch, U.S. Fish and Wildlife Service, MS: PRB (JAO/3W), 5275 Leesburg Pike, Falls Church, VA 22041–3803.

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

We will post all comments at *https://www.regulations.gov.* You may request that we withhold personal identifying information from public review; however, we cannot guarantee that we will be able to do so.

For more information, see Public Comment Procedures under **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Timothy MacDonald, by phone at 703–358–2185 or via email at *DMAFR@fws.gov.* Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION:

I. Background

To help us carry out our conservation responsibilities for affected species, and in consideration of section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), we invite public comments on permit applications before final action is taken. With some exceptions, the ESA prohibits certain activities with listed species unless Federal authorization is issued that allows such activities. Permits issued under section 10(a)(1)(A) of the ESA allow otherwise prohibited activities for scientific purposes or to enhance the propagation or survival of the affected species. Service regulations regarding prohibited activities with endangered species, captive-bred wildlife registrations, and permits for any activity otherwise prohibited by the ESA with respect to any endangered species are available in title 50 of the Code of Federal Regulations in part 17.

II. Permit Applications

We invite comments on the following applications.

Applicant: Houston Zoo, Houston, TX; Permit No. PER34597820

The applicant requests a permit to export one live, captive-born Komodo Island monitor (*Varanus komodoensis*) to Calgary Zoo, Alberta, Canada, for the purpose of enhancing the propagation or survival of the species. This notification is for a single export.

Applicant: Columbus Zoo and Aquarium, Powell, OH; Permit No. PER30305836

On May 11, 2026, we published a **Federal Register** notice inviting the public to comment on an application for a permit to conduct certain activities with Endangered species (91 FR 25593). We are now reopening the comment period for the import of three live captive-born pygmy chimpanzees (*Pan paniscus*) from Belgium for the purpose of enhancing the propagation or survival of the species. This notification is for a single import.

Applicant: Midwestern University, Glendale, AZ; Permit No. PER29395039

On May 11, 2026, we published a **Federal Register** notice inviting the public to comment on an application for a permit to conduct certain activities with endangered species (91 FR 25593). We are now reopening the comment period for the import of biological samples collected from wild mantled howler monkey (*Alouatta palliata*) and wild red-backed squirrel monkey (*Saimiri oerstedii*) for the purpose of scientific research. This notification is for a single import.

Applicant: Meyers Ranch LLC, El Paso, TX; Permit No. PER34533558

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for the following species, to enhance the propagation or survival of

the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Common name	Scientific name
Arabian oryx	*Oryx leucoryx.*

Applicant: National Aviary in Pittsburgh, Pittsburgh, PA; Permit No. PER34649881

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for the following species, to enhance the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Common name	Scientific name
African penguin	*Spheniscus demersus.*
Andean condor	*Vultur gryphus.*
Blue-billed curassow	*Crax alberti.*
Cabot's tragopan pheasant.	*Tragopan caboti.*
Red siskin	*Carduelis cucullata.*
Rothschild's (myna) starling.	*Leucopsar rothschildi.*

Applicant: Meyers Ranch LLC, El Paso, TX; Permit No. PER34533557

The applicant requests a permit authorizing the culling of excess specimens from the following species from the captive herd maintained at their facility, to enhance the species' propagation and survival. This notification covers activities to be conducted by the applicant over a 5-year period.

Common name	Scientific name
Arabian oryx	*Oryx leucoryx.*

Multiple Trophy Applicants

The following applicants request permits to import sport-hunted trophies of male bontebok (*Damaliscus pygargus pygargus*) culled from a captive herd from the Republic of South Africa, for the purpose of enhancing the propagation or survival of the species.

- *Applicant:* Richard Colter Calderwood, Liberty Hill, TX; Permit No. PER34938259
- *Applicant:* Terry Reinke, Longmont, CO; Permit No. PER34947683
- *Applicant:* Brett Wiggs, Hamilton, TX; Permit No. PER34949139
- *Applicant:* Brian Thomas Spielmann, Hayward, WI; Permit No. PER34950820
- *Applicant:* Lesley Hathaway, Portland, IN; Permit No. PER34952786
- *Applicant:* Edgar DeHart Jr., Galax, VA; Permit No. PER34955610

III. Public Comment Procedures

A. How do I comment on submitted applications?

We invite the public and local, State, Tribal, and Federal agencies to comment on these applications. Before issuing any of the requested permits, we will take into consideration any information that we receive during the public comment period.

You may submit your comments and materials by one of the methods in **ADDRESSES**. We will not consider comments sent by email or to an address not in **ADDRESSES**. We will not consider or include in our administrative record comments we receive after the close of the comment period (see **DATES**).

When submitting comments, please specify the name of the applicant and the permit number at the beginning of your comment. Provide sufficient information to allow us to authenticate any scientific or commercial data you include. The comments and recommendations that will be most useful and likely to influence agency decisions are: (1) Those supported by quantitative information or studies; and (2) those that include citations to, and analyses of, the applicable laws and regulations.

B. May I review comments submitted by others?

You may view and comment on others' public comments at *https://www.regulations.gov* unless our allowing so would violate the Privacy Act (5 U.S.C. 552a) or Freedom of Information Act (5 U.S.C. 552).

C. Who will see my comments?

If you submit a comment at *https://www.regulations.gov,* your entire comment, including any personal identifying information, will be posted on the website. If you submit a hardcopy comment that includes personal identifying information, such as your address, phone number, or email address, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. Moreover, all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

IV. Next Steps

After the comment period closes, we will make decisions regarding permit issuance. If we issue permits to any of the applicants listed in this notice, we will publish a notice in the **Federal Register**. You may locate the notice announcing the permit issuance by searching *https://www.regulations.gov* for the permit number listed above in this document. For example, to find information about the potential issuance of Permit No. 12345A, you would go to *regulations.gov* and search for ''12345A''.

V. Authority

We issue this notice under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and its implementing regulations.

Scott Carleton,

Acting Branch Chief, Branch of Permits, Division of Management Authority, U.S. Fish and Wildlife Service.

[FR Doc. 2026–18845 Filed 9–14–26; 8:45 am]

BILLING CODE 4333–15–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–769–770 and 731–TA–1752–1754 (Final)]

Steel Concrete Reinforcing Bar From Bulgaria, Egypt, and Vietnam; Determinations

On the basis of the record [1] developed in the subject investigations, the United States International Trade Commission (''Commission'') determines, pursuant to the Tariff Act of 1930 (''the Act''), that an industry in the United States is materially injured by reason of imports of steel concrete reinforcing bar (''rebar'') from Bulgaria, Egypt, and Vietnam, provided for in 7213.10.00, 7214.20.00, and 7228.30.80 of the Harmonized Tariff Schedule of the United States, that have been found by the U.S. Department of Commerce (''Commerce'') to be sold in the United States at less than fair value (''LTFV'') and subsidized by the governments of Egypt and Vietnam.[2] [3]

Background

The Commission instituted these investigations effective June 4, 2025, following receipt of a petition filed with the Commission and Commerce by Rebar Trade Action Coalition, Washington, DC. The Commission scheduled the final phase of the investigations following a preliminary

[1] The record is defined in § 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

[2] 91 FR 48063–4808 (July 30, 2026).

[3] Commissioners Thanhauser and Foley not participating.

determination by Commerce that imports of rebar from Algeria were being sold in the LTFV within the meaning of section 733(b) of the Act (19 U.S.C. 1673b(b)). Commerce's preliminary determinations with respect to rebar from Bulgaria, Egypt, and Vietnam alleged to be sold in the United States at less than fair value and with respect to rebar alleged to be subsidized by the Governments of Algeria, Egypt, and Vietnam were pending at that time. Notice of the scheduling of the final phase of the Commission's investigations and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of December 30, 2025 (90 FR 61166). All persons who requested the opportunity were permitted to participate.

The investigation schedules became staggered when Commerce did not postpone the determinations for investigations on rebar from Algeria and reached an earlier antidumping duty determination (91 FR 11035, March 6, 2026) and countervailing duty determination (91 FR 14808, March 27, 2026). On April 17, the Commission issued a final affirmative determination in its antidumping duty investigation of rebar from Algeria (91 FR 21510, April 22, 2026). The Commission closed its countervailing duty investigation of rebar from Algeria (91 FR 29504, May 20, 2026) because USTR had advised the Commission of its determination that Algeria is not a Subsidies Agreement country.

Following notification of a final determination by Commerce that imports of rebar from Egypt and Vietnam were subsidized within the meaning of section 703(b) of the Act (19 U.S.C. 1671b(b)) and imports of rebar from Bulgaria, Egypt, and Vietnam were being sold at LTFV within the meaning of section 735(a) of the Act (19 U.S.C. 1673d(a)), notice of the supplemental scheduling of the final phase of the Commission's countervailing duty and antidumping duty investigations were given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of August 6, 2026 (91 FR 50893, August 6, 2026).

The Commission made these determinations pursuant to § 735(b) of the Act (19 U.S.C. 1673d(b)). It completed and filed its determinations in these investigations on September 11, 2026. The views of the Commission are contained in USITC Publication 5786 (September 2026), entitled Steel Concrete Reinforcing Bar from Bulgaria, Egypt, and Vietnam: *Investigation Nos. 701–TA–769–770 and 731–TA–1752–1754 (Final).*

By order of the Commission.

Issued: September 11, 2026.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2026–18903 Filed 9–14–26; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Federal Bureau of Investigation

Meeting of the Compact Council for the National Crime Prevention and Privacy Compact

AGENCY: Federal Bureau of Investigation, Department of Justice.

ACTION: Meeting notice.

SUMMARY: The purpose of this notice is to announce a meeting of the National Crime Prevention and Privacy Compact Council (Council) created by the National Crime Prevention and Privacy Compact Act of 1998 (Compact).

DATES: The Council will meet in open session from 9 a.m. (EST) until 5 p.m. (EST) on November 5, 2026.

ADDRESSES: The meeting will take place at the DoubleTree by Hilton Hotel, 5780 Major Boulevard, Orlando, Florida 32819.

FOR FURTHER INFORMATION CONTACT: Inquiries may be addressed to Mr. R. Scott Trent, acting FBI Compact Officer, Biometric Technology Center, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306, telephone 304–625–2803.

SUPPLEMENTARY INFORMATION: Thus far, the Federal Government and 37 states are parties to the Compact which governs the exchange of criminal history records for licensing, employment, immigration and naturalization matters, and similar noncriminal justice purposes. The Compact also provides a legal framework for the establishment of a cooperative federal-state system to exchange such records.

The United States Attorney General appointed 15 persons from state and federal agencies to serve on the Council. The Council will prescribe system rules and procedures for the effective and proper operation of the Interstate Identification Index system for noncriminal justice purposes.

Matters for discussion are expected to include:

(1) Proposed Changes to the Outsourcing of Noncriminal Justice Administrative Functions Guide for State Agencies

(2) Proposed Changes to the Outsourcing of Noncriminal Justice Administrative Functions Guide for Federal Agencies

(3) Proposed Updates to the Security and Management Control Outsourcing Standard for Channeling

The meeting will be conducted with a blended participation option. The meeting will be open to the public on a first-come, first-serve basis. Virtual participation options are available. To register for participation, individuals must provide their name, city, state, phone, email address and agency/organization to *compactoffice@fbi.gov* by October 20, 2026. Individuals registering for participation must note their preference of in-person or virtual participation. Information regarding virtual participation will be provided prior to the meeting to registered individuals attending virtually.

Any member of the public wishing to file a written statement with the Council or wishing to address this session of the Council should notify the acting FBI Compact Officer, Mr. R. Scott Trent at *compactoffice@fbi.gov,* at least 7 days prior to the start of the session. The notification should contain the individual's name and corporate designation, consumer affiliation, or government designation, along with a short statement describing the topic to be addressed and the time needed for the presentation. Individuals will ordinarily be allowed up to 15 minutes to present a topic. The Compact Officer will compile all requests and submit to the Compact Council for consideration.

Individuals requiring special accommodations should contact Mr. Trent at *compactoffice@fbi.gov* no later than October 20, 2026. Please note all personal registration information may be made publicly available through a Freedom of Information Act request.

R. Scott Trent,

Acting FBI Compact Officer, Criminal Justice Information Services Division, Federal Bureau of Investigation.

[FR Doc. 2026–18823 Filed 9–14–26; 8:45 am]

BILLING CODE 4410–02–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Comprehensive Environmental Response, Cleanup, and Liability Act

On September 10, 2026, the Department of Justice lodged a proposed

consent decree with the United States District Court for the District of New Jersey in the lawsuit entitled *United States* v. *Environmental Resource Holdings, LLC,* Civil Action No. 2:26–cv–11675.

The United States filed this lawsuit on behalf of the Environmental Protection Agency (''EPA'') under the Comprehensive Environmental Response, Cleanup, and Liability Act, 42 U.S.C. 9601 *et seq.* In its complaint, the United States seeks the performance of initial remedial work for Operable Units 2 and 4 of the Diamond Alkali Superfund Site in New Jersey. The proposed consent decree requires the defendant to perform this work, which includes construction of an upland processing facility and several upland support facilities that would enable dredging and capping work in the Lower Passaic River. The construction includes a facility to handle sediment dredged from the river before it is sent for off-site disposal. The upland support facilities would provide land and infrastructure needed to support future in-river construction work. The defendant will also sample the lower 8.3 miles of the river to establish a baseline and reimburse EPA for future oversight costs related to this work.

The publication of this notice opens a period for public comment on the proposed consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States* v. *Environmental Resource Holdings, LLC,* D.J. Ref. No. 90–11–3–07683/20. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	*Send them to:*
By email	*pubcomment-ees.enrd@usdoj.gov.*
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Any comments submitted in writing may be filed by the United States in whole or in part on the public court docket without notice to the commenter.

During the public comment period, the proposed consent decree may be examined and downloaded at this Justice Department website: *https://www.justice.gov/enrd/consent-decrees.* If you require assistance accessing the proposed consent decree, you may request assistance by email or by mail to the addresses provided above for submitting comments.

Eric D. Albert,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2026–18847 Filed 9–14–26; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under CERCLA

On September 9, 2026, the Department of Justice lodged a proposed Consent Decree between the United States and Goldcorp USA, Inc., Goldcorp, Inc., Glamis Rand Mining Company, New Verde Mines, LLC, and Yellow Aster Mining and Milling Company (''Settling Defendants'') with the United States District Court for the Eastern District of California in a case entitled *United States* v. *Goldcorp USA, Inc., et al.*, No. 1:26–cv–07260–JLT–HBK.

The proposed Consent Decree resolves claims for response costs under Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, (''CERCLA''), 42 U.S.C. 9607, against Settling Defendants for the recovery of response costs incurred by the United States in connection with releases or threatened releases of hazardous substances into the environment at or from the Site known as the Rand Historic Mining Complex, in Kern County and San Bernardino County, California (the ''Site'').

Under the proposed Consent Decree, Defendants will pay $5 million in exchange for a covenant not to sue for the Site from the United States, among other terms.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Energy and Natural Resources Division, and should refer to *United States* v. *Goldcorp USA, Inc., et al.*, No. 1:26–cv–07260–JLT–HBK, DJ. Ref. No. #90–11–3–11824. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	*Send them to:*
By email	*pubcomment-ees.enrd@usdoj.gov.*
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

The Consent Decree provides a covenant not to sue under Section 7003 of the Resource Conservation and Recovery Act (''RCRA''), 42 U.S.C. 6973. Under Section 7003(d) of RCRA, a commenter may request an opportunity for a public meeting in the affected area. Any comments submitted in writing or at a public meeting may be filed by the United States in whole or in part on the public court docket without notice to the commenter.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department website: *https://www.justice.gov/enrd/consent-decrees.* If you require assistance accessing the website, you may request assistance by email or by mail to the addresses provided above for submitting comments.

Scott Bauer,

Assistant Section Chief, Environmental Enforcement Section, Energy and Natural Resources Division.

[FR Doc. 2026–18820 Filed 9–14–26; 8:45 am]

BILLING CODE 4410–15–P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

[NARA–2026–041]

Freedom of Information Act (FOIA) Advisory Committee: Solicitation of Nominations

AGENCY: Office of Government Information Services (OGIS), National Archives and Records Administration (NARA).

ACTION: Solicitation for Committee member nominations.

SUMMARY: NARA renewed the charter for the Freedom of Information Act (FOIA) Advisory Committee (Committee) for a seventh term on April 24, 2026, and sought nominations for membership to serve on the 2026–2028 term of the Committee. While NARA awaited Senate confirmation of a permanent Archivist of the United States, it placed the nominations for new Committee members on hold. Dr. Bradford P. Wilson was sworn in as the 12th Archivist of the United States on August 21, 2026. As a result, NARA is re-opening the nomination period.

DATES: We must receive nominations for Committee members on or before October 26, 2026. Nominations previously submitted by the June 1, 2026, deadline do not need to be resubmitted.

ADDRESSES: Email nominations to OGIS at *foia-advisory-committee@nara.gov.* If you are unable to submit by email, please contact Kirsten Mitchell at the contact information below.

FOR FURTHER INFORMATION CONTACT: Kirsten Mitchell by email at *foia-advisory-committee@nara.gov,* or by telephone at 202.741.5770.

SUPPLEMENTARY INFORMATION:

Background

The National Archives and Records Administration (NARA) established the Freedom of Information Act (FOIA) Advisory Committee (Committee) to foster dialogue between the Administration and the requester community, solicit public comments, and develop recommendations for improving the FOIA process. Committee members represent a wide variety of stakeholders in the FOIA community, inside and outside of government, and the Committee serves as a deliberative body to advise the Archivist of the United States on improvements to FOIA administration. The Committee's work helps the Office of Government Information Services (OGIS) fulfill the directive in FOIA, 5 U.S.C. 552(h)(2)(C), that the OGIS within NARA ''identify procedures and methods for improving compliance'' with FOIA. The Committee is governed by the provisions of the Federal Advisory Committee Act, as amended, 5 U.S.C. 1001–1014.

II. Charter and Membership Appointment Terms

NARA initially chartered the Committee on May 20, 2014. NARA determined that renewing the Committee is in the public interest.

III. Committee Membership

The 2026–2028 FOIA Advisory Committee will consist of no more than 20 individuals who will include a range of Government and non-Government representatives. Members are selected in accordance with the charter. Considerations when making appointments will include geographic breadth; various sizes of companies or organizations to be represented; and representation from a variety of fields of business and industry, academic institutions, non-profit and non-governmental organizations, and other stakeholders in accordance with the charter.

Government members will include, at a minimum: Three FOIA professionals from Cabinet-level Departments; three FOIA professionals from non-Cabinet agencies; the director of the Department of Justice's Office of Information Policy (OIP) or the OIP Director's designee; and the Director of OGIS or the OGIS Director's designee.

Non-Governmental members will include, at a minimum: Two individuals representing the interests of non-Governmental organizations that advocate on FOIA matters; one individual representing the interests of FOIA requesters who qualify for the ''all other'' FOIA requester fee category; one individual representing the interests of requesters who qualify for the ''news media'' FOIA requester fee category; one individual representing the interests of requesters who qualify for the ''commercial'' FOIA requester fee category; one individual representing the interests of historians and history-related organizations; and one individual representing the interests of academia.

IV. Committee Members' Responsibilities

All Committee members are expected to attend a minimum of 10 public meetings during the two-year Committee term. Meetings will be held virtually with some in-person meetings possible. All Committee members are expected to volunteer for one or more working subcommittees that will meet at various times during the two-year term. Meeting notices will be published in the **Federal Register**.

V. Nomination Information

All nominations for Committee membership must include the following information:

1. *If you are self-nominating:* Your name, title, relevant contact information (including telephone and email address), and the representative role for which you wish to be considered;

2. *If you are nominating another individual:* The nominee's name, title, and relevant contact information, and the Committee position for which you are submitting the nominee;

3. *For both self-nominations and nominations by other individuals:* (a) A short paragraph or biography about the nominee (fewer than 250 words), summarizing their resumé or otherwise highlighting the contributions the nominee would bring to the Committee; and (b) the nominee's resumé or curriculum vitae.

Nominations selected for appointment to the Committee will be notified in writing prior to the first Committee meeting of the seventh term. Meeting notices will be published in the **Federal Register**.

Merrily Harris,

Committee Management Officer.

[FR Doc. 2026–18862 Filed 9–14–26; 8:45 am]

BILLING CODE 7515–01–P

NEIGHBORHOOD REINVESTMENT CORPORATION

Sunshine Act Meetings

TIME AND DATE: 2:00 p.m., Thursday, September 17, 2026.

PLACE: via ZOOM.

STATUS: Parts of this meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Annual Board of Directors meeting.

The General Counsel of the Corporation has certified that in her opinion, one or more of the exemptions set forth in the Government in the Sunshine Act, 5 U.S.C. 552b(c)(2) permit closure of the following portion(s) of this meeting:

- Executive (Closed) Session

Agenda

I. Call to Order
II. Action Item: Resolution To Elect a Temporary Board Chair
III. Sunshine Act Approval of Executive (Closed) Session
IV. Executive Session: CEO Report
V. Executive Session: CFO Report
VI. Executive Session: Corporate Officer Compensation Review
VII. Action Item: Approval of Meeting Minutes for April 16, 2026 Regular Board Meeting
VIII. Action Item: Recognition of Service for former OCC Chief of Staff and Senior Deputy Comptroller Kate Tyrrell
IX. Action Item: Recognition of Service for former NCUA Chairman Kyle Kauptman
X. Action Item: Election of Corporate Officers
XI. Action Item: Revision to Corporate Bylaws Article II Regarding Timing and Frequency of Board Meetings; Article III, Regarding Establishment of an Audit Advisory Committee; and Article IX, Reducing the Requirements for Changes to the Corporate Bylaws
XII. Action Item: Approval of Amended Audit Committee Charter
XIII. Action Item: Approval of an Audit Advisory Committee Charter
XIV. Action Item: Revision to the Delegation of Authority Policy

Authorizing the President & CEO to Approve and Execute Master Investment Agreements
XV. Action Item: Acceptance of Internal Audit Review—Corporate Codes of Conduct: Conflict of Interest/ Whistleblower Policies, Anon. Reporting Systems
XVI. Action item: Acceptance of Internal Audit Review—Housing Stability Counseling Program—Quality Control and Compliance
XVII. Action Item: Acceptance of Internal Audit Review—Procure-to-Pay (P2P)
XVIII. Action Item: Acceptance of Internal Audit Review—Procurement Process—Internal Controls
XIX. Discussion Item: FY26 External Audit Presentation—CliftonLarsonAllen
XX. Discussion Item: FY27 Preliminary Spend Plan
XXI. Discussion Item: Annual Ethics Review
XXII. Management Program Background and Updates
a. General Counsel Report
b. CIO Report
c. CAE Report
d. CFO Report
i. Financials (through 3/31/26)
ii. Single Invoice Approvals $100K and over
iii. Vendor Payments $350K and Over
e. FY25–FY27 SP Scorecard—Q2
f. Grants to Capital Corporations
g. 2026 Board Calendar
h. 2026 Board Agenda Planner

PORTIONS OPEN TO THE PUBLIC: Everything except the Executive (Closed) Session.

PORTIONS CLOSED TO THE PUBLIC: Executive (Closed) Session.

CONTACT PERSON FOR MORE INFORMATION: Jenna Sylvester, Paralegal, (202) 568–2560; *jsylvester@nw.org.*

Jenna Sylvester,

Paralegal.

[FR Doc. 2026–18803 Filed 9–11–26; 11:15 am]

BILLING CODE 7570–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2026–4390]

Biweekly Notice; Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving no Significant Hazards Considerations

AGENCY: Nuclear Regulatory Commission.

ACTION: Biweekly notice.

SUMMARY: Pursuant to section 189a.(2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (NRC) is publishing this regular biweekly notice. The Act requires the Commission to publish notice of any amendments issued, or proposed to be issued, and grants the Commission the authority to issue and make immediately effective any amendment to an operating license or combined license, as applicable, upon a determination by the Commission that such amendment involves no significant hazards consideration (NSHC), notwithstanding the pendency before the Commission of a request for a hearing from any person.

DATES: Comments must be filed by October 15, 2026. A request for a hearing or petitions for leave to intervene must be filed by November 16, 2026. This biweekly notice includes all amendments issued, or proposed to be issued, from August 18, 2026, to August 31, 2026. The last biweekly notice was published on September 1, 2026.

ADDRESSES: You may submit comments by any of the following; however, the NRC encourages electronic comment submission through the Federal rulemaking website.

- *Federal rulemaking website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2026–4390. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301–415–1003; email: *Bridget.Curran@nrc.gov*. For technical questions, contact the individual(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *Mail comments to:* Office of Nuclear Material Safety and Safeguards, Mail Stop: TWFN–5–A85, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, ATTN: Guidance and Publications Branch.

For additional direction on obtaining information and submitting comments, see ''Obtaining Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Susan Lent, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–1365; email: *Susan.Lent@NRC.gov*.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2026–4390, facility name, unit number(s), docket number(s), application date, and subject when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2026–4390.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html*. To begin the search, select ''Begin ADAMS Public Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to *PDR.Resource@nrc.gov*. For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the ''Availability of Documents'' section.
- *NRC's PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. Eastern Time (ET), Monday through Friday, except Federal holidays.

B. Submitting Comments

The NRC encourages electronic comment submission through the Federal rulemaking website (*https://www.regulations.gov*). Please include Docket ID NRC–2026–4390, facility name, unit number(s), docket number(s), application date, and subject, in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at *https://www.regulations.gov* as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment

submissions available to the public or entering the comment into ADAMS.

II. Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Combined Licenses and Proposed no Significant Hazards Consideration Determination

For the facility-specific amendment requests shown in this notice, the Commission finds that the licensees' analyses provided, consistent with section 50.91 of title 10 of *the Code of Federal Regulations* (10 CFR) ''Notice for public comment; State consultation,'' are sufficient to support the proposed determinations that these amendment requests involve NSHC. Under the Commission's regulations in 10 CFR 50.92, operation of the facilities in accordance with the proposed amendments would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

The Commission is seeking public comments on these proposed determinations. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determinations.

Normally, the Commission will not issue the amendments until the expiration of 60 days after the date of publication of this notice. The Commission may issue any of these license amendments before expiration of the 60-day period provided that its final determination is that the amendment involves NSHC. In addition, the Commission may issue any of these amendments prior to the expiration of the 30-day comment period if circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example in derating or shutdown of the facility. If the Commission takes action on any of these amendments prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. If the Commission makes a final NSHC determination for any of these amendments, any hearing will take place after issuance. The Commission expects that the need to take action on any amendment before 60 days have elapsed will occur very infrequently.

A. Opportunity To Request a Hearing and Petition for Leave To Intervene

Within 60 days after the date of publication of this notice, any person (petitioner) whose interest may be affected by any of these actions may file a request for a hearing and petition for leave to intervene (petition) with respect to that action. Petitions shall be filed in accordance with the Commission's ''Agency Rules of Practice and Procedure'' in 10 CFR part 2. Interested persons should consult 10 CFR 2.309. If a petition is filed, the Commission or a presiding officer will rule on the petition and, if appropriate, a notice of a hearing will be issued.

Petitions must be filed no later than 60 days from the date of publication of this notice in accordance with the filing instructions in the ''Electronic Submissions (E-Filing)'' section of this document. Petitions and motions for leave to file new or amended contentions that are filed after the deadline will not be entertained absent a determination by the presiding officer that the filing demonstrates good cause by satisfying the three factors in 10 CFR 2.309(c)(1)(i) through (iii).

If a hearing is requested, and the Commission has not made a final determination on the issue of no significant hazards consideration, the Commission will make a final determination on the issue of no significant hazards consideration, which will serve to establish when the hearing is held. If the final determination is that the license amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing would take place after issuance of the amendment. If the final determination is that the license amendment request involves a significant hazards consideration, then any hearing held would take place before the issuance of the amendment unless the Commission finds an imminent danger to the health or safety of the public, in which case it will issue an appropriate order or rule under 10 CFR part 2.

A State, local governmental body, Federally recognized Indian Tribe, or designated agency thereof, may submit a petition to the Commission to participate as a party under 10 CFR 2.309(h) no later than 60 days from the date of publication of this notice. Alternatively, a State, local governmental body, Federally recognized Indian Tribe, or designated agency thereof, may participate as a non-party under 10 CFR 2.315(c).

For information about filing a petition and about participation by a person not a party under 10 CFR 2.315, see ADAMS Accession No. ML20340A053 (*https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML20340A053*) and the NRC's public website (*https://www.nrc.gov/about-nrc/regulatory/adjudicatory/hearing.html#participate*).

B. Electronic Submissions (E-Filing)

All documents filed in NRC adjudicatory proceedings, including documents filed by an interested State, local governmental body, Federally recognized Indian Tribe, or designated agency thereof that requests to participate under 10 CFR 2.315(c), must be filed in accordance with 10 CFR 2.302. The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases, to mail copies on electronic storage media, unless an exemption permitting an alternative filing method, as further discussed, is granted. Detailed guidance on electronic submissions is located in the ''Guidance for Electronic Submissions to the NRC'' (ADAMS Accession No. ML13031A056), and on the NRC's public website (*https://www.nrc.gov/site-help/e-submittals.html*).

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at *Hearing.Docket@nrc.gov,* or by telephone at 301–415–1677, to: (1) request a digital identification (ID) certificate, which allows the participant (or their counsel or representative) to digitally sign submissions and access the E-Filing system for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a petition or other adjudicatory document (even in instances in which the participant, or their counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public website (*https://www.nrc.gov/site-help/e-submittals/getting-started.html*). After a digital ID certificate is obtained and a docket is created, the participant must submit adjudicatory documents in the Portable Document Format. Guidance on submissions is available on the NRC's public website (*https://www.nrc.gov/*

site-help/electronic-sub-ref-mat.html). A filing is considered complete at the time the document is submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. ET on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email confirming receipt of the document. The E-Filing system also distributes an email that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the document on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before adjudicatory documents are filed in order to obtain access to the documents via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC's Electronic Filing Help Desk through the ''Contact Us'' link located on the NRC's public website (*https://www.nrc.gov/site-help/e-submittals.html*), by email to *MSHD.Resource@nrc.gov*, or by a toll-free call at 1–866–672–7640. The NRC Electronic Filing Help Desk is available between 9 a.m. and 6 p.m., ET, Monday through Friday, except Federal holidays.

Participants who believe that they have good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing stating why there is good cause for not filing electronically and requesting authorization to continue to submit documents in paper format. Such filings must be submitted in accordance with 10 CFR 2.302(b)–(d). Participants filing adjudicatory documents in this manner are responsible for serving their documents on all other participants. Participants granted an exemption under 10 CFR 2.302(g)(2) must still meet the electronic formatting requirement in 10 CFR 2.302(g)(1), unless the participant also seeks and is granted an exemption from 10 CFR 2.302(g)(1).

Documents submitted in adjudicatory proceedings will appear in the NRC's electronic hearing docket, which is publicly available on the NRC's public website (*https://ehd.nrc.gov*), unless otherwise excluded pursuant to an order of the presiding officer. If you do not have an NRC-issued digital ID certificate as previously described, click ''cancel'' when the link requests certificates and you will be automatically directed to the NRC's electronic hearing docket where you will be able to access any publicly available documents in a particular hearing docket. Participants are requested not to include personal privacy information such as social security numbers, home addresses, or personal phone numbers in their filings, unless an NRC regulation or other law requires submission of such information. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants should not include copyrighted materials in their submission.

The following table provides the plant name, docket number, date of application, ADAMS accession number, and location in the application of the licensees' proposed NSHC determinations. For further details with respect to these license amendment applications, see the applications for amendment, which are available for public inspection in ADAMS. For additional direction on accessing information related to this document, see the ''Obtaining Information and Submitting Comments'' section of this document.

License Amendment Requests

Constellation Energy Generation, LLC; Braidwood Station, Units 1 and 2, Will County, IL; Byron Station, Unit Nos. 1 and 2, Ogle County, IL

Docket Nos	50–456, 50–457, 50–454, 50–455.
Application date	July 13, 2026.
ADAMS Accession No	ML26195A015.
Location in Application of NSHC	Pages 32–34 of Attachment 1.
Brief Description of Amendments	The proposed amendments would modify the Braidwood and Byron licensing basis to implement a change to the approved voluntary implementation of the provisions of 10 CFR section 50.69, ''Risk-informed categorization and treatment of structures, systems and components for nuclear power reactors.'' The proposed amendments would incorporate the use of an alternative seismic categorization process and an enhanced passive categorization methodology into the previously approved 10 CFR 50.69 categorization process.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Jason Zorn, Associate General Counsel, Constellation Energy Generation, LLC, 4300 Winfield Road, Warrenville, IL 60555.
NRC Project Manager, Telephone Number	Scott Wall, 301–415–2855.

Constellation Energy Generation, LLC; Braidwood Station, Units 1 and 2; Will County, IL; Constellation Energy Generation, LLC; Byron Station, Unit Nos. 1 and 2; Will County, IL; Constellation Energy Generation, LLC; Calvert Cliffs Nuclear Power Plant, Units 1 and 2; Calvert County, MD; Constellation Energy Generation, LLC; Clinton Power Station, Unit No. 1; DeWitt County, IL; Constellation Energy Generation, LLC; Dresden Nuclear Power Station, Units 2 and 3; Grundy County, IL; Constellation Energy Generation, LLC; Constellation FitzPatrick, LLC and Constellation Energy Generation, LLC; James A. FitzPatrick Nuclear Power Plant; Oswego County, NY; LaSalle County Station, Units 1 and 2; LaSalle County, IL; Constellation Energy Generation, LLC; Limerick Generating Station, Units 1 and 2; Montgomery County, PA; Constellation Energy Generation, LLC; Nine Mile Point Nuclear Station, LLC and Constellation Energy Generation, LLC; Nine Mile Point Nuclear Station, Units 1 and 2; Oswego County, NY; Peach Bottom Atomic Power Station, Units 2 and 3; York County, PA; Constellation Energy Generation, LLC; Quad Cities Nuclear Power Station, Units 1 and 2; Rock Island County, IL; R. E. Ginna Nuclear Power Plant, LLC and Constellation Energy Generation, LLC; R. E. Ginna Nuclear Power Plant; Wayne County, NY

Docket Nos	50–456, 50–457, 50–454, 50–455, 50–317, 50–318, 50–461, 50–237, 50–249, 50–333, 50–373, 50–374, 50–352, 50–353, 50–220, 50–410, 50–277, 50–278, 50–254, 50–265, 50–244.
Application date	July 31, 2026.
ADAMS Accession No	ML26212A423.

LICENSE AMENDMENT REQUESTS—Continued

Location in Application of NSHC	Pages 7–8 of the Enclosure.
Brief Description of Amendments	The proposed amendments would revise each unit's technical specifications for the Ventilation Filter Testing Program to permit the use of alternate challenge agents when performing in place testing of engineered safety feature ventilation system high efficiency particulate air filters and charcoal adsorbers. The proposed changes are being requested in accordance with Technical Specification Task Force (TSTF) Traveler TSTF–602, Revision 0, ''Revise the Ventilation Filter Testing Program to Permit Alternate Challenge Agents.''
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Jason Zorn, Associate General Counsel, Constellation Energy Generation, LLC, 4300 Winfield Road, Warrenville, IL 60555.
NRC Project Manager, Telephone Number	Scott Wall, 301–415–2855.

Dominion Energy South Carolina, Inc.; Virgil C. Summer Nuclear Station, Unit 1, Fairfield County, SC

Docket No	50–395.
Application date	August 24, 2026.
ADAMS Accession No	ML26237A251.
Location in Application of NSHC	Pages 4–6 of the Enclosure.
Brief Description of Amendment	The proposed amendment would adopt Technical Specification Task Force (TSTF) Traveler TSTF–585, ''Revise LCO [Limiting Condition for Operation] 3.0.3 to Require Managing Risk.'' TSTF–585 revises LCO 3.0.3 to require assessing and managing plant risk whenever LCO 3.0.3 is entered. If the risk assessment determines that continuing plant operation is acceptable and other conditions are satisfied, 24 hours from entry into LCO 3.0.3 is permitted to initiate a shutdown. Otherwise, initiation of the shutdown is required immediately. The proposed amendment would also revise or add some TS Required Actions to direct a plant shutdown instead of entry into LCO 3.0.3.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	William (Bill) S. Blair, Senior Counsel, Dominion Energy, Inc., 120 Tredegar Street, RS–2, Richmond, VA 23219.
NRC Project Manager, Telephone Number	Robert Kuntz, 301–415–3733.

Nebraska Public Power District; Cooper Nuclear Station; Nemaha County, NE

Docket No	50–298.
Application date	June 17, 2026.
ADAMS Accession No	ML26168A423.
Location in Application of NSHC	Pages 2–4 of Attachment 1.
Brief Description of Amendment	The proposed amendment would adopt Technical Specifications Task Force (TSTF) Traveler TSTF–602, ''Revise the Ventilation Filter Testing Program to Permit Alternate Challenge Agents,'' which is an approved change to the Standard Technical Specifications, into the Cooper Nuclear Station's technical specifications. TSTF–602 revises the Ventilation Filter Testing Program to permit the use of alternate challenge agents when performing in place testing of Engineered Safety Feature ventilation system high efficiency particulate air filters and charcoal adsorbers.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	John C. McClure, Executive Vice President External Affairs and General Counsel, Nebraska Public Power District, P.O. Box 499, Columbus, NE 68601.
NRC Project Manager, Telephone Number	Thomas Byrd, 301–415–3719.

Southern Nuclear Operating Company, Inc.; Vogtle Electric Generating Plant, Units 3 and 4; Burke County, GA

Docket Nos	52–025, 52–026.
Application date	July 23, 2026.
ADAMS Accession No	ML26204A273.
Location in Application of NSHC	Pages E–10–E–12 of the Enclosure.
Brief Description of Amendment(s)	The proposed license amendments would revise the Vogtle Electric Generating Plant, Units 3 and 4, Combined License to adopt a license condition providing provisions for making changes to the Fire Protection Program.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Millicent Ronnlund, Vice President and General Counsel, Southern Nuclear Operating Co., Inc., P. O. Box 1295, Birmingham, AL 35201–1295.
NRC Project Manager, Telephone Number	Zachary Turner 301–415–6303.

III. Notice of Issuance of Amendments to Facility Operating Licenses and Combined Licenses

During the period since publication of the last biweekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR chapter I, which are set forth in the license amendment.

A notice of consideration of issuance of amendment to facility operating license or combined license, as applicable, proposed NSHC determination, and opportunity for a hearing in connection with these

actions, were published in the **Federal Register** as indicated in the safety evaluation for each amendment.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.22(b) and has made a determination based on that assessment, it is so indicated in the safety evaluation for the amendment.

For further details with respect to each action, see the amendment and associated documents such as the Commission's letter and safety evaluation, which may be obtained using the ADAMS accession numbers indicated in the following table. The safety evaluation will provide the ADAMS accession numbers for the application for amendment and the **Federal Register** citation for any environmental assessment. All of these items can be accessed as described in the ''Obtaining Information and Submitting Comments'' section of this document.

LICENSE AMENDMENT ISSUANCES

Constellation Energy Generation, LLC; Clinton Power Station, Unit No. 1; DeWitt County, IL; Constellation Energy Generation, LLC; Dresden Nuclear Power Station, Units 2 and 3; Grundy County, IL; Constellation Energy Generation, LLC; LaSalle County Station, Units 1 and 2; LaSalle County, IL; Constellation Energy Generation, LLC; Peach Bottom Atomic Power Station, Units 2 and 3; York County, PA; Constellation Energy Generation, LLC; Quad Cities Nuclear Power Station, Units 1 and 2; Rock Island County, IL

Docket Nos	50–461, 50–237, 50–249, 50–373, 50–374, 50–277, 50–278, 50–254, 50–265.
Amendment Date	August 19, 2026.
ADAMS Accession No	ML26219A154.
Amendment No(s)	271 (LaSalle, Unit 1), 255 (LaSalle, Unit 2).
Brief Description of Amendments	For LaSalle—These amendments remove Trip Function 1.e, ''Main Steam Line Tunnel Differential Temperature—High,'' from Table 3.3.6.1–1, ''Primary Containment Isolation Instrumentation.'' Two corresponding Notes in the Actions section of Technical Specification (TS) 3.3.6.1 are also proposed for deletion. Additionally, a new TS, ''Main Steam Line (MSL) Area Temperature,'' would be added requiring manual action when the MSL area temperature is above the temperature limit. On April 8, 2026 (ML26098A336), the licensee withdrew its applications for Dresden and Quad Cities. On July 7, 2026 (ML26188A207), the licensee withdrew its applications for Peach Bottom. On May 15, 2026 (ML26092A109), the NRC issued Amendment No. 259 for Clinton.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Constellation Energy Generation, LLC; Limerick Generating Station, Units 1 and 2; Montgomery County, PA

Docket Nos	50–352, 50–353.
Amendment Date	August 7, 2026.
ADAMS Accession No	ML26205A118.
Amendment Nos	271 (Unit1) and 234 (Unit 2).
Brief Description of Amendments	The amendments revised the technical specification surveillance requirements by removing information regarding the acceptable means for determining drywell average air temperature and placing such information in the technical specifications bases.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

PSEG Nuclear LLC; Salem Nuclear Generating Station, Unit Nos. 1 and 2; Salem County, NJ

Docket Nos	50–272, 50–311.
Amendment Date	August 18, 2026.
ADAMS Accession No.	ML26181A019.
Amendment Nos.	356 (Unit 1) and 338 (Unit 2).
Brief Description of Amendments	The amendments revised emergency diesel generator (EDG) starting and load run test surveillance requirements and required actions when certain equipment is inoperable. Specifically, the amendments (1) revised the required actions for testing operable EDGs when offsite circuits are inoperable, (2) split the current surveillance requirement combining the EDG starting test and load run test into two separate surveillance requirements, and (3) revised required actions for consistency with a previously approved extended allowed outage time for the EDGs.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Tennessee Valley Authority; Browns Ferry Nuclear Plant, Units 1, 2, and 3; Limestone County, AL; Tennessee Valley Authority; Sequoyah Nuclear Plant, Units 1 and 2; Hamilton County, TN; Tennessee Valley Authority; Watts Bar Nuclear Plant, Units 1 and 2; Rhea County, TN

Docket Nos	50–259, 50–260, 50–296, 50–327, 50–328, 50–390, 50–391.
Amendment Date	August 19, 2026.
ADAMS Accession No	ML26197A196.
Amendment Nos	343 (Browns Ferry, Unit 1); 366 (Browns Ferry, Unit 2); 326 (Browns Ferry, Unit 3); 377 (Sequoyah, Unit 1); 372 (Sequoyah, Unit 2); 183 (Watts Bar, Unit 1); and 88 (Watts Bar, Unit 2).

LICENSE AMENDMENT ISSUANCES—Continued

Brief Description of Amendments	The amendments revised the Browns Ferry Nuclear Plant, Units 1, 2, and 3; Sequoyah Nuclear Plant, Units 1 and 2; and Watts Bar Nuclear Plant, Units 1 and 2, technical specifications for the Ventilation Filter Testing Program to permit the use of alternate challenge agents when testing filters and charcoal adsorber beds.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Tennessee Valley Authority; Watts Bar Nuclear Plant, Units 1 and 2; Rhea County, TN

Docket Nos	50–390, 50–391.
Amendment Date	August 19, 2026.
ADAMS Accession No	ML26222A207.
Amendment Nos.	184 (Unit 1) and 89 (Unit 2).
Brief Description of Amendments	The amendments made various revisions to Watts Bar Nuclear Plant, Units 1 and 2, Technical Specification (TS) 3.7.3, ''Main Feedwater Isolation Valves (MFIVs) and Main Feedwater Regulation Valves (MFRVs) and Associated Bypass Valves,'' to make the TS consistent with the Westinghouse Standard TS as well as with the revision to TS Table 3.3.2–1, ''Engineered Safety Feature Actuation System Instrumentation,'' that was approved in Amendment Nos. 173 and 78, for Units 1 and 2, respectively.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Union Electric Company; Callaway Plant, Unit No. 1; Callaway County, MO

Docket No	50–483.
Amendment Date	August 20, 2026.
ADAMS Accession No	ML26194A094.
Amendment No	243.
Brief Description of Amendment	The amendment revised the Technical Specifications (TSs) for Callaway Plant, Unit 1, to adopt the changes described in Technical Specifications Task Force (TSTF) Traveler-585, ''Revise LCO [Limiting Condition for Operation] 3.0.3 to Require Managing Risk.'' Specifically, the amendment revised LCO 3.0.3 to require a risk assessment and implementation of appropriate risk management actions within 6 hours of entry into LCO 3.0.3, and modified the actions and completion times associated with certain shutdown requirements. The amendment affected TS LCO 3.0.3 (LCO Applicability), TS 3.7.2 (Main Steam Isolation Valves, Main Steam Isolation Valve Bypass Valves, and Main Steam Low Point Drain Isolation Valves), TS 3.8.4 (DC [direct current] Sources—Operating), and TS 3.8.9 (Distribution Systems—Operating).
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Virginia Electric and Power Company, Dominion Nuclear Company; North Anna Power Station, Units 1 and 2; Louisa County, VA

Docket Nos	50–338, 50–339.
Amendment Date	August 25, 2026.
ADAMS Accession No	ML26208A113.
Amendment Nos.	300 (Unit 1), 283 (Unit 2).
Brief Description of Amendments	The amendments adopted Technical Specification Task Force (TSTF) Traveler-585, ''Revise LCO [Limiting Condition for Operation] 3.0.3 to Require Managing Risk.''
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Wolf Creek Nuclear Operating Corporation; Wolf Creek Generating Station, Unit 1; Coffey County, KS

Docket No	50–482.
Amendment Date	August 13, 2026.
ADAMS Accession No	ML26196A262.
Amendment No	248.
Brief Description of Amendment	The amendment adopted 10 CFR 50.69, ''Risk-informed categorization and treatment of structures, systems and components for nuclear power reactors.''
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Wolf Creek Nuclear Operating Corporation; Wolf Creek Generating Station, Unit 1; Coffey County, KS

Docket No	50–482.
Amendment Date	August 24, 2026.
ADAMS Accession No	ML26203A009.
Amendment No	249.
Brief Description of Amendment	The amendment revised Technical Specifications 1.1, ''Definitions'' and 5.5, ''Programs and Manuals,'' to use the Analysis and Measurement Services Corporation online monitoring (OLM) methodology as the technical basis to change from time-based surveillance frequency for channel calibrations to a condition-based calibration frequency based on OLM results.

LICENSE AMENDMENT ISSUANCES—Continued

Public Comments Received as to Proposed NSHC (Yes/No).	No.

LICENSE AMENDMENT REQUEST—REPEAT OF INDIVIDUAL FEDERAL REGISTER NOTICE

STP Nuclear Operating Company; South Texas Project, Unit 1; Matagorda County, TX

Docket No	50–498.
Application Date	August 6, 2026.
ADAMS Accession No	ML26218A279.
Brief Description of Amendment	The proposed amendment would, if granted, make a one-time exigent change to the Technical Specifications (TSs) to extend the allowed outage time for TS 3.7.1.7, ''Main Feedwater System.'' The proposed amendment is being requested to facilitate repairs to the Unit 1 train D main feedwater isolation valve and is being requested under exigent circumstances pursuant to NRC regulations.
Date & Cite of **Federal Register** Individual Notice.	8/26/2026 (91 FR 55125).
Expiration Dates for Public Comments & Hearing Requests.	9/9/2026 (public comments) and 10/26/2026 (hearing requests).

(Authority: 42 U.S.C. 2011 *et seq.*)

Dated: September 10, 2026.

For the Nuclear Regulatory Commission.

Ilka Berrios,

Chief, Operating Reactor Licensing Branch 3, Division of Licensing Projects 1, Office of Nuclear Reactor Regulation.

[FR Doc. 2026–18783 Filed 9–14–26; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

739th Meeting of the Advisory Committee on Reactor Safeguards (ACRS)

In accordance with the purposes of Sections 29 and 182b of the Atomic Energy Act (42 U.S.C. 2039, 2232(b)), the U.S. Nuclear Regulatory Commission's (NRC) Advisory Committee on Reactor Safeguards (ACRS) will hold meetings on October 6 through 9, 2026. In addition, the ACRS is implementing Section 4.(b) of Executive Order (E.O.) 14300, ''Ordering the Reform of the Nuclear Regulatory Commission,'' dated May 23, 2025, which states, in part, that the functions of the ACRS shall be reduced to the minimum necessary to fulfill ACRS's statutory obligations and that review by ACRS of permitting and licensing issues shall focus on issues that are truly novel and noteworthy. The ACRS will only undertake other work as directed by the Commission in accordance with Sections 29 and 182b of the Atomic Energy Act.

The Committee will be conducting meetings that will include some Members being physically present at the headquarters of the NRC while other Members participate remotely. Interested members of the public are encouraged to participate remotely in any open sessions via Microsoft Teams or via phone at 301–576–2978, passcode 359906262#. A more detailed agenda, including the Microsoft Teams link, may be found at the ACRS public website at *www.nrc.gov/reading-rm/doc-collections/acrs/agenda/index.html.* If you would like the Microsoft Teams link forwarded to you, please contact: *Quynh.Nguyen@nrc.gov* or *Lawrence.Burkhart@nrc.gov.*

Tuesday, October 6, 2026

1:00 p.m.–1:10 p.m.: Opening Remarks by the ACRS Chairman (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

1:10 p.m.–6:00 p.m.: Proposed Rulemaking on Regulatory Enhancements for Reactor Licensing, Decommissioning, and Operational Oversight (Related to Executive Order (E.O.) 14300)/Preparation of Reports (Open)—The Committee will hear presentations from and have discussions with NRC staff regarding the subject topic.

Wednesday, October 7, 2026

8:30 a.m.–1:00 p.m.: Long Mott Generating Station Construction Permit Application (Open/Closed)—The Committee will hear presentations from and have discussions with NRC staff and applicant representatives regarding the subject topic. [*Note:* Pursuant to 5 U.S.C. 552b(c)(4), a portion of this session may be closed in order to discuss and protect information designated as proprietary.]

1:00 p.m.–6:00 p.m.: Committee Deliberation on the Long Mott Generating Station Construction Permit Application (Open/Closed)—The Committee will deliberate on the above subject topic. [*Note:* Pursuant to 5 U.S.C. 552b(c)(4), a portion of this session may be closed in order to discuss and protect information designated as proprietary.]

Thursday, October 8, 2026

8:30 a.m.–6:00 p.m.: Report Preparation and Committee Deliberation/Planning and Procedures Session/Future ACRS Activities/ Reconciliation of ACRS Comments and Recommendations (Open/Closed)—The Committee will discuss planning and procedures topics, including items proposed for consideration by the Full Committee during future ACRS meetings; deliberate; and proceed to preparation of reports. [*Note:* Pursuant to 5 U.S.C. 552b(c)(2), a portion of this session may be closed to discuss organizational and personnel matters that relate solely to internal personnel rules and practices of the ACRS.]. [*Note:* Pursuant to 5 U.S.C. 552b(c)(4), a portion of this session may be closed in order to discuss and protect information designated as proprietary.]

Friday, October 9, 2026

8:30 a.m.–6:00 p.m.: Report Preparation and Committee Deliberation/Planning and Procedures Session/Future ACRS Activities/ Reconciliation of ACRS Comments and Recommendations (Open/Closed)—The Committee will discuss planning and procedures topics, including items proposed for consideration by the Full Committee during future ACRS meetings; deliberate; and proceed to preparation of reports. [*Note:* Pursuant to 5 U.S.C. 552b(c)(2), a portion of this session may be closed to discuss

organizational and personnel matters that relate solely to internal personnel rules and practices of the ACRS.]. [*Note:* Pursuant to 5 U.S.C. 552b(c)(4), a portion of this session may be closed in order to discuss and protect information designated as proprietary.]

Procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on July 22, 2025 (90 FR 34522). In accordance with those procedures, oral or written views may be presented by members of the public, including representatives of the nuclear industry. Persons desiring to make oral statements should notify Quynh Nguyen, Cognizant ACRS Staff and the Designated Federal Officer (Email: *Quynh.Nguyen@nrc.gov*), 5 days before the meeting, if possible, so that appropriate arrangements can be made to allow necessary time during the meeting for such statements. In view of the possibility that the schedule for ACRS meetings may be adjusted by the ACRS Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with the cognizant ACRS staff if such rescheduling would result in major inconvenience. Registration for this meeting is not required.

An electronic copy of each presentation should be emailed to the cognizant ACRS staff at least three days before the meeting.

In accordance with 5 U.S.C. 552b(c) and 1009(d), certain portions of this meeting may be closed, as specifically noted above. Use of still, motion picture, and television cameras during the meeting may be limited to selected portions of the meeting as determined by the ACRS Chairman. Electronic recordings will be permitted only during the open portions of the meeting.

Please contact the Designated Federal Officer if you would like to submit a request for physical or electronic meeting accommodation.

ACRS meeting agendas, meeting transcripts, and letter reports are available through the NRC Public Document Room (PDR) at *pdr.resource@nrc.gov,* the ACRS public website, or by calling the PDR at 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. eastern time, Monday through Friday, except Federal holidays, or from the Publicly Available Records System component of NRC's Agencywide Documents Access and Management System, which is accessible from the NRC website at *www.nrc.gov/reading-rm/adams.html* or *www.nrc.gov/reading-rm/doc-collections/#ACRS/.*

Dated: September 11, 2026.

For the Nuclear Regulatory Commission.

Russell E. Chazell,

Federal Advisory Committee Management Officer, Office of the Secretary.

[FR Doc. 2026–18898 Filed 9–14–26; 8:45 am]

BILLING CODE 7590–01–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2026–379 and K2026–369]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* September 18, 2026.

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

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

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction
II. Public Proceeding(s)
III. Summary Proceeding(s)

I. Introduction

Pursuant to 39 CFR 3041.405, the Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to Competitive negotiated service agreement(s). The request(s) may propose the addition of a negotiated service agreement from the Competitive product list or the modification of an existing product currently appearing on the Competitive product list.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.[1]

[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)

1. *Docket No(s).:* MC2026–379 and K2026–369; *Filing Title:* USPS Request to Add Priority Mail Express International, Priority Mail International & First-Class Package International Service Contract 125 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* September 10, 2026; *Filing Authority:* 39 U.S.C. 3642, 39 CFR

3035.105, and 39 CFR 3041.310; *Public Representative:* Jennaca Upperman; *Comments Due:* September 18, 2026.

III. Summary Proceeding(s)

None. *See* Section II for public proceedings.

This Notice will be published in the **Federal Register**.

Danielle LeFlore,

Legal Assistant.

[FR Doc. 2026–18846 Filed 9–14–26; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106324; File No. SR–IEX–2026–30]

Self-Regulatory Organizations; Investors Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Extend the Implementation Timeframe To Permit Trading of Pegged Orders During Pre-Market and Post-Market Sessions

September 10, 2026.

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 September 2, 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, and Rule 19b–4 thereunder,[4] the Exchange is filing with the Securities and Exchange Commission (''Commission'') a proposal to extend the implementation timeframe of a recent rule filing. The Exchange has designated this proposal as non-controversial and provided the Commission with the notice required by Rule 19b–4(f)(6)(iii) under the Act.[5]

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

IEX is filing this proposal to extend the implementation timeframe of the rule changes proposed in SR–IEX–2026–19.[6] Pursuant to the Original Rule Filing, the Exchange will announce the implementation date of the proposed rule change by Trading Alert at least ten days in advance of such implementation date and within 90 days of effectiveness of the proposed rule change.[7] The Original Rule Filing was immediately effective on the date of filing, July 10, 2026, which means the Trading Alert should issue no later than 90 days later, *i.e.,* on October 8, 2026. In order to complete all steps in IEX's standard deployment schedule, IEX has determined that it requires slightly more time than provided for by the Original Rule Filing to determine the implementation date and issue a Trading Alert announcing such date. Thus, IEX now proposes extending the October 8, 2026 Trading Alert deadline by 60 days, to December 7, 2026.

As proposed, on or before December 7, 2026, IEX will still announce the implementation date by Trading Alert at least ten days in advance of such implementation date. Besides this change, the Exchange is not proposing to make any changes to the terms of the Original Rule Filing.

2. Statutory Basis

IEX believes that its proposal is consistent with the provisions of Section 6(b) of the Act [8] in general, and with Section 6(b)(5) of the Act [9], 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. Specifically, the proposal is consistent with the Act because it is designed to protect investors and the public interest because it will enable the Exchange to determine the implementation date of the Original Rule Filing following completion of all steps in its standard deployment schedule in a thorough and risk averse manner, before issuance of a Trading Alert announcing such date.

Further, the ten days' notice to market participants of the implementation date for the Original Rule Filing's proposed rule change is consistent with the Act because it will provide appropriate transparency to market participants and the Commission regarding the change. Finally, as noted in the Purpose section, the Exchange is not proposing to make any changes to the terms of the Original Rule Filing other than the implementation timeframe.

B. Self-Regulatory Organization's Statement on Burden on Competition

IEX does not believe that the proposal will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. As explained above, the purpose of this proposal is to modify the timing of the issuance of the Trading Alert announcing the planned implementation of the Original Rule Filing with appropriate notice to inform market participants and the Commission of the change. The implementation delay will impact all market participants equally. The Exchange does not expect the implementation date change to place any burden on competition. Rather, postponing implementation will allow the Exchange to implement the original rule change in a thorough and risk averse manner and is not designed for any competitive purpose.

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.

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] 17 CFR 240.19b–4.

[5] 17 CFR 240.19b–4(f)(6)(iii).

[6] *See* Securities Exchange Act Rel. No. 105959 (July 21, 2026), 91 FR 46805 (July 24, 2026) (SR–IEX–2026–19) (''Original Rule Filing'').

[7] *See id.*

[8] 15 U.S.C. 78f(b).

[9] 15 U.S.C. 78f(b)(5).

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has designated this rule filing as non-controversial under Section 19(b)(3)(A) [10] of the Act and Rule 19b–4(f)(6) [11] thereunder. Because the proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b–4(f)(6) [12] thereunder.

A proposed rule change filed under Rule 19b–4(f)(6) [13] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[14] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Exchange states that a waiver of the operative delay would permit the Exchange to implement this proposal on or prior to October 8, 2026, the date by which the Original Rule Filing requires the Exchange to issue a Trading Alert, thereby avoiding any potential confusion on the part of market participants or the Commission as to when the original rule change will be implemented. For this reason, and because the proposed rule change raises no new or novel legal or regulatory issues, the Commission finds that waiver of the operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission waives the 30-day operative delay and designates the proposed rule change to be operative upon filing.[15]

[10] 15 U.S.C. 78s(b)(3)(A).

[11] 17 CFR 240.19b–4(f)(6).

[12] 17 CFR 240.19b–4(f)(6). Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[13] 17 CFR 240.19b–4(f)(6).

[14] 17 CFR 240.19b–4(f)(6)(iii).

[15] For purposes only of waiving the 30-day operative delay, the Commission has also considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B) [16] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–IEX–2026–30 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–2026–30. 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–2026–30 and should be submitted on or before October 6, 2026.

[16] 15 U.S.C. 78s(b)(2)(B).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[17]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–18810 Filed 9–14–26; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106321; File No. SR-CboeEDGA–2026–026]

Self-Regulatory Organizations; Cboe EDGA Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Exchange Rules 11.1, 11.6, 11.7, and 11.8 To Add a New Time-in-Force Designation Known as ''Regular 'til Post Market''

September 10, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 28, 2026, Cboe EDGA Exchange, Inc. (the ''Exchange'' or ''EDGA'') 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

Cboe EDGA Exchange, Inc. (''EDGA'' or the ''Exchange'') proposes to amend Exchange Rules 11.1, 11.6, 11.7, and 11.8 to add a new Time-in-Force (''TIF'') designation known as ''Regular 'til Post Market'' (''RTP''). The Exchange also proposes to amend Rule 11.8(c) and Rule 11.8(d) to include references to ''Regular Hours Only'' (''RHO'') where it has been erroneously excluded from certain rule text. The Exchange has designated the proposed rule change as noncontroversial and provided the Commission with the notice required by Rule 19b–4(f)(6)(iii) under the Act.[3] The text of the proposed rule change is provided in Exhibit 5.

The text of the proposed rule change is also available on the Commission's website (*https://www.sec.gov/rules/sro.shtml*), the Exchange's website

[17] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 17 CFR 240.19b–4(f)(6)(iii).

(*https://www.cboe.com/us/equities/regulation/rule_filings/edga/*), and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Rule 11.6(q) (''Time-in-Force'') to add a new TIF designation known as ''Regular 'til Post Market'' or ''RTP.'' As proposed, an RTP order would be a limit order designated for execution during both Regular Trading Hours [4] and the Post-Closing Session,[5] with any unexecuted portion expiring at the end of the Post-Closing Session. In connection with the introduction of the RTP TIF, the Exchange also proposes conforming amendments to Rules 11.1, 11.7, and 11.8 to reflect the availability of the RTP TIF across the Exchange's order handling, order type, and opening process rules.

Currently, Rule 11.6(q) provides Users [6] with the following TIF options for order entry.[7] An ''Immediate-or-Cancel'' (''IOC'') order [8] is an instruction the User may attach to an order stating the order is to be executed in whole or in part as soon as such order is received. Any unexecuted portion of an IOC order is cancelled. A ''Day'' order [9] is an instruction the User may attach to an order stating that an order to buy or sell which, if not executed, expires at the end of Regular Trading Hours. A ''Fill-or-Kill'' (''FOK'') order [10] is an instruction the User may attach to an order stating that the order is to be executed in its entirety as soon as it is received and, if not so executed, cancelled. A ''Good 'til Day'' (''GTD'') order [11] is an instruction the User may attach to an order specifying the time of day at which the order expires. Any unexecuted portion of an order with a TIF instruction of GTD will be cancelled at the expiration of the User's specified time, which can be no later than the close of the Post-Closing Session. A ''Good 'til Extended Day'' (''GTX'') order [12] is an instruction the User may attach to an order to buy or sell which, if not executed, will be cancelled by the close of the Post-Closing Session. A ''Regular Hours Only'' (''RHO'') order [13] is an instruction a User may attach to an order designating it for execution only during Regular Trading Hours, which includes the Opening Process and Re-Opening Process [14] following a halt suspension or pause. A ''Pre-Opening Session Plus'' (''PRE'') order [15] is a limit order designated for execution during the Pre-Opening Session [16] and Regular Trading Hours. Any portion not executed expires at the end of Regular Trading Hours. A ''Pre-Opening Session 'til Extended Day'' (''PTX'') order [17] is a limit order designated for execution during the Pre-Opening Session, Regular Trading Hours, and the Post-Closing Session. Any portion not executed expires at the end of the Post-Closing Session. A ''Pre-Opening Session 'til Day'' (''PTD'') order [18] is a limit order designated for execution during the Pre-Opening Session, Regular Trading Hours, and the Post-Closing Session. Any portion not executed will be cancelled at the expiration time assigned to the order, which can be no later than the close of the Post-Closing Session. While EDGA currently offers a wide range of TIF designations, the Exchange does not presently offer a TIF that specifically combines Regular Trading Hours with the Post-Closing Session in a single, dedicated designation.

Against this backdrop, the Exchange proposes to introduce the RTP TIF as a new, dedicated TIF option on EDGA. As proposed, the RTP TIF would permit a User to submit a single limit order that is eligible for execution during Regular Trading Hours and that, if not fully executed during Regular Trading Hours, would remain active and eligible for execution during the Post-Closing Session. Any portion of an RTP order not executed by the end of the Post-Closing Session would expire. An RTP order may be modified or cancelled in accordance with Rule 11.10(e) and order priority will be determined pursuant to Rule 11.9(a), just as is the case for RHO orders currently. The Exchange believes that adding the RTP TIF to its suite of available TIF designations in Rule 11.6(q) would provide Users with a convenient, single-instruction mechanism to participate in both Regular Trading Hours and the Post-Closing Session without the need to submit separate orders for each session.

In connection with the introduction of the RTP TIF, the Exchange also proposes to amend Rule 11.1 (''Hours of Trading and Trading Days'') to add RTP to the list of TIF designations that are subject to restrictions on order entry prior to 7:00 a.m. Eastern Time.[19] Rule 11.1(a) currently provides that orders may be entered into the System from 6:00 a.m. until 8:00 p.m. Eastern Time, and that the Exchange will not accept, prior to 7:00 a.m. Eastern Time, among other orders, Market Orders other than those with a Time-in-Force of Regular Hours Only or a Stop Price, and orders with a Minimum Execution Quantity instruction that also include a Time-in-Force of Regular Hours Only.[20] Because an RTP order, like an RHO order, is designed for execution during Regular Trading Hours (and, in the case of RTP, extending into the Post-Closing Session), the Exchange proposes to add RTP alongside RHO in each of these provisions so that Market Orders with a Time-in-Force of RTP, and orders with a Minimum Execution Quantity instruction that also include a Time-in-Force of RTP, will not be accepted prior to 7:00 a.m. Eastern Time. This proposed change is consistent with the treatment of RHO orders and ensures

[4] *See* Exchange Rule 1.5(y). The term ''Regular Trading Hours'' means the time between 9:30 a.m. and 4:00 p.m. Eastern Time.

[5] *See* Exchange Rule 1.5(r). The ''Post-Closing Session'' on EDGA means the time between 4:00 p.m. and 8:00 p.m. Eastern Time.

[6] *See* Exchange Rule 1.5(ee). ''User'' is defined as ''any Member or Sponsored Participant who is authorized to obtain access to the System pursuant to Rule 11.3.'' The ''System'' is ''the electronic communications and trading facility designated by the Board through which securities orders of Users are consolidated for ranking, execution and, when applicable, routing away.'' *See* Exchange Rule 1.5(cc). The term ''Member'' means any registered broker or dealer that has been admitted to membership in the Exchange. *See* Exchange Rule 1.5(n).

[7] *See* Exchange Rule 11.6(q).

[8] *See* Exchange Rule 11.6(q)(1).

[9] *See* Exchange Rule 11.6(q)(2).

[10] *See* Exchange Rule 11.6(q)(3).

[11] *See* Exchange Rule 11.6(q)(4).

[12] *See* Exchange Rule 11.6(q)(5).

[13] *See* Exchange Rule 11.6(q)(6).

[14] *See* Exchange Rule 11.7.

[15] *See* Exchange Rule 11.6(q)(7).

[16] *See* Exchange Rule 1.5(s). The term ''Pre-Opening Session'' shall mean the time between 8:00 a.m. and 9:30 a.m. Eastern Time.

[17] *See* Exchange Rule 11.6(q)(8).

[18] *See* Exchange Rule 11.6(q)(9).

[19] *See* Exchange Rule 11.1(a).

[20] *See* Exchange Rule 11.1(a). Rule 11.1(a) provides that the Exchange will not accept, prior to 7:00 a.m. Eastern Time, among other orders, Market Orders other than those with a Time-in-Force of Regular Hours Only or a Stop Price, and orders with a Minimum Execution Quantity instruction that also include a Time-in-Force of Regular Hours Only.

that orders combining these conditions with the RTP TIF are not entered into the System before the applicable trading sessions for such orders have commenced.

The Exchange also proposes amendments to Rule 11.7 (''Opening Process'') to add RTP alongside RHO throughout that rule's provisions governing eligibility for and participation in the Opening Process and the Re-Opening Process for securities.[21] Specifically, the Exchange proposes to amend Rule 11.7(a) to provide that, prior to the beginning of the Regular Session, Users who wish to participate in the Opening Process may enter orders to buy or sell that include a TIF instruction of either RHO or RTP. All existing restrictions applicable to RHO orders in Rules 11.7(a)(1) and 11.7(a)(2) would apply equally to RTP orders, including the restrictions prohibiting EDGA Post Only Orders, ISOs, and orders with a Minimum Execution Quantity instruction from participating in the Opening Process. The Exchange further proposes to amend Rule 11.7(e)(1)(A) to provide that, consistent with non-RHO orders, non-RTP orders will be eligible for participation in the Re-Opening Process following a Regulatory Halt, subject to the same exceptions and limitations that currently apply to non-RHO orders.[22] These amendments ensure that the RTP TIF is integrated consistently into the Exchange's opening and re-opening processes for securities, on the same terms applicable to RHO orders.

The Exchange also proposes conforming amendments to Rule 11.8 (''Order Types'') to add RTP to the list of permissible TIF instructions for the order types that will support the new designation.[23] Specifically, the Exchange proposes to add RTP as an available TIF instruction for Limit Orders (Rule 11.8(b)), Intermarket Sweep Orders (Rule 11.8(c)), MidPoint Peg Orders (Rule 11.8(d)), MidPoint Discretionary Orders (Rule 11.8(e)), Market Maker Peg Orders (Rule 11.8(f)), and Supplemental Peg Orders (Rule 11.8(g)), in each case alongside the existing RHO instruction and subject to the same handling, display, and re-pricing provisions applicable to those order types. These conforming amendments ensure that the RTP TIF is available across the Exchange's order types in a manner consistent with the treatment of the existing RHO TIF. The Exchange also proposes to amend Rule 11.8(c) and Rule 11.8(d) to include RHO where it has been erroneously excluded from certain rule text. Specifically, the Exchange proposes to add RHO as a permissible TIF to Rule 11.8(c)(1), Rule 11.8(c)(3), Rule 11.8(c)(5), and Rule 11.8(c)(6) and Rule 11.8(d)(1). The Exchange notes that Rule 11.8(c)(1) and Rule 11.8(d)(1) each includes RHO as a permissible TIF in its opening sentence, but the remainder of Rule 11.8(c) and Rule 11.8(d) does not include RHO even though other similar TIFs (*e.g.,* GTD and GTX, which are both TIFs active during Regular Trading Hours) are permissible. Including RHO in Rules 11.8(c)(1), (3), (5), and (6) and Rule 11.8(d)(1) where other TIFs that apply during Regular Trading Hours are similarly included ensures that ISOs[24] and MidPoint Peg Orders containing a TIF of RHO are treated similarly to other TIFs active during Regular Trading Hours.

Comparison to Other Exchange Times-in-Force

The Exchange has also considered how other national securities exchanges handle TIF requirements for order entry when it comes to spanning the regular and after-hours trading sessions. NYSE Arca's trading rules provide for three trading sessions: the Early Trading Session, the Core Trading Session, and the Late Trading Session.[25] Under NYSE Arca's framework, orders entered into the NYSE Arca Marketplace must include a designation for which trading session(s) the order will remain in effect.[26] An order is eligible to participate in the designated trading session(s) only and may remain in effect for one or more consecutive trading sessions on a particular day.[27] Orders may be accepted by the exchange that are not eligible to trade until a later trading session begins.[28] Thus, NYSE Arca offers comparable functionality as proposed by the Exchange as it permits orders to be entered during its Early Trading Session that are eligible to trade in both the Core Trading Session and the Late Trading Session, which is analogous to the Exchange's proposed RTP TIF.

Similarly, Nasdaq's Time-in-Force framework, set forth in Nasdaq Equity Rule 4703(a), provides that the TIF assigned to an order designates the period of time that the Nasdaq Market Center will hold the order for potential execution, with Participants specifying both a time at which the order becomes active and a time at which the order ceases to be active.[29] Nasdaq does refer to certain periods of times with explicit TIFs throughout its rulebook, including ''IOC,'' ''System Hours Day,'' ''System Hours Expire Time,'' and ''Market Hours Day,'' however these terms are derived from the specific start and end times appended to orders, similar to the NYSE Arca functionality described supra. As such, Nasdaq offers comparable functionality as proposed by the Exchange but does so through the ability of orders to be entered with specific start and end times as opposed to a specific TIF as proposed by the Exchange.

Implementation

The Exchange plans to implement the proposed rule change during the early fourth quarter of 2026 and will announce the implementation date via Trade Desk Notice.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[30] in general, and furthers the objectives of Section 6(b)(5) of the Act,[31] 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

[21] *See* Exchange Rule 11.7(a). Currently, only orders that include a TIF instruction of RHO are eligible to participate in the Opening Process prior to the beginning of the Regular Session.

[22] *See* Exchange Rule 11.7(e)(1)(A). Currently, non-RHO orders are eligible for participation in the Re-Opening Process, but IOC, FOK, EDGA Post Only Orders, and Minimum Execution Quantity Orders will be cancelled or rejected, as applicable, and any ISO that is not IOC or FOK will be converted into a non-ISO and be queued for participation in the Re-Opening Process.

[23] *See* Exchange Rule 11.8.

[24] An ''ISO'' refers to an Intermarket Sweep Order as defined in Regulation NMS Rule 600(a)(47).

[25] *See* NYSE Arca Rule 7.34–E(a). NYSE Arca's Early Trading Session runs from 4:00 a.m. to 9:30 a.m. Eastern Time, its Core Trading Session runs from 9:30 a.m. to 4:00 p.m. Eastern Time, and its Late Trading Session runs from the conclusion of the Core Trading Session until 8:00 p.m. Eastern Time. Under Rule 7.34–E, all order types and modifiers defined in Rule 7.31–E that are designated for the Early Trading Session are eligible to participate in the Early Trading Session, subject to certain order-type restrictions.

[26] *See* NYSE Arca Rule 7.34–E(b)(1).

[27] Id.

[28] Id.

[29] *See* Nasdaq Equity Rule 4703(a). Nasdaq provides a list of acceptable times to activate and deactivate orders, which includes Regular Market Hours (similar to the Exchange's RHO TIF) and the end of System Hours (pursuant to Nasdaq Equity 1, Section 1(a)(9), the end of System Hours is defined as 8:00 p.m. ET, which is identical to the end time of the Exchange's Post-Closing Session).

[30] 15 U.S.C. 78f.

[31] 15 U.S.C. 78f(b)(5).

general, to protect investors and the public interest.

The Exchange believes the proposed rule change promotes just and equitable principles of trade, removes impediments to and perfects the mechanism of a free and open market and national market system, and protects investors and the public interest by providing Users with a convenient, streamlined mechanism to participate in both Regular Trading Hours and the Post-Closing Session through the submission of a single order. Currently, Users seeking to maintain trading interest across both Regular Trading Hours and the Post-Closing Session must either submit separate orders for each session or utilize broader TIF designations that may include trading sessions not desired by the User. The introduction of the RTP TIF in Rule 11.6 directly addresses this gap by offering a dedicated, purpose-built TIF designation that permits a User to submit a single order eligible for execution during Regular Trading Hours and, if not fully executed, to have such order remain active through the end of the Post-Closing Session.

This streamlined approach promotes just and equitable principles of trade by enabling Users to efficiently express their trading interest across the regular and post-close sessions in a single instruction, thereby reducing operational complexity, administrative burden, and the potential for order entry errors that may arise from the need to manage multiple orders across trading sessions.

Furthermore, the conforming amendments to Rules 11.1, 11.7, and 11.8 ensure that the RTP TIF is fully integrated into the Exchange's existing order handling, order type, and opening process framework in a manner that is consistent with the treatment of the existing limit RHO TIF. By aligning the treatment of RTP orders with RHO limit orders for purposes of participation in the Opening Process and Re-Opening Process, the Exchange ensures that RTP orders are processed in a manner that is transparent, predictable, and fair to all Users. The consistent treatment of RTP orders across the Exchange's rules promotes just and equitable principles of trade by providing Users with certainty as to how their RTP orders will be handled throughout the trading day. Additionally, the proposed amendments to Rules 11.8(c) and Rule 11.8(d) to include RHO as a permissible TIF alongside other TIFs that are active during Regular Trading Hours similarly promotes just and equitable principles of trade by providing Users with certainty as to how their orders designated as ISO and MidPoint Peg orders will be handled throughout the trading day.

Moreover, the proposed rule change perfects the mechanism of a free and open market and supports a national market system by offering Users functionality that is comparable to that available on other national securities exchanges. As discussed above, NYSE Arca permits orders to be entered during its Early Trading Session that are eligible to trade in both the Core Trading Session and the Late Trading Session, providing comparable functionality to the Exchange's proposed RTP TIF. Similarly, Nasdaq's Time-in-Force framework permits Participants to specify both a time at which an order becomes active and a time at which the order ceases to be active, enabling comparable order entry flexibility. The Exchange's adoption of the RTP TIF ensures that Users have access to trading functionality on EDGA that is consistent with industry practice and supports the efficient operation of the national market system by enabling Users to express their trading interest in a manner that is compatible with the trading mechanisms employed by other market centers.

Finally, the Exchange believes that the proposed rule change is not designed to permit unfair discrimination. The RTP TIF would be available to all Users on an equal and non-discriminatory basis. The use of the RTP TIF is entirely optional, and no User is required to utilize the RTP TIF in connection with order submission to the Exchange. Users who do not wish to use the RTP TIF may continue to submit orders using any of the other TIF designations currently offered by the Exchange, including the Day, RHO, and PTX TIF designations.

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 RTP TIF is an optional designation offered by the Exchange, and Users are free to decide whether to use the RTP TIF in connection with order submission to the Exchange. The Exchange believes that the proposed RTP TIF and associated conforming amendments do not impose any intramarket burden on competition as they represent an enhancement to existing functionality that would be available to all Users on an equal and non-discriminatory basis. The proposed changes do not alter the way in which orders are prioritized, executed, or otherwise processed on the Exchange; they simply provide Users with an additional TIF option and integrate that option consistently into existing rules.

The Exchange believes that the proposed rule change does not impose any undue burden on intermarket competition. On the contrary, the proposed changes are being made to provide Users with enhanced order entry flexibility that may improve their ability to interact across Regular Trading Hours and the Post-Closing Session that is comparable to order entry flexibility on competitor exchanges, therefore promoting competition between venues.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange has not solicited, and does not intend to solicit, comments on this proposed rule change. The Exchange has not received any unsolicited written comments from Members or other interested parties.

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 after 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[32] and subparagraph (f)(6) of Rule 19b–4 thereunder.[33]

A proposed rule change filed under Rule 19b–4(f)(6)[34] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[35] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Exchange states that it is seeking to introduce the

[32] 15 U.S.C. 78s(b)(3)(A)(iii).

[33] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[34] 17 CFR 240.19b–4(f)(6).

[35] 17 CFR 240.19b–4(f)(6)(iii).

proposed functionality early in the fourth quarter of 2026 and waiver of the operative delay will permit the proposed rule changes to become effective immediately. The Exchange further states that waiver of the operative delay will allow the Exchange to offer a TIF that is competitive with TIF offerings of Nasdaq [36] and NYSE Arca [37], each of which permits Users to submit orders during the respective Pre-Opening Session that become active during Regular Trading Hours and remain active through the end of the Post-Closing Session. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest as the proposal does not raise any new or novel issues. Therefore, the Commission hereby waives the 30-day operative delay and designates the proposed rule change to be operative upon filing.[38]

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B) [39] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–CboeEDGA–2026–026 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–CboeEDGA–2026–026. 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–CboeEDGA–2026–026 and should be submitted on or before October 6, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[40]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–18813 Filed 9–14–26; 8:45 am]

BILLING CODE 8011–01–P

[36] *Supra* note 29.

[37] *Supra* note 25.

[38] For purposes only of waiving the 30-day operative delay, the Commission has also considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[39] 15 U.S.C. 78s(b)(2)(B).

[40] 17 CFR 200.30–3(a)(12), (59).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106330; File No. SR–MEMX–2026–30]

Self-Regulatory Organizations; MEMX LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Exchange's Fee Schedule

September 10, 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 31, 2026, MEMX LLC (''MEMX'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is filing with the Commission a proposed rule change to amend the Exchange's fee schedule applicable to Members [3] (the ''Fee Schedule'') pursuant to Exchange Rules 15.1(a) and (c). As is further described below, the Exchange proposes to amend the MEMX Options Fee Schedule (the ''Options Fee Schedule'') by adopting the Volume Tier 1 and making additional changes to certain transaction fees and rebates. The Exchange proposes to implement the changes to the Options Fee Schedule pursuant to this proposal on September 1, 2026. The text of the proposed rule change is provided in Exhibit 5.

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 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 the Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to amend the Options Fee Schedule by: (i) increasing the transaction rebate provided for Customer [4] capacity executions that add liquidity [5] in Non-Penny [6] options; (ii) reducing the rebate for Market Maker [7] capacity executions that add liquidity in

[3] *See* Exchange Rule 1.5(p).

[4] Customer capacity applies to any order for the account of a Priority Customer. ''Priority Customer'' means any person or entity that is neither a broker or dealer in securities nor a Professional. *See* Rule 16.1 of the MEMX Rulebook. MEMX Options provides fee qualifier ''c'' for Customer transactions.

[5] MEMX Options provides Fee Code ''D'' for transactions that add liquidity to the MEMX Options Book.

[6] MEMX Options provides Fee Code ''N'' for transactions in Non-Penny options. Fee Codes are provided by the Exchange on the monthly invoices provided to Options Members.

[7] As set forth on the Fee Schedule, ''Market Maker'' applies to any order for the account of a registered Market Maker. MEMX Options provides fee qualifier ''m'' for market maker transactions.

Penny [8] options; (iii) reducing the rebate for Market Maker capacity executions that add liquidity in Non-Penny options; (iv) increasing the fee charged for executions that remove liquidity [9] in Non-Penny options and which are made in the Market Maker, Professional,[10] Firm,[11] Away Market Maker [12] or Broker-Dealer [13] capacities; (v) reducing the rebate for executions that add liquidity in Non-Penny options made in the Professional, Firm, Away Market Maker, or Broker-Dealer capacities, and (vi) adopting a Volume Tier under which the Exchange will provide an enhanced rebate for executions of contracts in Penny options that add liquidity to the Exchange and that are made in the Customer capacity for Members that meet specific volume criteria, each as further described below.

The Exchange first notes that it operates in a highly competitive market in which market participants can readily direct order flow to competing venues if they deem fee levels at a particular venue to be excessive or incentives to be insufficient. The Exchange is one of only 18 options venues to which market participants may direct their order flow. Based on publicly available information, no single options exchange has more than approximately 17.5% of the market share and currently the Exchange represents only approximately 3.2% of the market share.[14] In such a low-concentrated and highly competitive market, no single options exchange, including the Exchange, possesses significant pricing power in the execution of option order flow. The Exchange believes that the ever-shifting market share among the exchanges from month to month demonstrates that market participants can shift order flow, discontinue, or reduce use of certain categories of products in response to fee changes. Accordingly, competitive forces constrain the Exchange's transaction fees, and market participants can readily trade on competing venues if they deem pricing levels at those other venues to be more favorable. The Exchange's Fee Schedule sets forth standard rebates and rates applied per contract.

Increased Transaction Rebate for Executions of Non-Penny Options in the Customer Capacity Which Add Liquidity to the MEMX Options Book

Currently, the Exchange provides a standard transaction rebate of $1.17 per contract for executions of Non-Penny options (as defined above) in the Customer capacity which add liquidity to the MEMX Options Book. Now, the Exchange proposes to increase the standard transaction rebate on such contracts from $1.17 per contract to $1.19 per contract. The purpose of increasing the rebate is to incentivize Members to execute additional contracts in Non-Penny names in the Customer capacity which add liquidity. The Exchange's proposal is designed to encourage the execution of additional contracts on the Exchange in order to enhance volume, deepen liquidity and promote price discovery on the MEMX Options platform. The Exchange believes that the increased rebate is in line with or exceeds the rebates provided by other national securities exchanges and will incentivize Members to route additional order flow to the Exchange.[15]

Reduced Transaction Rebate for Executions of Penny Options in the Market Maker Capacity Which Add Liquidity to the MEMX Options Book

Currently, the Exchange provides a standard transaction rebate of $0.45 per contract for executions of Penny options (as defined above) in the Market Maker capacity which add liquidity to the MEMX Options Book. Now, the Exchange proposes to reduce the standard transaction rebate on such contracts from $0.45 per contract to $0.43 per contract. The purpose of reducing the rebate is for business and competitive reasons as the Exchange believes that reducing such rebate would decrease the Exchange's expenditures with respect to its transaction pricing in a manner that is still consistent with the Exchange's overall pricing philosophy of encouraging executions which add liquidity to the MEMX Options Book. The Exchange believes that the reduced rebate continues to be in line with or exceeds the rebates provided by other national securities exchanges and will continue to incentivize Members to route order flow to the Exchange.[16]

Reduced Transaction Rebate for Executions of Non-Penny Options in the Market Maker Capacity Which Add Liquidity to the MEMX Options Book

Currently, the Exchange provides a standard transaction rebate of $0.80 per contract for executions of Non-Penny options (as defined above) in the Market Maker capacity which add liquidity to the MEMX Options Book. Now, the Exchange proposes to reduce the standard transaction rebate on such contracts from $0.80 per contract to $0.75 per contract. The purpose of reducing the rebate is for business and competitive reasons as the Exchange believes that reducing such rebate would decrease the Exchange's expenditures with respect to its transaction pricing in a manner that is still consistent with the Exchange's overall pricing philosophy of encouraging executions which add liquidity to the MEMX Options Book. The Exchange believes that the reduced rebate continues to be in line with or exceeds the rebates provided by other national securities exchanges and will continue to incentivize Members to route order flow to the Exchange.[17]

[8] MEMX Options provides Fee Code ''P'' for transactions in Penny options.

[9] MEMX Options provides Fee Code ''R'' for transactions that remove liquidity from the MEMX Options Book.

[10] As set forth on the Fee Schedule, ''Professional'' applies to any order for the account of a Professional. The term ''Professional'' means any person or entity that (A) is not a broker or dealer in securities; and (B) places more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s). All Professional orders shall be appropriately marked by Options Members. *See* Exchange Rule 16.1. MEMX Options provides fee qualifier ''p'' for professional transactions.

[11] As set forth on the Fee Schedule, ''Firm'' applies to any order for the proprietary account of an OCC clearing member. MEMX Options provides fee qualifier ''f'' for firm transactions.

[12] As set forth on the Fee Schedule, ''Away Market Maker'' applies to any order for the account of a market maker on another options exchange. MEMX Options provides fee qualifier ''a'' for away market maker transactions.

[13] As set forth on the Fee Schedule, ''Broker Dealer'' applies to any order for the account of a broker-dealer, including a foreign broker dealer. MEMX Options provides fee qualifier ''b'' for broker-dealer transactions.

[14] Market share percentage calculated as of August 31, 2026. The Exchange receives and processes data made available through the consolidated data feeds (*i.e.,* OPRA).

[15] *See, e.g.,* the MIAX Pearl Fee Schedule which similarly provides a rebate of $1.19 per contract for executions of Non-Penny options in a Customer capacity that add liquidity, available at: *https://www.miaxglobal.com/sites/default/files/fee_schedule-files/MIAX_Pearl_Options_Fee_Schedule_08012026.pdf.*

[16] *See, e.g.,* the Nasdaq Options pricing schedule (available at: *https://listingcenter.nasdaq.com/rulebook/nasdaq/rules/nasdaq-options-7*), which reflects rebates ranging from $0.20 to $0.47 per contract to add liquidity in Penny symbols as a Market Maker, depending on the amount of volume transacted by the market participant. *See also,* the MIAX Pearl fee schedule, (available at: *https://www.miaxglobal.com/markets/us-options/pearl-options/fees*), which reflects rebates ranging from $0.25 per contract to $0.48 per contact to add liquidity in Penny symbols as a MIAX Pearl Market Maker, depending on the amount of volume transacted by the market participant.

[17] *See, e.g.,* the Nasdaq Options pricing schedule (available at: *https://listingcenter.nasdaq.com/rulebook/nasdaq/rules/nasdaq-options-7*), which reflects rebates ranging from $0.30 to $0.40 per contract to add liquidity in Non-Penny symbols as a Market Maker, depending on the amount of volume transacted by the market participant. *See also,* the MIAX Pearl fee schedule, (available at: *https://www.miaxglobal.com/markets/us-options/*

Continued

Increased Transaction Fee for Executions of Non-Penny Options in the Market Maker, Professional, Firm, Away Market Maker, and Broker-Dealer Capacities Which Remove Liquidity From the MEMX Options Book

Currently, the Exchange assesses a standard transaction fee of $1.21 per contract for executions of Non-Penny options (as defined above) in the Market Maker, Professional, Firm, Away Market Maker, and Broker Dealer capacities which remove liquidity from the MEMX Options Book. Now, the Exchange proposes to increase the standard transaction fee on such contracts from $1.21 per contract to $1.22 per contract. The purpose of increasing the fee is for business and competitive reasons, as the Exchange believes that increasing the fee would generate additional revenue to offset costs associated with the operation of the MEMX Options platform. Furthermore, the Exchange believes that the increased fee continues to be in line with or below the fees the charged by other national securities exchanges and will continue to incentivize Members to route order flow to the Exchange.[18]

Reduced Transaction Rebate for Executions of Non-Penny Options in the Professional, Firm, Away Market Maker, and Broker-Dealer Capacities Which Add Liquidity to the MEMX Options Book

Currently, the Exchange provides a standard transaction rebate of $0.72 per contract for executions of Non-Penny options (as defined above) in the Professional, Firm, Away Market Maker, and Broker Dealer capacities which add liquidity to the MEMX Options Book. Now, the Exchange proposes to reduce the standard transaction rebate on such contracts from $0.72 per contract to $0.70 per contract. The purpose of reducing the rebate is for business and competitive reasons as the Exchange believes that reducing such rebate would decrease the Exchange's expenditures with respect to its transaction pricing in a manner that is still consistent with the Exchange's overall pricing philosophy of encouraging executions which add liquidity to the MEMX Options Book. The Exchange believes that the reduced rebate continues to be in line with or exceeds the rebates provided by other national securities exchanges and will continue to incentivize Members to route order flow to the Exchange.[19]

Adoption of Volume Tier

The Exchange is also proposing to adopt a new Volume Tier applicable to the rebate provided for executions that add liquidity in Penny options that are made in the Customer capacity (''Added Customer Penny Volume''). Under this tier, the Exchange will provide an enhanced rebate for Members that meet certain volume criteria. Specifically, under the proposed Volume Tier 1, the Exchange is proposing to provide an enhanced rebate of $0.53 per contract for executions of Added Customer Penny Volume for Members that qualify for Volume Tier 1 [20] by achieving an ADAV [21] in the Customer capacity, in Penny and non-Penny options that is equal to or greater than 1.2% of the equity and ETF option TCV.[22] As proposed, ADAV will be calculated on a monthly basis, and Members that qualify for the Volume Tier by achieving the specified ADAV threshold in a particular month will receive the proposed enhanced rebate of $0.53 per contract for all executions of Added Customer Penny Volume in that month.

The Exchange believes that the proposed Volume Tier 1 provides an incremental incentive for Members to strive for higher ADAV on the Exchange to receive the proposed enhanced rebate for executions of Added Customer Penny Volume. As such, the proposed Volume Tier 1 is designed to encourage Members that provide liquidity on the Exchange to maintain or increase their order flow, thereby contributing to a deeper and more liquid market to the benefit of all market participants and enhancing the attractiveness of the Exchange as a trading venue. Further, the Exchange notes that other options exchanges maintain tiered pricing structures whereby enhanced rebates are provided for members that meet certain volume requirements, and other exchanges maintains similar tiers with a rebate applicable to Added Customer Penny Volume.[23]

2. Statutory Basis

The Exchange believes that its proposal to amend the Options Fee Schedule is consistent with the provisions of Section 6 of the Act,[24] in general, and with Sections 6(b)(4) and 6(b)(5) of the Act,[25] in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among Options Members and other persons using its facilities. The Exchange also believes the proposal furthers the objectives of Section 6(b)(5) of the Act 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 and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

MEMX Options operates in a highly fragmented and competitive market in which market participants can readily direct order flow to competing venues if they deem fee levels at a particular venue to be excessive or incentives to be insufficient, and the Exchange represents only a small percentage of the overall market. The Commission and the courts have repeatedly expressed their preference for competition over regulatory intervention in determining

pearl-options/fees), which reflects rebates ranging from $0.55 per contract to $0.80 per contact to add liquidity in Non-Penny symbols as a Market Maker, depending on the amount of volume transacted by the market participant.

[18] *See, e.g.,* the Nasdaq Options pricing schedule (available at: *https://listingcenter.nasdaq.com/rulebook/nasdaq/rules/nasdaq-options-7*), which reflects a fee of $1.25 per contract for executions in Non-Penny options in the Market Maker, Broker-Dealer, and Firm capacities that remove liquidity. The Exchange notes that this standard fee does not apply to executions in Non-Penny options in the Professional capacity for which the Nasdaq Options Market charges a fee of $0.85 per contract. *See also* the Nasdaq Texas options trading fee schedule (available at: *https://listingcenter.nasdaq.com/rulebook/nasdaqtx/rules/NTX%20Options%207*) which reflects a standard fee of $1.25 per contract for executions in Non-Penny options that remove liquidity for all non-Customer capacities.

[19] *See e.g.,* the MIAX Pearl fee schedule, (available at: *https://www.miaxglobal.com/markets/us-options/pearl-options/fees*), which reflects rebates ranging from $0.55 per contract to $0.80 per contact to add liquidity in Non-Penny symbols as Non-Priority Customer, BD, and Non-MIAX Pearl Market Maker, depending on the amount of volume transacted by the market participant.

[20] Executions of Added Professional Penny Volume for Members that qualify for the Volume Tier 1 receive a Fee Code of ''Dc1P'' for such executions on the monthly invoices provided to Members. The Exchange is proposing to add a note under the Volume Tier pricing table on the Fee Schedule that contains this information.

[21] As set forth on the Fee Schedule, the term ''ADAV'' means the average daily added volume calculated as the number of contracts added per day. ADAV is calculated on a monthly basis.

[22] As set forth on the Fee Schedule, the term ''TCV'' means the total consolidated volume calculated as the volume reported by all exchanges to the consolidated transaction reporting plan for the month for which the fees apply.

[23] *See* Nasdaq Options Pricing Schedule, *Section 2 Nasdaq Options Market—Fees and Rebates,* (available at: *https://listingcenter.nasdaq.com/rulebook/nasdaq/rules/nasdaq-options-7*) which provides rebates ranging from $0.20 to $0.48 per contract across six different volume tiers for execution of Added Customer Penny Volume. *See also* the MIAX Pearl Fee Schedule (available at: *https://www.miaxglobal.com/sites/default/files/fee_schedule-files/MIAX_Pearl_Options_Fee_Schedule_08012026.pdf*) which provides rebates ranging from $0.25 to $0.52 per contract across five different volume tiers for executions of Added Customer Penny Volume.

[24] 15 U.S.C. 78f.

[25] 15 U.S.C. 78f(b)(4) and (5).

prices, products, and services in the securities markets. In Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and also recognized that current regulation of the market system ''has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.'' [26]

Accordingly, competitive forces constrain the Exchange's transaction fees and rebates, and market participants can readily trade on competing venues if they deem pricing levels at those other venues to be more favorable. The Exchange believes the proposal reflects a reasonable and competitive pricing structure which the Exchange believes would promote price discovery and enhance liquidity and market quality on the Exchange to the benefit of all Members and market participants.

The Exchange believes that the proposed changes to increase the rebate for executions of Non-Penny options made in the Customer capacity that add liquidity to the Exchange is reasonable because it is designed to incentivize Members to submit additional liquidity adding orders to the Exchange, thereby contributing to a deeper and more liquid market to the benefit of all market participants and enhancing the attractiveness of the Exchange as a trading venue. The Exchange further believes that the proposed change is equitable and not unfairly discriminatory because the increased rebate will apply to all market participants that have executions in a Customer capacity in Non-Penny options that add liquidity to the Exchange.

The Exchange similarly believes that its proposed changes to reduce the rebates for executions that add liquidity in Penny and Non-Penny options made in the Market Maker capacity, reduce the rebate for executions that add liquidity in Non-Penny options made in the Professional, Firm, Away Market Maker and Broker-Dealer capacities, and increase the fee charged for executions that remove liquidity in Non-Penny options made in all non-Customer capacities [27] are all reasonable and equitable because each of these changes is designed to generate additional revenue or decrease the Exchange's expenditures with respect to its transaction pricing in a manner that is still consistent with the Exchange's overall pricing philosophy of encouraging executions which add liquidity to the MEMX Options Book. The Exchange believes that the proposed changes are equitable and not unfairly discriminatory because the reduced rebates and/or increased fees, as applicable, will apply equally to all similarly situated market participants. Specifically, all members executing Penny and/or Non-Penny options while acting in the same relevant capacity—whether as a Market Maker, Professional, Firm, Away Market Maker and/or Broker dealer—would receive the same fee or rebate, as applicable.

The Exchange further believes the proposed reduced rebates and increased fees are appropriate because they are comparable to, and competitive with, the rebates and fees provided by other exchanges for executions in the same capacities in Penny or Non-Penny options which add or remove liquidity, as applicable.[28]

Lastly, the Exchange believes its proposal to adopt the Volume Tier 1 is equitable and not unfairly discriminatory, as it is open to all Members and is designed to encourage Members that provide liquidity on the Exchange to maintain or increase their order flow, thereby contributing to a deeper and more liquid market to the benefit of all market participants and enhancing the attractiveness of the Exchange as a trading venue. Additionally, the Exchange believes the proposed enhanced rebate for executions of Added Customer Penny Volume for qualifying Members (*i.e.,* $0.53 per contract) is reasonable, as it is in line with what other exchanges offer under similar volume tiers.[29] Thus, the Exchange believes that it is reasonable, consistent with an equitable allocation of fees, and not unfairly discriminatory to pay such higher rebate for executions of Added Customer Penny Volume to Members that qualify for the Volume Tier 1 in comparison with the standard rebate in recognition of benefits to the Exchange and market participants described above, particularly as the magnitude of the additional rebate is not unreasonably high and is, instead, reasonably related to the enhanced market quality it is designed to achieve.

For the reasons discussed above, the Exchange submits that its proposed change to the Options Transaction Fee Schedule satisfies the requirements of Sections 6(b)(4) and 6(b)(5) of the Act [30] in that it provides for the equitable allocation of reasonable dues, fees and other charges among its Members and other persons using its facilities and are not designed to unfairly discriminate between customers, issuers, brokers, or dealers. As described more fully below in the Exchange's statement regarding burden on competition, the Exchange believes that its transaction pricing is subject to significant competitive forces, and that the proposed rebate described herein is appropriate to address such forces.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposal will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Instead, as discussed above, the proposal is intended to decrease the Exchange's expenditures, generate additional revenue with respect to its transaction pricing, and incentivize market participants to direct additional order flow to the MEMX Options platform, which the Exchange believes would promote price discovery and enhance liquidity and market quality on the Exchange to the benefit of all Members and market participants. Further, MEMX Options' proposed amended rebates and fee, and proposed new Volume Tier are all in line with rebates and fees assessed by other options exchanges.[31] As a result, the Exchange believes that the proposal furthers the Commission's goal in adopting Regulation NMS of fostering competition among orders, which promotes ''more efficient pricing of individual stocks for all types of orders, large and small.'' [32]

Intramarket Competition

The Exchange does not believe that the proposed rule change will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act because the proposed amended rebates and fees and Volume Tier apply equally to all Options Members. The proposed increased rebate for executions of added volume in Non-Penny options made in a Customer capacity is intended to encourage the execution of additional contracts on the Exchange in order to enhance volume, deepen liquidity and promote price discovery on the MEMX Options platform. The proposed amended fees and rebates for executions of Penny and Non-Penny options in the

[26] Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005).

[27] All non-Customer capacities include the Market Maker, Professional, Firm, Away Market Maker, and Broker-Dealer capacities.

[28] *See supra* notes 16, 17, 18 and 19.

[29] *See supra* note 23.

[30] 15 U.S.C. 78f(b)(4) and (5).

[31] *See supra* notes 15, 16, 17, 18, 19 and 23.

[32] *See supra* note 26.

remaining non-Customer capacities are intended to decrease the Exchange's expenditures and generate additional revenue with respect to its transaction pricing, in a manner that is comparable with the rebates offered and fees assessed by other exchanges for executions in the same capacities that add and remove liquidity, as applicable. Similarly, the opportunity to qualify for the Volume Tier 1 and thus received an enhanced rebate for executions of Added Customer Penny Volume would be available to all Members that meet the associated volume requirement in any month. The Exchange believes the volume requirement of the Volume Tier 1 is attainable for several market participants who execute Added Customer Penny Volume on the Exchange and is reasonably related to the enhanced market quality that the Volume Tier 1 is designed to promote. As such, the Exchange does not believe the proposed changes would impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act.

Intermarket Competition

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. As previously discussed, the Exchange operates in a highly competitive market. Members have numerous alternative venues that they may participate on and direct their order flow, including 17 other options exchanges and off-exchange venues. Therefore, no exchange possesses significant pricing power in the execution of option order flow. To the contrary, the Exchange believes that the proposal will increase competition and is intended to encourage market participants to trade on the exchange by providing rebates and assessing fees, as well as a new Volume Tier that is comparable to those offered by other exchanges, which the Exchange believes will help to encourage Members to send orders to the Exchange to the benefit of all Exchange participants.

Additionally, the Commission has repeatedly expressed its preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. Specifically, in Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system ''has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.'' [33] The fact that this market is competitive has also long been recognized by the courts. In *NetCoalition* v. *SEC,* the D.C. Circuit stated as follows: ''[n]o one disputes that competition for order flow is 'fierce.' . . . As the SEC explained, '[i]n the U.S. national market system, buyers and sellers of securities, and the broker-dealers that act as their order-routing agents, have a wide range of choices of where to route orders for execution'; [and] 'no exchange can afford to take its market share percentages for granted' because 'no exchange possesses a monopoly, regulatory or otherwise, in the execution of order flow from broker dealers' . . . .''.[34] Accordingly, the Exchange does not believe its proposed pricing changes impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act [35] and Rule 19b–4(f)(2) [36] thereunder.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–MEMX–2026–30 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–MEMX–2026–30. 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–MEMX–2026–30 and should be submitted on or before October 6, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[37]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–18814 Filed 9–14–26; 8:45 am]

BILLING CODE 8011–01–P

[33] *Id.*

[34] *NetCoalition* v. *SEC,* 615 F.3d 525, 539 (D.C. Cir. 2010) (quoting Securities Exchange Act Release No. 59039 (December 2, 2008), 73 FR 74770, 74782–83 (December 9, 2008) (SR–NYSE–2006–21)).

[35] 15 U.S.C. 78s(b)(3)(A)(ii).

[36] 17 CFR 240.19b–4(f)(2).

[37] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106339]

Order Granting Exemptive Relief, Pursuant to Section 36(a)(1) of the Securities Exchange Act of 1934, From Inline XBRL Requirements for Portions of Form CA–1 and Form 1 and for Form X–17A–5 Part III, Form 17–H, and Security-Based Swap Entity's Annual Compliance Report

September 11, 2026.

I. Introduction

On December 16, 2024, the Securities and Exchange Commission (''Commission'') adopted rule

amendments that require, among other things, that certain Commission forms or submissions be filed or submitted electronically.[1] The rule amendments also require some of these forms and submissions to be filed or submitted in structured data format. More specifically, the rule amendments require the following forms or submissions to be filed or submitted with the Commission in Inline eXtensible Business Reporting Language (''Inline XBRL''):[2]

- Schedule A, and Exhibits C, F, H, J, K, L, M, O, R, and S to Form CA–1, the application for registration (or amendment thereto) or for exemption from registration filed by clearing agencies; [3]
- Exhibits D, E (in part), and I to Form 1, the application for registration (or amendment thereto) or for exemption from registration filed by national securities exchanges; [4]
- Form X–17A–5 Part III, annual reports filed by broker-dealers (including over-the-counter derivatives dealers), as well as security-based swap dealers and major security-based swap participants (collectively, ''SBS Entities'') for which there is no prudential regulator; [5]
- Item 4 of Form 17–H, the risk assessment report filed by certain larger broker-dealers; [6] and
- The annual compliance report of an SBS Entity, which must be prepared and signed by the SBS Entity's chief compliance officer (''CCO'') pursuant to Securities Exchange Act of 1934 (''Exchange Act'') Rule 15fk–1(c) (''CCO report''); [7]

For the reasons discussed below, the Commission is granting exemptive relief to registrants,[8] pursuant to its authority under section 36(a)(1) of the Exchange Act,[9] from filing or submitting the following forms or submissions in Inline XBRL: Form CA–1 (except Exhibit H thereto),[10] Form 1 (except Exhibit I thereto),[11] Form X–17A–5 Part III, Form 17–H, and the CCO report.

II. Discussion

Section 36(a)(1) of the Exchange Act grants the Commission the authority to ''conditionally or unconditionally exempt any person, security, or transaction . . . from any provision or provisions of [the Exchange Act] or of any rule or regulation thereunder, to the extent that such exemption is necessary or appropriate in the public interest, and is consistent with the protection of investors.'' [12] As discussed below, the Commission finds that the exemptive relief granted herein is necessary or appropriate in the public interest and consistent with the protection of investors.

As described in the Adopting Release, Inline XBRL was designed to help machines read financial statements by linking specific metadata to data points.[13] While useful to many parties, Inline XBRL primarily helps financial institutions and regulators analyze data; it is less useful for the specified forms—Form CA–1, Form 1, Form X–17A–5 Part III, Form 17–H, and the CCO report. Form CA–1 is used to assess applications for registration, or exemption from registration as a clearing agency, and to assess amendments to clearing agency registration.[14] Form 1 is used to assess applications for, and amendments to applications for, registration as a national securities exchange or exemption from registration as a national securities exchange.[15] Form X–17A–5 Part III is used to assess the financial and operational condition of broker-dealers.[16] Form 17–H is used as a risk assessment report for certain larger broker-dealers.[17] The CCO report is a report signed by the chief compliance officer of an SBS Entity and submitted by such firm that, among other required content, assesses the effectiveness of the registrant's internal policies and procedures as set forth more fully in Rule 15Fk–1(c).[18] What these forms share in common is that they are specific to market intermediaries and are primarily used by the Commission to assess whether an entity registered as a market intermediary meets the relevant standards—including legal, financial, and operational standards—necessary to comply with the Exchange Act.

Many of these filings have individually tailored information, so standardized tags can be relatively less useful and, in the case of Form X–17A–5 Part III, duplicate existing processes. Moreover, since the rule amendments were adopted, the Commission has received information from industry participants stating that the cost of complying with the Inline XBRL requirement is higher than the Commission previously estimated.[19]

[1] *See Electronic Submission of Certain Materials Under the Securities Exchange Act of 1934; Amendments Regarding the FOCUS Report,* Exchange Act Release No. 101925 (Dec. 16, 2024), 90 FR 7250 (Jan. 21, 2025) (''Adopting Release'').

[2] Inline XBRL is a structured data language. Data in documents can be tagged with Inline XBRL tags, which offers the benefit of making the document machine-readable since machines can ''read'' the tags. This functionality, in turn, is intended to enable more efficient retrieval, aggregation, and comparison against different filers (or submitters) and time periods, as compared to an unstructured document.

[3] *See* 17 CFR 232.405 introductory text, (a)(2), (a)(3)(i), (a)(3)(ii), (a)(4), (b)(1), (b)(5), Note 1, as amended.

[4] *See* 17 CFR 240.6a–1(e), as amended; Form 1 General Instructions section A, as amended; 17 CFR 232.405 introductory text, (a)(2), (a)(3)(i), (a)(3)(ii), (a)(4), (b)(1), (b)(5), Note 1, as amended.

[5] *See* 17 CFR 240.17a–5(d)(6)(i), (k)(2), as amended; 17 CFR 240.17a–12(b)(6), (k), (l)(1), (m)(1), as amended; 17 CFR 240.18a–7(c)(6), as amended; 17 CFR 232.405 introductory text, (a)(2), (a)(3)(i), (a)(3)(ii), (a)(4), (b)(1), (b)(5), Note 1, as amended.

[6] *See* 17 CFR 240.17h–2T(a)(2), as amended; 17 CFR 232.405 introductory text, (a)(2), (a)(3)(i), (a)(3)(ii), (a)(4), (b)(1), (b)(5), Note 1, as amended.

[7] *See* 17 CFR 240.15fk–1(c)(2)(ii)(A), as amended; 17 CFR 232.405 introductory text, (a)(2), (a)(3)(i), (a)(3)(ii), (a)(4), (b)(1), (b)(5), Note 1, as amended.

[8] This exemptive relief extends to clearing agencies with respect to Form CA–1, self-regulatory organizations with respect to Form 1, broker-dealers and SBS Entities with respect to Form X–17A–5 Part III, broker-dealers subject to Exchange Act rule 17h–2T with respect to Form 17–H; and SBS Entities with respect to the CCO report. This exemptive relief also extends to SBS Entities relying on a Commission order granting substituted compliance from submitting Form X–17A–5 Part III and the CCO report in Inline XBRL. This order does not provide any exemption from the requirement to file or submit these forms and reports electronically on EDGAR.

[9] 15 U.S.C. 78mm(a)(1).

[10] Exhibit H to Form CA–1 contains a balance sheet and statement of income and expenses, and all notes or schedules thereto of the registrant, as of the registrant's most recent fiscal year for which such information is available, certified by an independent accountant. This order does not exempt firms from filing Exhibit H to Form CA–1 in Inline XBRL.

[11] Exhibit I to Form 1 contains the applicant's audited financial statements. This order does not exempt firms from filing Exhibit I to Form 1 in Inline XBRL.

[12] *See* 15 U.S.C. 78mm(a)(1).

[13] *See generally* Adopting Release at 7303.

[14] *See* Form CA–1 Application for Registration or For Exemption from Registration as a Clearing Agency and for Amendment to Registration Pursuant to the Securities Exchange Act of 1934 (the ''Act''); 17 CFR 249b.200.

[15] *See* Form 1, Application for, and Amendments to Application For, Registration as a National Securities Exchange or Exemption from Registration Pursuant to Section 5 of the Exchange Act, 17 CFR 249.1.

[16] *See* Annual Reports Form X–17A–5 Part III, 17 CFR 249.617.

[17] *See* Form 17–H, Risk Assessment Report for Brokers and Dealers, 17 CFR 240.17h–2T.

[18] *See* 17 CFR 240.15Fk–1(c). The CCO report must contain descriptions of, at a minimum, an assessment of the effectiveness of the firm's SBS policies and procedures, material changes to the firm's security-based swap policies and procedures, areas for improvement and recommended potential changes to the compliance program and resources, material non-compliance matters identified, and the compliance resources dedicated to the firm's security-based swap business. 17 CFR 240.15Fk–1(c)(2)(i).

[19] *See, e.g.,* Letter from Kyle L. Brandon, Managing Director, Head of Derivative Policy, Securities Industry and Financial Markets Association (Mar. 13, 2026), *available at https://*

Continued

Thus, continuing to impose Inline XBRL requirements in these cases would result in potentially significant unnecessary costs, which firms may ultimately pass on to investors through higher fees, without meaningful gains in transparency or data accessibility to investors.

Furthermore, reducing compliance costs for firms with respect to Form X–17A–5 Part III, Form 17–H, and the CCO report, by exempting them from the requirements to file in Inline XBRL, would not impact investors, given that these forms are not primarily used by investors, and several of them are generally non-public.[20] Instead, a reduction in compliance costs would enable affected firms to allocate resources more efficiently, including to support or enhance their operations and existing compliance obligations, thereby providing a benefit to investors and the market. Accordingly, providing this exemption is necessary or appropriate in the public interest and consistent with the protection of investors.

III. Conclusion

For the reasons discussed herein, the Commission determines that the exemptive relief granted herein satisfies the standard of section 36(a)(1) of the Exchange Act.[21]

Accordingly, *it is hereby ordered,* pursuant to section 36(a)(1) of the Exchange Act,[22] that the Commission is granting exemptive relief to registrants [23] from filing or submitting Form CA–1 (except Exhibit H thereto), Form 1 (except Exhibit I thereto), Form X–17A–5 Part III, Form 17–H, and the CCO report in Inline XBRL pursuant to Exchange Act rules 6a–1, 17a–5, 17a–12, 18a–7, 17h–2T, and 15fk–1.[24]

www.sec.gov/comments/s7-08-23/s70823-723567-2263574.pdf.

[20] As a general matter, the entirety of Form 17–H and the CCO report, and the vast majority of Form X–17A–5 Part III are non-public. *See* 17 CFR 240.17h–2T(e); 17 CFR 240.17a–5(e)(3); Adopting Release, 90 FR at 7293 and *n.* 347. *See also* 17 CFR 240.24b–2; 17 CFR 200.83 (identifying rules and processes with respect to requesting confidential treatment of materials submitted to the Commission).

[21] *See* 15 U.S.C. 78mm(a)(1).

[22] *See* 15 U.S.C. 78mm(a)(1).

[23] This exemptive relief extends to clearing agencies with respect to Form CA–1, self-regulatory organizations with respect to Form 1, broker-dealers and SBS Entities with respect to Form X–17A–5 Part III, broker-dealers subject to Exchange Act rule 17h–2T with respect to Form 17–H; and SBS Entities with respect to the CCO report.

[24] *See* 17 CFR 240.6a–1; 17 CFR 240.17a–5; 17 CFR 240.17a–12; 17 CFR 240.18a–7; 17 CFR 240.17h–2T; 17 CFR 240.15fk–1.

By the Commission.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–18905 Filed 9–14–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0639]

Agency Information Collection Activities; Proposed Collection; Comment Request; Extension: Rule 12d1–4

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''SEC'' or ''Commission'') is soliciting comments on the proposed collection of information described below.

Section 12(d)(1) of the Investment Company Act of 1940 (the ''Act'') (15 U.S.C. 80a–12(d)(1)) limits the ability of a fund to invest substantially in securities issued by another fund.[1] Rule 12d1–4 (17 CFR 270.12d1–4), however, permits certain registered funds and business development companies (''BDCs'') (together, funds, and those acquiring shares of other funds in reliance on the rule, ''acquiring funds'') that satisfy certain conditions to acquire shares of other certain registered funds and BDCs (together ''acquired funds'') in excess of the limits of section 12(d)(1) of the Act without obtaining an exemptive order from the Commission.[2] These conditions, described in more detail below, include requirements that constitute a collection of information. These are all recordkeeping-type requirements. Under rule 12d1–4, a fund relying on the rule must maintain certain records documenting the fund's compliance with the rule for a period of not less than five years, the first two years in an easily accessible place.[3]

This collection of information is voluntary because rule 12d1–4 is an exemptive rule and, therefore, funds may choose not to rely on the rule. The purpose of the information collection requirement in rule 12d1–4 is to ensure both that the concerns that led Congress to adopt section 12(d)(1) are mitigated and that funds relying upon the rule as an exemption from that section comply with the rule's requirements.

The following estimates of average internal burden hours are made solely for purposes of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) and are not derived from a comprehensive or even representative survey or study of the cost of Commission rules and forms.

Voting Provisions. With respect to voting provisions, Commission staff estimates that 562 acquiring funds will be subject to the requirements in rule 12d1–4(b)(ii).[4] Staff estimates that 550 of these funds will utilize mirror voting and that 12 of these funds will utilize pass-through voting.[5]

[1] *See* 15 U.S.C. 80a–12(d)(1), *available at https://www.law.cornell.edu/uscode/text/15/80a-12.*

[2] *See* 17 CFR 270.12d1–4, *available at https://www.ecfr.gov/current/title-17/chapter-II/part-270/section-270.12d1-4.*

[3] Rule 12d1–4(c).

[4] 562 acquiring funds that will invest in open-end funds or UITs in reliance on rule 12d1–4 and beyond the 25% voting threshold = 5,309 series of management companies relying upon rule 12d1–4 or statutory exemption per Form N–CEN Items C.7.l and C.7.m (based on data as of Dec. 2025, as derived from Form N–CEN filings through Aug. 13, 2026) plus 75 acquiring BDCs (consistent with the prior renewal, we derive this by multiplying the estimated number of BDCs—171, based on Form 10–K filings and related amendments in calendar year 2025—by 44%) and multiplied by 11% of acquiring funds that invest in at least one open-end fund or UIT beyond the 25% voting threshold of the rule (as estimated in the prior renewal). This estimate assumes that acquiring funds with current investments in other funds beyond the limits of section 12(d)(1) are subject to rule 12d1–4 at the same rate as the acquiring funds with current investments in other funds within the limits of section 12(d)(1). We lack structured data that would allow us to estimate the percentage of acquiring funds that are within the same group of investment companies as the acquired fund or the acquiring fund's investment sub-adviser or any person controlling, controlled by, or under common control with such investment sub-adviser acts as the acquired fund's investment adviser or depositor, and thus will be subject to the rule's voting condition. To avoid underestimating the costs associated with this aspect of rule 12d1–4, we assume that all the 562 acquiring funds will be subject to the rule's conditions.

[5] We estimate that most of these funds (550 (= 562 − 12) funds) will utilize mirror voting and that 12 funds will utilize pass-through voting in limited circumstances. In circumstances where all holders of the outstanding voting securities of the acquired fund are required by rule 12d1–4 or otherwise under section 12(d)(1) to mirror vote the securities of the acquired fund, the acquiring fund may use pass-through instead of mirror voting. It is estimated that (consistent with the prior renewal) 2.2% of acquiring funds that will invest in open-end funds or UITs in reliance on rule 12d1–4 and beyond the 25% voting threshold will use pass-through voting (*i.e.,* 2.2% of 562 acquiring funds equals 12 funds using pass-through voting).

TABLE 1—RULE 12D1–4(b)(1)(ii) AND (iii) ESTIMATES

	Internal annual hour burden
Mirror voting information collections [requirement type = recordkeeping]	6 hours.[1]
Number of responses	× 550 responses.
Total annual burden for rule 12d1–4(b)(1)(ii)	3,300 hours.
Pass-through voting information collections [requirement type = recordkeeping]	33 hours.[2]
Number of responses	× 12 responses.
Total annual burden for rule 12d1–4(b)(1)(iii)	396 hours.
Estimated total annual burden	3,700 hours.[3]

Notes:
[1] Commission staff estimates that, on average, internal counsel for such funds will spend 3 hours updating proxy voting policies and disclosures for such funds and 3 hours conducting voting procedures. The estimated annual hour burden of the collection of information imposed by the mirror voting provisions is therefore 6 hours per fund.
[2] Commission staff estimates that, on average, internal counsel for such funds will spend 3 hours updating proxy voting policies and disclosures for such funds and 30 hours communicating with shareholders and voting accordingly. The estimated annual hour burden of the collection of information imposed by the pass-through voting provisions is therefore 33 hours per fund.
[5] 3,300 hours + 396 hours = 3,696 hours. We round the estimated internal hour burden up to the nearest hundred hours.

As described in Table 1 above, combining the estimates for the mirror voting and pass-through voting calculations, staff estimates that 562 funds will spend a total of 3,700 hours complying with the voting provisions of the rule.

Fund of Funds Investment Agreements. With respect to the fund of funds investment agreement provisions, Commission staff estimates that 14,533 funds that do not have the same investment adviser are subject to the requirement to enter into an agreement prior to the purchase of acquired fund shares in excess of section 12(d)(1)'s limits.[6] Commission staff estimates, however, that the majority of affected funds have already complied with this requirement and staff assumes that, absent structured data to further calculate, 727 funds (5% of affected funds) would be newly subject to the rule on an annual basis.[7]

TABLE 2—RULE 12D1–4(b)(2)(iv) AND (c)(1) ESTIMATES

	Internal annual hour burden
Negotiating and memorializing necessary agreements, and associated recordkeeping (for newly affected funds) [requirement type = recordkeeping].	26 hours.[1]
Number of responses	× 727 responses.
Total annual burden for newly affected funds	18,902 hours.
Ongoing recordkeeping (for all affected funds) [requirement type = recordkeeping]	12 hours.
Number of responses	× 14,533 responses.
Total annual burden for all affected funds	174,396 hours.
Total annual burden	193,300 hours.[2]

Notes:
[1] Commission staff estimates that, on average, newly affected funds will spend 20 hours negotiating and memorializing the necessary agreements and 6 hours establishing associated recordkeeping and policies and procedures. The estimated annual hour burden of the collections of information associated with fund of funds investment agreements is therefore 26 hours per fund for newly affected funds.
[2] 18,902 hours + 174,396 hours = 193,298 hours. We round the estimated internal hour burden up to the nearest hundred hours.

As described in Table 2 above, staff estimates that 14,533 affected funds will spend a total of 193,300 hours complying with the fund of funds investment agreement provisions of the rule.

Management Companies—Fund Filings. With respect to the management company fund finding provisions, Commission staff estimates that 3,278 acquired management companies will be subject to rule 12d1–4.[8] Commission

[6] This estimate is based on the number of acquiring-acquired fund pairs that do not share the same adviser as indicated in Form N–PORT data as of Dec. 2025, as derived from Form N–PORT filings through Aug. 13, 2026 (21,063) and, consistent with the prior renewal, assumes that 69% of such acquiring-acquired fund pairs will be subject to rule 12d1–4 (*i.e.,* 14,533 = 21,063 × 0.69).

[7] This estimate is based on the following calculation: 727 = 14,533 × 0.05.

[8] 3,278 acquired management companies that will be subject to rule 12d1–4 = 4,751 acquired management companies × 69% of acquired management companies that will be subject to rule 12d1–4 (as estimated in the prior renewal). Our calculation assumes that the estimate of acquiring funds that will be subject to rule 12d1–4 is also applicable to acquired funds. 4,751 acquired management companies = 3,615 acquired registered investment companies (based on data as of Dec. 2025, as derived from Form N–PORT filings through Aug. 13, 2026 × 17,883 registered investment companies (based on data as of Dec. 2025, as derived from Form N–PORT filings through Aug. 13, 2026/13,607 management companies (based on data as of Dec. 2025, as derived from Form N–CEN filings through Aug. 13, 2026). This estimate assumes that acquired management companies with investments from acquiring funds beyond the limits of section 12(d)(1) will be subject to rule 12d1–4 at the same rate as the acquired management companies with investments from acquiring funds within the limits of section 12(d)(1).

staff further estimates that 5,477 acquiring management companies will be subject to rule 12d1–4.[9] This results in 8,755 management companies being subject to rule 12d1–4.[10]

TABLE 3—RULE 12d1–4(b)(2)(i) AND (C)(2) ESTIMATES

[For management companies]

	Internal annual hour burden
Conducting evaluations and creating, reviewing, and maintaining required written materials [requirement type = recordkeeping].	18 hours.
Number of responses	× 8,755 responses.
Total annual burden	157,600 hours[1].

Notes:
[1] 18 hours × 8,755 responses = 157,590 hours. We round the estimated internal hour burden to the nearest hundred hours.

As described in Table 3 above, staff estimates that 8,755 management companies will spend a total of 157,600 hours conducting evaluations and creating, reviewing, and maintaining written materials pursuant to the rule.

UITs—Principal Underwriter or Depositor Evaluations. With respect to the UIT principal underwriter or depositor evaluations, Commission staff estimates that 551 acquiring UITs will be subject to rule 12d1–4.[11]

TABLE 4—RULE 12D1–4(b)(2)(ii) AND (c)(3) ESTIMATES

[For UITs]

	Internal annual hour burden
Conducting evaluations and creating, reviewing, and maintaining required written materials [requirement type = recordkeeping].	5 hours.
Number of responses	× 551 responses.
Total annual burden	2,800 hours.[1]

Notes:
[1] 5 hours × 551 responses = 2,755 hours. We round the estimated internal hour burden to the nearest hundred hours.

As described in Table 4 above, staff estimates that 551 UITs will spend a total of 2,800 hours conducting evaluations and creating, reviewing, and maintaining written materials pursuant to the rule.

Separate Accounts Funding Variable Insurance Contracts. With respect to the separate account funding variable insurance contracts, Commission staff estimate that 184 acquiring separate accounts will be subject to rule 12d1–4.[12]

TABLE 5—RULE 12d1–4(b)(2)(iii) AND (c)(4) ESTIMATES

[For separate accounts]

	Internal annual hour burden
Obtaining certificates and maintaining records [requirement type = recordkeeping]	4 hours.
Number of responses	× 184 responses.
Total annual burden	700 hours.[1]

Notes:
1. 4 hours × 184 responses = 736 hours. We round the estimated internal hour burden to the nearest hundred hours.

As described in Table 5 above, staff estimate that 184 separate accounts will spend a total of 700 hours obtaining certificates and maintaining records pursuant to the rule.

The table below summarizes the annual response and burden hour estimates for rule 12d1–4:

[9] 5,477 acquiring management companies that will be subject to rule 12d1–4 = 7,937 acquiring management companies (based on data as of Dec. 2025, as derived from Form N–PORT filings through Aug. 13, 2026) × 69% of acquiring management companies that will be subject to rule 12d1–4 (consistent with the prior renewal). This estimate assumes that acquiring management companies with current investments in other funds beyond the limits of section 12(d)(1) will be subject to rule 12d1–4 at the same rate as the acquiring management companies with current investments in other funds within the limits of section 12(d)(1) following the rule adoption.

[10] 8,755 = 3,278 + 5,477.

[11] This estimate assumes that there are 1,377 series of UITs and that 40% of such UITS are acquiring UITs (as estimated in the prior renewal). The estimate of 1,377 series of UITs is based on data as of Dec. 2025, as derived from Form N–CEN filings (Items F.18 and F.19) through Aug. 13, 2026.

[12] 184 acquiring separate accounts that will be subject to rule 12d1–4 = 413 variable annuity separate accounts registered as UITs + 239 variable life insurance separate accounts registered as UITs + 15 management company separate accounts (these figures are based on data as of Dec. 2025, as derived from Form N–CEN filings through Aug. 13, 2026)] × 40% of funds that are acquiring funds (as estimated in the prior renewal) × 69% of acquiring separate accounts that will be subject to rule 12d1–4 as estimated by a commenter (as estimated in the prior renewal).

Information collection	Annual number of responses	Annual time burden (hrs.)
Voting Provisions (see Table 1, *supra*)	562	3,700
Fund of Fund Investment Agreements (see Table 2, *supra*)	14,533	193,300
Management Company Findings (see Table 3, *supra*)	8,755	157,600
UIT Evaluations (see Table 4, *supra*)	551	2,800
Separate Account Certificates (see Table 5, *supra*)	184	700
Total	24,585	358,100

The following estimates of external costs are made solely for purposes of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) and are not derived from a comprehensive or even representative survey or study of the cost of Commission rules and forms.

Voting Provisions. The staff estimates that, on average, outside counsel will spend 1 hour per vote conducting voting procedures with respect to mirror voting at a cost of $774 per hour. Staff therefore estimate an annual external cost burden of $430,000 with respect to mirror voting.[13] Staff further estimate that, with respect to pass-through voting, outside counsel will spend 1 hour to assist funds in communicating with shareholders and voting accordingly at a rate of $774 per hour. Staff therefore estimate an annual external cost burden of $10,000 with respect to pass-through voting.[14] Accordingly, staff estimates a total annual external cost of $440,000 ($430,000 + $10,000) for compliance with the voting provisions of the rule.

Fund of Funds Investment Agreement. Staff estimate that, on average, for funds newly subject to the rule, outside counsel will spend 2 hours negotiating and memorializing the necessary agreements under the rule at a cost of $774 per hour. Staff further estimate that, on average, for funds newly subject to the rule, outside counsel will spend 4 hours establishing recordkeeping policies and procedures. Accordingly, staff estimates total annual external costs of $3,380,000 for compliance with the fund of funds investment agreement provisions of the rule.[15]

Management Companies—Fund Filings. It is estimated that there is no external cost burden with respect to the management company findings provisions of the rule.

UITs—Principal Underwriter or Depositor Evaluations. It is estimated that there is no external cost burden with respect to the UIT evaluation provisions of the rule.

Separate Accounts Funding Variable Insurance Contracts. It is estimated that there is no external cost burden with respect to the separate account certification provisions of the rule.

TABLE 6—ESTIMATED ADDITIONAL COST BURDEN

Additional information collections (“ICs”)	Annual hour burden	Wage rate [1]	Requested total estimated annual additional cost burden
Mirror voting information collections [requirement type = recordkeeping] See Table 1 *supra*.	1 hour × 550 responses = 550 hours	$774	$430,000 [2]
Pass-through voting information collections [requirement type = recordkeeping] See Table 1 *supra*.	1 hour × 12 responses = 12 hours	774	$10,000 [3]
Negotiating and memorializing necessary agreements, and associated recordkeeping (for newly affected funds) [requirement type = recordkeeping] See Table 2 *supra*.	6 hours × 727 responses = 4,362 hours	774	$3,380,000 [4]
Total estimated additional cost burden			$3,820,000 (requested total estimated additional cost burden)

Notes

1. To calculate the occupational hourly rates used in this release, the Commission uses occupational mean hourly wage data from the Occupational Employment and Wage Statistics (OEWS) program of the Bureau of Labor Statistics (BLS) for ‘‘Securities, Commodity Contracts, and Other Financial Investments and Related Activities’’ (NAICS 523)+. *See Occupational Employment and Wage Statistics,* U.S. BUREAU OF LABOR STATISTICS, *https://www.bls.gov/oes/; see also Standard Occupational Classification,* U.S. BUREAU OF LABOR STATISTICS, *https://www.bls.gov/soc/* (describing occupational classification system used by BLS); EXEC. OFF. OF THE PRESIDENT, OFF. OF MGMT. & BUDGET, NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM (2022), *available at https://www.census.gov/naics/reference_files_tools/2022_NAICS_Manual.pdf* (describing the industry classification system used by BLS and other agencies). The mean hourly wage for each occupation is adjusted for changes in the seasonally adjusted employment cost index for private wages and salaries between the data reference period and when the data are released by BLS. *See Employment Cost Index,* U.S. BUREAU OF LABOR STATISTICS, *https://www.bls.gov/eci/.* The adjusted mean hourly wage is then multiplied by a factor that accounts for nonwage costs borne by employers, such as bonuses, benefits, and overhead. This factor is calculated as an average over the 10 most recently available years of data of the ratio of the Bureau of Economic Analysis’s annual gross output data for NAICS 523 to total annual wages across all occupations for NAICS 523 in the OEWS data. *See Gross Output by Industry,* U.S. BUREAU OF ECONOMIC ANALYSIS, *https://www.bea.gov/data/industries/gross-output-by-industry; Occupational Employment and Wage Statistics,* U.S. BUREAU OF LABOR STATISTICS, *https://www.bls.gov/oes/.* The final product is the occupational hourly rate. *See generally* UPDATED METHODOLOGY FOR CALCULATING OCCUPATIONAL HOURLY RATES (Dec. 19, 2025), *available at https://www.sec.gov/files/method-occupational-hourly-rates.pdf.*

2. *See supra* footnote 13.

3. *See supra* footnote 14.

4. *See supra* footnote 15.

As described in Table 6 above, we estimate the total external cost burden to comply with rule 12d1–4 to be $3,820,000.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Written comments are invited on: (a) whether this proposed collection of information is necessary for the proper performance of the functions of the SEC, including whether the information will have practical utility; (b) the accuracy of the SEC’s estimate of the burden imposed by the proposed collection of information, including the validity of

[13] $425,700 = ($774 × 1 hour) × 550 funds subject to mirror voting. We round the estimated additional cost burden to the nearest ten thousand dollars.

[14] $9,288 = ($774 × 1 hour) × 12 funds subject to pass-through voting. We round the estimated additional cost burden to the nearest ten thousand dollars.

[15] $3,376,188 = [($774 × 2) + ($774 × 4)] × 727 funds newly subject to the fund of funds investment agreement provisions of the rule. *See* footnote 24 for the calculation of funds newly subject to the rule. We round the estimated additional cost burden to the nearest ten thousand dollars.

the methodology and the assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated, electronic collection techniques or other forms of information technology.

Please direct your written comments on this 60-Day Collection Notice to Austin Gerig, Director/Chief Data Officer, Securities and Exchange Commission, c/o Tanya Ruttenberg via email to *PaperworkReductionAct@sec.gov* by November 16, 2026.

Dated: September 10, 2026.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–18817 Filed 9–14–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106325; File No. SR–ISE–2026–49]

Self-Regulatory Organizations; Nasdaq ISE, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Options 10, Section 27

September 10, 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 September 3, 2026, Nasdaq ISE, LLC (''ISE'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III, below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend ISE Options 10, Section 27, Influencing or Rewarding Employees of Others, to conform to the rules of the Financial Industry Regulatory Authority, Inc. (''FINRA'') for purposes of an agreement between the Exchange and FINRA pursuant to Rule 17d–2 under the Act.[3]

The text of the proposed rule change is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/ise/rulefilings,* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Options 10, Section 27, Influencing or Rewarding Employees of Others, to conform the rule so that it is substantially similar to FINRA Rule 3220. The Exchange notes that this filing is based on a proposal recently submitted by FINRA, and approved by the Commission, to amend FINRA Rule 3220 (Influencing or Rewarding Employees of Others).[4] The Exchange also proposes a technical amendment at Options 10, Section 7, Supervision of Accounts.

Options 10, Section 27

Pursuant to Rule 17d–2 under the Act,[5] the Exchange and FINRA entered into an agreement to allocate regulatory responsibility for common rules (the ''17d–2 Agreement''). The 17d–2 Agreement covers common members of the Exchange and FINRA and allocates to FINRA regulatory responsibility, with respect to common members, for the following: (i) examination of common members of the Exchange and FINRA for compliance with certain federal securities laws, rules and regulations and rules of the Exchange that the Exchange has certified as identical or substantially similar to FINRA rules; (ii) investigation of common members of the Exchange and FINRA for violations of certain federal securities laws, rules or regulations, or Exchange rules that the Exchange has certified as identical or substantially similar to a FINRA rule; and (iii) enforcement of compliance by common members with certain federal securities laws, rules and regulations, and the rules of the Exchange that the Exchange has certified as identical or substantially similar to FINRA rules.[6]

The 17d–2 Agreement included a certification by the Exchange that states that the requirements contained in certain Exchange rules are identical to, or substantially similar to, certain FINRA rules that have been identified as comparable. To conform to comparable FINRA rules for purposes of the 17d–2 Agreement, the Exchange proposes conforming the text of Options 10, Section 27 so that it is substantially similar to FINRA Rule 3220.

Currently, Options 10, Section 27 is excluded from the 17d–2 Agreement because it is not identical, or substantially similar, to FINRA Rule 3220. Current ISE Options 10, Section 27 prohibits a Member or person associated with a Member from directly or indirectly, giving or permitting to be given anything of value, including gratuities, in excess of one hundred dollars per individual per year to any person, principal, proprietor, employee, agent or representative of another person where such payment or gratuity is in relation to the business of the employer of the recipient of the payment or gratuity. FINRA Rule 3220 currently prohibits gifts in excess of $300.00, where the gift or gratuity is in relation to the business of the employer of the recipient. Unlike FINRA Rule 3220, current Options 10, Section 27 does not include provisions covering: supervision and record keeping requirements; an exclusion for payments made pursuant to bona fide, written employment contracts; gifts incidental to business entertainment; valuation of gifts; aggregation of gifts; personal gifts; bereavement gifts; de minimis gifts and promotional or commemorative items; donations due to federally declared major disasters; or gifts to a Member's associated persons or individual retail customers. Options 10, Section 27 was, therefore, excluded from the 17d–2 Agreement because it was not identical or substantially similar to FINRA Rule 3220. To harmonize its rules with FINRA, the Exchange proposes to conform the rule text of Options 10, Section 27 to text that is substantially similar to FINRA Rule 3220 so that it may be incorporated into the 17d–2 Agreement in its entirety.

The Exchange believes that these changes will help to avoid confusion

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 17 CFR 240.19b–4(f)(6)(iii).

[4] *See* Securities Exchange Act Release No. 104830 (February 12, 2026), 91 FR 7570 (February 18, 2026) (Order Approving File No. SR–FINRA–2025–003) (''FINRA Approval Order'').

[5] 17 CFR 240.17d–2.

[6] *See* Securities and Exchange Release No. 90702 (December 17, 2020), 72 FR 9983 (March 6, 2007) (approving File No. 4–529).

among Members of the Exchange that are also members of FINRA by harmonizing Options 10, Section 27 with FINRA Rule 3220. The proposed changes to Options 10, Section 27 are designed to enable the Exchange to incorporate Options 10, Section 27 into the 17d–2 Agreement, further reducing duplicative regulation of Members that are also members of FINRA. For the avoidance of doubt, Options 10, Section 27 would equally apply to Exchange-only Members as the Exchange believes it appropriately protects against improprieties, such as conflicts of interest, that might arise when a Member or person associated with a Member gives items of value to an employee of another person, such as an institutional customer, vendor or counterparty with the hope of strengthening the relationship with the customer.

First, the Exchange proposes to amend Options 10, Section 27(a) to increase the gift limit from $100 to $300 per individual per year. FINRA stated that the current gift limit of $100 has been in place since 1992.[7] FINRA increased the gift limit from $100 to $300 to account for past inflation since 1992 and to account for expected future inflation for approximately ten years, thereby reducing the frequency of future upward adjustments to account for inflation.[8] Consistent with FINRA's determination, the Exchange believes that a $300 gift limit would continue to permit the exchange of business courtesies while helping to guard against excessiveness, and reasonably reflects changes to purchasing power due to inflation since the gift limit was last raised in 1992 as well as approximately ten years of expected future inflation.

Second, the Exchange proposes to add a new paragraph (d) to ISE Options 10, Section 27 that would authorize the Exchange to conditionally or unconditionally grant an exemption from any provision of Options 10, Section 27 for good cause shown, provided that such exemption is consistent with the purpose of the Rule, the protection of investors, and the public interest. Specifically, the Exchange proposes that pursuant to General 5, Section 3,[9] FINRA staff, for good cause shown after taking into consideration all relevant factors, may conditionally or unconditionally grant an exemption from any provision of this Rule to the extent that such exemption is consistent with the purpose of the Rule, the protection of investors, and the public interest. This proposed provision mirrors the exemptive relief authority added by FINRA in new Rule 3220(d).[10] Given the scope of ISE Options 10, Section 27, which applies to gifts given to a wide range of recipients where the payment is in relation to the business of the employer of the recipient, and given the diversity of Member sizes, structures, businesses, and distribution models, the Exchange believes it would be useful and appropriate to have the ability to provide relief from a particular provision of the Rule under specific factual circumstances.

Third, FINRA Rule 3220 incorporated published guidance interpreting FINRA Rule 3220, including NASD Notice to Members 06–69,[11] FINRA's Frequently Asked Questions on Gifts, Business Entertainment, and Non-Cash Compensation,[12] as well as an interpretive letter regarding bereavement gifts (the ''Aly Letter'').[13] To maintain substantive alignment with FINRA Rule 3220, the Exchange proposes to adopt corresponding Supplementary Material .01 through .09 to Options 10, Section 27. Each proposed Supplementary Material section is described below.

Proposed Supplementary Material .01 (Gifts Incidental to Business Entertainment) would state that a gift given during the course of a business entertainment event is subject to ISE Options 10, Section 27 unless it is consistent with the requirements of proposed Supplementary Material .04 (Personal Gifts) or .06 (De Minimis Gifts and Promotional or Commemorative Items) which is substantially similar to FINRA Rule 3220 Supplementary Material .04 and .06. For the purpose of the $300 limit, the cost of the business entertainment event itself would not be included in the value of the gift.

Proposed Supplementary Material .02 (Valuation of Gifts) would require Members to value gifts (other than tickets for sporting or other events) at cost, exclusive of tax and delivery charges, and would require Members to value tickets for sporting or other events at the higher of cost or face value. If gifts are given to multiple recipients, Members must record the names of each recipient and calculate and record the value of the gift on a pro rata, per-recipient basis, for purposes of ensuring compliance with the $300 limit in ISE Options 10, Section 27(a). FINRA Rule 3220 at Supplementary Material .02 requires Members to value gifts (other than tickets for sporting or other events) at cost rather than at the higher of cost or market value reduces complexity and subjectivity because market value can be difficult and burdensome to determine, while distinguishing tickets for sporting or other events accounts for the fact that such tickets are commonly purchased on secondary markets at costs that differ from face value.

Proposed Supplementary Material .03 (Aggregation of Gifts) would require Members to aggregate all gifts given by the Member and each associated person of the Member to a particular recipient over the course of the year for purposes of ensuring compliance with the $300 limit in ISE Options 10, Section 27(a), and would require each Member to state in its procedures whether it is aggregating all gifts given by the Member and its associated persons on a calendar year, fiscal year, or on a rolling basis beginning with the first gift to any particular recipient. The aggregation requirement would not apply to personal gifts under proposed Supplementary Material .04 or to gifts of de minimis value or promotional or commemorative items under proposed Supplementary Material .06 as they are already not subject to the gift limit. This proposed provision which is substantially similar to FINRA Rule 3220(a) would help ensure that persons who give multiple gifts in a year to the same recipient do not circumvent the gift limit.

Proposed Supplementary Material .04 (Personal Gifts) would state that gifts that are given for infrequent life events (*e.g.,* a wedding gift or a congratulatory gift for the birth of a child) are not subject to the restrictions in ISE Options 10, Section 27(a) or the recordkeeping requirements in ISE Options 10, Section 27(c), provided the gifts are customary and reasonable, personal in nature, and not in relation to the business of the employer of the recipient. In determining whether a gift is ''personal in nature and not in relation to the business of the employer of the recipient,'' Members should consider a number of factors, including the nature of any pre-existing personal or family relationship between the person giving the gift and the recipient and whether

[7] *See supra* note 4.

[8] *See id.*

[9] Series 9000 of The Nasdaq Stock Market LLC Rules are incorporated by reference into ISE General 5, Section 3, and are applicable to ISE Members, Associated Persons, and other persons subject to the Exchange's jurisdiction.

[10] *See id.*

[11] NASD Notice to Members 06–69 (Dec. 2006) (''NTM 06–69'').

[12] Gifts/Business Entertainment/Non-Cash Compensation FAQs, *https://www.finra.org/rules-guidance/key-topics/gifts-gratuities-and-non-cash-compensation/faqs* (''FAQs'').

[13] Letter from Gary L. Goldsholle, Vice President & Associate General Counsel, FINRA, to Amal Aly, Managing Director & Associate General Counsel, SIFMA, dated December 17, 2007 (''Aly Letter'').

the associated person paid for the gift. When the Member bears the cost of the gift, either directly or by reimbursing an associated person, the Exchange will presume that such gift is not personal in nature and instead is in relation to the business of the employer of the recipient. This provision is substantially similar to FINRA Rule 3220 at Supplementary Material .04.

Consistent with FINRA Rule 3220 at Supplementary Material .05 (Bereavement Gifts), Options 10, Section 27 at proposed Supplementary .05 separates bereavement gifts from personal gifts. Proposed Supplementary Material .05 would state that bereavement gifts that are customary and reasonable are not considered to be in relation to the business of the employer of the recipient and, therefore, are not subject to the restrictions in ISE Options 10, Section 27(a) or the recordkeeping requirements in ISE Options 10, Section 27(c). This provision is substantially similar to FINRA Rule 3220 at Supplementary Material .05.

Proposed Supplementary Material .06 (De Minimis Gifts and Promotional or Commemorative Items), at paragraph (a), would state that gifts of a de minimis value (*e.g.,* pens, notepads, or modest desk ornaments) or promotional items of nominal value that display the Member's logo (*e.g.,* umbrellas, tote bags, or shirts) are not subject to the restrictions in ISE Options 10, Section 27(a) or the recordkeeping requirements in ISE Options 10, Section 27(c), provided that the value of the gift or promotional item is substantially below the $300 limit. Proposed Supplementary Material .06(b) would state that customary and reasonable solely decorative items commemorating a business transaction are not subject to the restrictions in ISE Options 10, Section 27(a) or the recordkeeping requirements in ISE Options 10, Section 27(c). These provisions are substantially similar to FINRA Rule 3220 at Supplementary Material .06.

Proposed Supplementary Material .07 (Donations Due to Federally Declared Major Disasters) would state that donations by a Member or an associated person to any person, principal, proprietor, employee, agent or representative of another person to provide assistance to the individual for losses sustained in a natural event that the President has declared to be a major disaster, such as a wildfire, hurricane, tornado, earthquake, or flood, are not considered ''in relation to the business of the employer of the recipient'' for purposes of ISE Options 10, Section 27(a) and are not subject to the restrictions in ISE Options 10, Section 27(a) or the recordkeeping requirements of ISE Options 10, Section 27(c). This provision is substantially similar to FINRA Rule 3220 at Supplementary Material .07 which recognizes that the nature of such disasters is unpredictable and catastrophic.

Proposed Supplementary Material .08 (Supervision and Recordkeeping) would state that the Exchange's supervision rules at Options 10, Section 7 require a Member to have a supervisory system reasonably designed to achieve compliance with ISE Options 10, Section 27.[14] To meet these standards, Members would be required to have systems and procedures reasonably designed to ensure that payments and gratuities in relation to the business of the employer of the recipient given by the Member and its associated persons to employees of another person are (a) reported to the Member; (b) reviewed for compliance with ISE Options 10, Section 27; and (c) maintained in the Member's records. Such procedures must be reasonably designed to ensure that an associated person who is giving a payment or gratuity is not responsible for determining whether such payment or gratuity is in relation to the business of the recipient's employer. Members are not required to maintain records of gifts that are consistent with the requirements of proposed Supplementary Material .04 through .07. Requiring a person other than the associated person giving the gift to assess the nature of the gift is intended to encourage objectivity in making such determinations, consistent with existing FINRA guidance.

Proposed Supplementary Material .09 (Gifts to a Member's Associated Persons or Individual Retail Customers) would state that ISE Options 10, Section 27 does not apply to gifts from a Member to its own associated persons, or to gifts from a Member or an associated person to individual retail customers. The Exchange believes that proposed Supplementary Material .09 would clarify, and improve awareness and understanding of, the scope of ISE Options 10, Section 27, consistent with FINRA Rule 3220 at Supplementary Material .09.

The Exchange believes the proposed rule change would promote efficiency without reducing protection for investors and the public interest. The proposed changes to Options 10, Section 27 to conform to the rules of FINRA improve transparency, awareness, and understanding of rule's requirements. The Exchange believes these proposed changes would also help facilitate compliance with Options 10, Section 27 and would provide regulatory certainty to Members. Because the Exchange proposes to make conforming amendments that are substantially similar to FINRA's amendments to FINRA Rule 3220, Members that are also FINRA members would continue to be subject to a substantially similar rule when conducting business on the Exchange. In addition, Members that are not FINRA members would continue to be subject to ISE Options 10, Section 27 to the extent that such Members conduct business with the public.

Technical Amendment

The Exchange proposes a technical amendment to Options 10, Section 7, Supervision of Accounts. The Exchange proposes to remove the following rule text, ''*The deadline to submit the annual supervision-related reports pursuant to Options 10, Section 7(g) and (h) will be extended from June 30, 2020 to July 31, 2020.*'' This rule text refers to a dated deadline.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[15] in general, and furthers the objectives of Section 6(b)(5) of the Act,[16] 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.

As noted above, the proposed rule change conforms Options 10, Section 27 to FINRA Rule 3220 so that it is substantially similar to FINRA's rule, thereby promoting uniform standards across the securities industry. The Exchange also notes the changes proposed herein align Options 10, Section 27 with a recent filing submitted by FINRA and approved by the Commission.[17] The Exchange believes further that these changes will help to reduce and avoid potential confusion among Members of the Exchange that are also members of FINRA by harmonizing Options 10, Section 27 with FINRA Rule 3220. The

[14] The Exchange's supervision requirements for Members conducting options business with the public are set forth in ISE Options 10, Section 7 (Supervision of Accounts). To the extent applicable, Members would look to the applicable supervision rules of the Exchange to establish and maintain a supervisory system reasonably designed to achieve compliance with ISE Options 10, Section 27.

[15] 15 U.S.C. 78f(b).

[16] 15 U.S.C. 78f(b)(5).

[17] *See supra* note 3.

proposed rule change is designed to enable the Exchange to incorporate Options 10, Section 27 into the 17d–2 Agreement, further reducing duplicative regulation of Members that are also members of FINRA. For the avoidance of doubt, Options 10, Section 27 would equally apply to Exchange-only Member as the Exchange believes it appropriately protects against improprieties that might arise when substantial gifts or monetary payments are given to certain persons.

The Exchange believes the proposed rule change would promote efficiency without reducing protection for investors and the public interest. The proposed changes to Options 10, Section 27 to conform to the rules of FINRA improve transparency, awareness, and understanding of the Rule's requirements. The Exchange believes these proposed changes would also help facilitate compliance with Options 10, Section 27.

Technical Amendment

The Exchange's proposal to remove dated rule text from Options 10, Section 7 is a non-substantive amendment that does not impact the rule implementation.

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 rule change is not designed to address any competitive issues but rather to provide greater harmonization among Exchange and FINRA rules of similar purpose, resulting in less burdensome and more efficient regulatory compliance for common members and facilitating FINRA's performance of its regulatory functions under the 17d–2 Agreement. As such, 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.

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[18] and subparagraph (f)(6) of Rule 19b–4 thereunder.[19]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include file number SR–ISE–2026–49 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–ISE–2026–49. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–ISE–2026–49 and should be submitted on or before October 6, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[20]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–18816 Filed 9–14–26; 8:45 am]

BILLING CODE 8011–01–P

[18] 15 U.S.C. 78s(b)(3)(A)(iii).

[19] 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.

[20] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106338; File No. SR–NASDAQ–2026–004]

In the Matter of The Nasdaq Stock Market LLC; Order Granting Petitions for Review and Scheduling Filing of Statements Regarding an Order Approving a Proposed Rule Change, as Modified by Amendment No. 1, To Adopt a New Continued Listing Requirement

September 11, 2026.

This matter comes before the Securities and Exchange Commission (''Commission'') on petition to review the approval, pursuant to delegated authority, of The Nasdaq Stock Market LLC's (''Nasdaq'') proposed rule change (File No. SR–NASDAQ–2026–004) to adopt a new continued listing requirement.

On January 13, 2026, Nasdaq filed with the Commission, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] the proposed rule change. The proposed rule change was published for comment in the **Federal Register** on January 29, 2026.[3] On March 11, 2026, the Division of Trading and Markets (''Division''), for the Commission pursuant to delegated authority,[4] designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to approve or disapprove the proposed rule change.[5] On April 28, 2026, the Division, for the Commission pursuant to delegated

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 104688 (Jan. 26, 2026), 91 FR 3935.

[4] *See* 17 CFR 200.30–3(a)(31).

[5] *See* Securities Exchange Act Release No. 104968, 91 FR 12631 (Mar. 16, 2026).

authority,[6] instituted proceedings under Section 19(b)(2)(B) of the Act[7] to determine whether to approve or disapprove the proposed rule change.[8]

On June 18, 2026, the Exchange filed Amendment No. 1 to the proposed rule change, which replaced and superseded the original filing in its entirety. Amendment No. 1 was published for comment in the **Federal Register** on June 25, 2026.[9] The Commission received comments regarding the proposed rule change.[10]

On July 22, 2026, after consideration of the record in the proposed rule change, the Division, for the Commission pursuant to delegated authority,[11] approved the proposed rule change, as modified by Amendment No. 1 (''Approval Order'').[12]

Pursuant to Rule 430 of the Commission's Rules of Practice,[13] on July 29, 2026, the Small Public Company Coalition (''SPCC'') and Cemtrex, Inc. (''Cemtrex'') each filed a notice of intention to petition for review of the Approval Order,[14] and on August 5, 2026, SPCC and Cemtrex each filed a petition for review of the Approval Order.[15] Pursuant to Rule 431(e) of the Commission's Rules of Practice, notice of intention to petition for review results in an automatic stay of the action by delegated authority until the Commission orders otherwise.[16]

Pursuant to Rule 431 of the Commission's Rules of Practice,[17] the petitions of SPCC and Cemtrex for review of the Approval Order are granted. Further, the Commission hereby establishes that any party or other person may file a written statement in support of or in opposition to the Approval Order on or before October 6, 2026.

For the reasons stated above, it is hereby:

Ordered that the petitions of SPCC and Cemtrex for review of the Division's action made pursuant to delegated authority are *granted;* and

It is further *ordered* that any party or other person may file a statement in support of or in opposition to the action made pursuant to delegated authority on or before October 6, 2026.

It is further *ordered* that the Approval Order shall remain stayed pending further order of the Commission.

By the Commission.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–18878 Filed 9–14–26; 8:45 am]

BILLING CODE 8011–01–P

[6] *See* 17 CFR 200.30–3(a)(57).

[7] 15 U.S.C. 78s(b)(2)(B).

[8] *See* Securities Exchange Act Release No. 105333, 91 FR 23495 (May 1, 2026).

[9] *See* Securities Exchange Act Release No. 105747 (June 22, 2026), 91 FR 38460.

[10] Comments received on the proposed rule change are available at: *https://www.sec.gov/rules-regulations/public-comments/sr-nasdaq-2026-004.*

[11] *See* 17 CFR 200.30–3(a)(12).

[12] *See* Securities Exchange Act Release No. 105971, 91 FR 46995 (July 27, 2026).

[13] 17 CFR 201.430.

[14] *See* SPCC, Notice of Intention to Petition for Review (July 29, 2026), *available at https://www.sec.gov/files/rules/sro/nasdaq/2026/notice-intent-petition-spcc-072926.pdf;* Cemtrex, Notice of Intention to Petition for Review (July 29, 2026), *available at https://www.sec.gov/files/rules/sro/nasdaq/2026/notice-intent-petition-cemtrex-inc-072926.pdf. See also* bioAffinity Technologies, Inc., Notice of Intention to Petition for Review (July 30, 2026), *available at https://www.sec.gov/files/rules/sro/nasdaq/2026/bioaffinity-073126.pdf;* Netcapital Inc., Notice of Intention to Petition for Review (July 30, 2026), *available at https://www.sec.gov/files/rules/sro/nasdaq/2026/netcapital-inc-073126.pdf;* Twin Vee Powercats Co., Notice of Intention to Petition for Review (July 30, 2026), *available at https://www.sec.gov/files/rules/sro/nasdaq/2026/twin-vee-powercats-co-073126.pdf.* bioAffinity Technologies, Inc., Netcapital Inc., and Twin Vee Powercats Co. did not file a petition for review.

[15] *See* SPCC, Petition for Review (Aug. 5, 2026), *available at https://www.sec.gov/files/rules/sro/nasdaq/2026/34-105971-petition-small-public-company-coaltion.pdf;* Cemtrex, Petition for Review (Aug. 5, 2026), *available at https://www.sec.gov/files/rules/sro/nasdaq/2026/34-105971-petition-cemtrex.pdf.*

[16] 17 CFR 201.431(e).

[17] 17 CFR 201.431.

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106329; File No. 4–546]

Joint Industry Plan; Notice of Filing and Immediate Effectiveness of Amendment to the Options Order Protection and Locked/Crossed Market Plan To Add Investors Exchange LLC as a Participant

September 10, 2026.

Pursuant to Section 11A(a)(3) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 608 thereunder,[2] notice is hereby given that on September 1, 2026, Investors Exchange LLC (''IEX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') an amendment to the Options Order Protection and Locked/Crossed Market Plan (''Plan'').[3] The amendment adds IEX as a Participant[4] to the Plan. The Commission is publishing this notice to solicit comments on the amendment from interested persons.

I. Description and Purpose of the Amendment

The Plan requires the options exchanges to establish a framework for providing order protection and addressing locked and crossed markets in eligible options classes. The amendment to the Plan adds IEX as a Participant. The other Plan Participants are BOX, Cboe, Cboe BZX, Cboe C2, Cboe EDGX, MEMX, MIAX, Emerald, PEARL, Sapphire, Nasdaq, Nasdaq BX, Nasdaq GEMX, Nasdaq ISE, Nasdaq MRX, Nasdaq Phlx, NYSE American, and NYSE Arca. IEX has submitted an executed copy of the Plan to the Commission in accordance with the procedures set forth in the Plan regarding new Participants. Section 3(c) of the Plan provides for the entry of new Participants to the Plan. Specifically, Section 3(c) of the Plan provides that an Eligible Exchange[5] may become a

[1] 15 U.S.C. 78k–1(a)(3).

[2] 17 CFR 242.608.

[3] On July 30, 2009, the Commission approved the Plan, which was proposed by Chicago Board Options Exchange, Incorporated (''Cboe''), International Securities Exchange, LLC (''ISE'') (n/k/a Nasdaq ISE, LLC (''Nasdaq ISE'')), The NASDAQ Stock Market LLC (''Nasdaq''), NASDAQ OMX BX, Inc. (''BX'') (n/k/a Nasdaq BX, Inc. (''Nasdaq BX'')), NASDAQ OMX PHLX, Inc. (''Phlx'') (n/k/a Nasdaq Phlx LLC (''Nasdaq Phlx'')), NYSE Amex, LLC (''NYSE Amex''), and NYSE Arca, Inc. (''NYSE Arca''). *See* Securities Exchange Act Release No. 60405 (July 30, 2009), 74 FR 39362 (Aug. 6, 2009). *See also* Securities Exchange Act Release No. 61546 (Feb. 19, 2010), 75 FR 8762 (Feb. 25, 2010) (adding BATS Exchange, Inc. (''BATS'') (n/k/a Cboe BZX Exchange, Inc. (''Cboe BZX'')) as a Participant); 63119 (Oct. 15, 2010), 75 FR 65536 (Oct. 25, 2010) (adding C2 Options Exchange, Incorporated (''C2'') (n/k/a Cboe C2 Exchange, Inc. (''Cboe C2'')) as a Participant); 66969 (May 12, 2015), 77 FR 29396 (May 17, 2012) (adding BOX Options Exchange LLC (''BOX Options'') as a Participant); 70763 (Oct. 28, 2013), 78 FR 65740 (Nov. 1, 2013) (adding Topaz Exchange, LLC (''Topaz'') (n/k/a Nasdaq GEMX, LLC (''Nasdaq GEMX'') as a Participant); 70762 (Oct. 28, 2013), 78 FR 65733 (Nov. 1, 2013) (adding MIAX International Securities Exchange, LLC (''MIAX'') as a Participant); 76823 (Jan. 5, 2016), 81 FR 1260 (Jan. 11, 2016) (adding EDGX Exchange, Inc. (''EDGX'') (n/k/a Cboe EDGX Exchange, Inc. (''Cboe EDGX'')) as a Participant); 77324 (Mar. 8, 2016), 81 FR 13425 (Mar. 14, 2016) (adding ISE MERCURY, LLC (''ISE Mercury'') (n/k/a Nasdaq MRX, LLC (''Nasdaq MRX'')) as a Participant); 79896 (Jan. 30, 2017), 82 FR 9264 (Feb. 3, 2017) (adding MIAX Pearl (''PEARL'')) as a Participant); 85229 (Mar. 1, 2019), 84 FR 8347 (Mar. 7, 2019) (adding MIAX Emerald, LLC (''Emerald'') as a Participant); 98303 (Sept. 6, 2023) 88 FR 62610 (Sept. 12, 2023) (adding MEMX, LLC (''MEMX'') as a Participant); and 100657 (Aug. 5, 2024), 89 FR 65467 (Aug. 9, 2024) (adding MIAX Sapphire LLC (''Sapphire'')).

[4] The term ''Participant'' is defined as an Eligible Exchange whose participation in the Plan has become effective pursuant to Section 3(c) of the Plan.

[5] Section 2(6) of the Plan defines an ''Eligible Exchange'' as a national securities exchange registered with the Commission pursuant to Section 6(a) of the Act, 15 U.S.C. 78f(a), that: (a) is a ''Participant Exchange'' in the Options Clearing Corporation (''OCC'') (as defined in OCC By-laws, Section VII); (b) is a party to the Options Price Reporting Authority (''OPRA'') Plan (as defined in the OPRA Plan, Section 1); and (c) if the national securities exchange chooses not to become part to this Plan, is a participant in another plan approved

Participant in the Plan by: (i) executing a copy of the Plan, as then in effect; (ii) providing each current Participant with a copy of such executed Plan; and (iii) effecting an amendment to the Plan, as specified in Section 4(b) of the Plan.[6]

Section 4(b) of the Plan sets forth the process by which an Eligible Exchange may effect an amendment to the Plan. Specifically, an Eligible Exchange must: (a) execute a copy of the Plan with the only change being the addition of the new Participant's name in Section 3(a) of the Plan; and (b) submit the executed Plan to the Commission. The Plan then provides that such an amendment will be effective when the amendment is approved by the Commission or otherwise becomes effective pursuant to Section 11A of the Act and Rule 608 thereunder.

II. Effectiveness of the Proposed Linkage Plan Amendment

The foregoing Plan amendment has become effective pursuant to Rule 608(b)(3)(iii)[7] because it has been designated as involving solely technical or ministerial matters. At any time within sixty days of the filing of this amendment, the Commission may summarily abrogate the amendment and require that it be refiled pursuant to paragraph (a)(1) of Rule 608,[8] if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or the maintenance of fair and orderly markets, to remove impediments to, and perfect the mechanisms of, a national market system or otherwise in furtherance of the purposes of the Act.

III. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the amendment is consistent with the Act and the rules thereunder. 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 4–546 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 4–546. 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 4–546 and should be submitted on or before October 6, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[9]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–18812 Filed 9–14–26; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106322; File No. SR–CboeBZX–2026–070]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Exchange Rules 11.1(a), 11.9(b), 11.23, and 11.24 To Add a New Time-in-Force Designation Known as ''Regular 'til Post Market''

September 10, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 28, 2026, Cboe BZX Exchange, Inc. (the ''Exchange'' or ''BZX'') 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

Cboe BZX Exchange, Inc. (''BZX'' or the ''Exchange'') proposes to amend Exchange Rules 11.1(a), 11.9(b), 11.23, and 11.24 to add a new Time-in-Force (''TIF'') designation known as ''Regular 'til Post Market'' (''RTP''). The Exchange has designated the proposed rule change as noncontroversial and provided the Commission with the notice required by Rule 19b–4(f)(6)(iii) under the Act.[3] The text of the proposed rule change is provided in Exhibit 5.

The text of the proposed rule change is also available on the Commission's website (*https://www.sec.gov/rules/sro.shtml*), the Exchange's website (*https://www.cboe.com/us/equities/regulation/rule_filings/bzx/*), and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Rule 11.9(b) (''Time-in-Force'') to add a new TIF designation known as ''Regular 'til Post Market'' or ''RTP.'' As proposed, an RTP order would be a limit order designated for execution during both Regular Trading Hours[4]

by the Commission providing for comparable Trade-Through and Locked and Crossed Market protection. IEX has represented that it has met the requirements for being considered an Eligible Exchange. *See* letter from Claudia Crowley, Chief Regulatory Officer, IEX, to Vanessa Countryman, Secretary, Commission, dated September 1, 2026.

[6] IEX has represented that it has executed a copy of the current Plan, amended to include IEX as a Participant and has sent each current Participant a copy of the executed Plan. *See* letter from Claudia Crowley, Chief Regulatory Officer, IEX, to Vanessa Countryman, Secretary, Commission, dated September 1, 2026.

[7] 17 CFR 242.608(b)(3)(iii).

[8] 17 CFR 242.608(a)(1).

[9] 17 CFR 200.30–3(a)(85).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 17 CFR 240.19b–4(f)(6)(iii).

[4] *See* Exchange Rule 1.5(w). ''Regular Trading Hours'' means the time between 9:30 a.m. and 4:00 p.m. Eastern Time.

and the After Hours Trading Session,[5] with any unexecuted portion expiring at the end of the After Hours Trading Session. In connection with the introduction of the RTP TIF, the Exchange also proposes conforming amendments to Rules 11.1(a), 11.23, and 11.24 to reflect the availability of the RTP TIF across the Exchange's order handling, auction, and opening process rules.

Currently, Rule 11.9(b) provides Users[6] with the following TIF options for order entry. An ''Immediate-or-Cancel'' (''IOC'') order[7] is a limit order designated for immediate execution. Any unexecuted portion of an IOC order is cancelled. A ''Day'' order[8] is a limit order designated for execution only during Regular Trading Hours on the day it is entered. A ''Good 'til Cancel'' (''GTC'') order[9] is a limit order which, if not executed, will be cancelled by the close of Regular Trading Hours. A ''Good 'til Day'' (''GTD'') order[10] is a limit order which, if not executed, will be cancelled at the expiration time assigned to the order, which can be no later than the close of the After Hours Trading Session. A ''Good 'til Extended Day'' (''GTX'') order[11] is a limit order which, if not executed, will be cancelled by the close of the After Hours Trading Session. A ''Fill-or-Kill'' (''FOK'') order[12] is a limit order designated for immediate execution in its entirety or cancellation as soon as it is received by the Exchange. A ''Regular Hours Only'' (''RHO'') order[13] is a limit or market order designated for execution during Regular Trading Hours only. A ''Pre-Opening Session Plus'' (''PRE'') order[14] is a limit order designated for execution only during the Pre-Opening Session[15] and Regular Trading Hours. Any portion not executed expires at the end of Regular Trading Hours. A ''Pre-Opening Session 'til Extended Day'' (''PTX'') order[16] is a limit order designated for execution during the Pre-Opening Session, Regular Trading Hours, and the After Hours Trading Session. Any portion not executed expires at the end of the After Hours Trading Session. A ''Pre-Opening Session 'til Day'' order[17] is a limit order designated for execution during the Pre-Opening Session, Regular Trading Hours, and the After Hours Trading Session. Any portion not executed will be cancelled at the expiration time assigned to the order, which can be no later than the close of the After Hours Trading Session. While BZX currently offers a wide range of TIF designations, the Exchange does not presently offer a TIF that specifically combines Regular Trading Hours with the After Hours Trading Session in a single, dedicated designation.

Against this backdrop, the Exchange proposes to introduce the RTP TIF as a new, dedicated TIF option on BZX. As proposed, the RTP TIF would permit a User to submit a single limit order that is eligible for execution during Regular Trading Hours and that, if not fully executed during Regular Trading Hours, would remain active and eligible for execution during the After Hours Trading Session. Any portion of an RTP order not executed by the end of the After Hours Trading Session would expire. An RTP order may be modified or cancelled in accordance with Rule 11.9(e) and order priority will be determined pursuant to Rule 11.12(a), just as is the case for RHO orders currently. The Exchange believes that adding the RTP TIF to its suite of available TIF designations in Rule 11.9(b) would provide Users with a convenient, single-instruction mechanism to participate in both Regular Trading Hours and the After Hours Trading Session without the need to submit separate orders for each session.

In connection with the introduction of the RTP TIF, the Exchange also proposes to amend Rule 11.1(a) (''Hours of Trading and Trading Days'') to add RTP to the list of TIF designations that are subject to restrictions on order entry prior to 7:00 a.m. Eastern Time. Rule 11.1(a) currently provides that the Exchange will not accept, prior to 7:00 a.m. Eastern Time, among other orders, Minimum Quantity Orders that also include a Time in Force of Regular Hours Only.[18] Because an RTP order, like an RHO order, is designed for execution during Regular Trading Hours (and, in the case of RTP, extending into the After Hours Trading Session), the Exchange proposes to add RTP to this restriction so that Minimum Quantity Orders that also include a Time in Force of RTP will also not be accepted prior to 7:00 a.m. Eastern Time. This proposed change is consistent with the treatment of RHO orders and ensures that orders combining the Minimum Quantity condition with the RTP TIF are not entered into the System during the pre-7:00 a.m. period before the applicable trading sessions for such orders have commenced. The Exchange also proposes a technical, non-substantive correction to Rule 11.1(a) to capitalize ''Start'' in the reference to the start time at which orders become eligible for execution in the Early Trading Session,[19] consistent with the capitalized usage of ''4:00 a.m. Start'' and ''7:00 a.m. Start'' earlier in the paragraph. The Exchange further proposes to amend the pre-open order acceptance restriction in Rule 11.1(a) to provide that the enumerated order types will not be accepted prior to 4:00 a.m. Eastern Time, or prior to 7:00 a.m. Eastern Time for orders eligible for a 7:00 a.m. Start, rather than solely prior to 7:00 a.m. Eastern Time. This clarification conforms the restriction to the 4:00 a.m. Start and 7:00 a.m. Start framework set forth earlier in the paragraph and to the parallel provision of the rules of the Exchange's affiliate, Cboe EDGX Exchange, Inc.[20]

The Exchange also proposes to amend the definition of ''Eligible Auction Order'' in Rule 11.23(a)(8) to add RTP orders as a category of order eligible to participate in Opening Auctions and Closing Auctions, alongside existing RHO orders.[21] As proposed, any RTP order submitted prior to the Opening Auction would constitute an Eligible Auction Order in the same manner as an RHO order. This change reflects that an RTP order, which is designated for execution beginning at the commencement of Regular Trading

[5] *See* Exchange Rule 1.5(c). The term ''After Hours Trading Session'' shall mean the time between 4:00 p.m. and 8:00 p.m. Eastern Time.

[6] *See* Exchange Rule 1.5(cc). ''User'' is defined as ''any Member or Sponsored Participant who is authorized to obtain access to the System pursuant to Rule 11.3.'' The ''System'' is ''the electronic communications and trading facility designated by the Board through which securities orders of Users are consolidated for ranking, execution and, when applicable, routing away.'' See Exchange Rule 1.5(aa). The term ''Member'' means any registered broker or dealer that has been admitted to membership in the Exchange. See Exchange Rule 1.5(n).

[7] *See* Exchange Rule 11.9(b)(1).

[8] *See* Exchange Rule 11.9(b)(2).

[9] *See* Exchange Rule 11.9(b)(3).

[10] *See* Exchange Rule 11.9(b)(4).

[11] *See* Exchange Rule 11.9(b)(5).

[12] *See* Exchange Rule 11.9(b)(6).

[13] *See* Exchange Rule 11.9(b)(7).

[14] *See* Exchange Rule 11.9(b)(8).

[15] *See* Exchange Rule 1.5(r). The term ''Pre-Opening Session'' shall mean the time between 8:00 a.m. and 9:30 a.m. Eastern Time.

[16] *See* Exchange Rule 11.9(b)(9).

[17] *See* Exchange Rule 11.9(b)(10).

[18] *See* Exchange Rule 11.1(a). Rule 11.1(a) provides in part that the Exchange will not accept Minimum Quantity Orders that also include a Time in Force of Regular Hours Only prior to 7:00 a.m. Eastern Time.

[19] *See* Exchange Rule 1.5(ff). The term ''Early Trading Session'' shall mean the time between 4:00 a.m. and 8:00 a.m. Eastern Time.

[20] *See* EDGX Exchange Rule 11.1(a).

[21] *See* Exchange Rule 11.23(a)(8). The term ''Eligible Auction Order'' currently means any MOO, LOO, LLOO, MOC, LOC, or LLOC order entered in compliance with its respective cutoff for an Opening or Closing Auction, any RHO order prior to the Opening Auction, and any limit or market order not designated to exclusively participate in the Closing Auction entered during the Quote-Only Period of an IPO Auction or Halt Auction.

Hours, is appropriately treated as an Eligible Auction Order for purposes of the Opening Auction and Closing Auction. Because an RTP order by definition is eligible for execution during Regular Trading Hours, it is appropriate to permit such orders to participate in the auctions that mark the opening and closing of Regular Trading Hours.

The Exchange proposes to amend Rules 11.23(b)(1)(A) and 11.23(b)(1)(B) to apply to RTP orders the same pre-Opening Auction order entry and modification restrictions that currently apply to RHO orders.[22] [23] Specifically, under the proposed amendments: (i) RTP orders submitted between 9:28 a.m. and 9:30 a.m. Eastern Time will be treated as Late Limit On Open (''LLOO'') orders until the Opening Auction has concluded; and (ii) RTP orders designated for the Opening Auction may be modified, but not cancelled, between 9:28 a.m. and 9:30 a.m. Eastern Time, and any such modified RTP orders will be treated as LLOO orders until the Opening Auction has concluded. These restrictions are consistent with the existing treatment of RHO orders and reflect the Exchange's determination that, because RTP orders are eligible for execution beginning at the open of Regular Trading Hours, they should be subject to the same order entry and modification limitations during the pre-Opening Auction that apply to RHO orders.

The Exchange proposes to amend Rule 11.23(b)(2)(C)(i) to provide that RTP orders, like RHO limit orders, will have equal priority with limit orders, LOO orders, and LLOO orders in the second tier of Opening Auction execution priority.[24] Because the RTP TIF encompasses Regular Trading Hours—including the Opening Auction—it is appropriate to treat RTP orders consistent with RHO orders for purposes of Opening Auction execution priority. RTP orders, which are subject to a price limit, receive equal priority with other limit orders in the second tier.

The Exchange further proposes to amend Rule 11.23(b)(3)(B) to provide that unexecuted RTP order shares, like unexecuted RHO order shares, will be added to the Continuous Book at the conclusion of the Opening Auction, subject to the User's instructions.[25] Consistent with the existing treatment of RHO orders, the proposed amendment further provides that, where the Opening Auction would have occurred at a price level but for such price level being outside the Collar Price Range, buy (sell) RTP orders with a limit price more aggressive than the BZX Official Opening Price that are not executed in the Opening Auction will be cancelled. This treatment is appropriate because RTP orders, like RHO orders, are designated for execution during Regular Trading Hours, and the transition of unexecuted portions to the Continuous Book is consistent with the intended operation of the RTP TIF.

The Exchange also proposes to amend Rule 11.23(c)(2)(C)(i) to provide that RTP orders, like limit RHO orders, receive equal priority in the Closing Auction with limit orders, LOC orders, and LLOC orders, after the execution of all MOC orders.[26] This treatment is consistent with how limit RHO orders are handled in the Closing Auction and reflects that RTP orders are eligible for execution during Regular Trading Hours, of which the Closing Auction is a part.

The Exchange also proposes conforming amendments to Rule 11.24 (''Opening Process for Non-BZX-Listed Securities'') to add RTP alongside RHO throughout that rule's provisions governing eligibility for and participation in the Opening Process and the Re-Opening Process.[27] Specifically, the Exchange proposes to amend Rule 11.24(a) to provide that, prior to the beginning of Regular Trading Hours, Users wishing to participate in the Opening Process for non-BZX-listed securities may enter orders designated as either RHO or RTP. All existing restrictions applicable to RHO orders in Rules 11.24(a)(1) and 11.24(a)(2) would apply equally to RTP orders, including the restriction prohibiting BZX Post Only Orders, ISOs, and Minimum Quantity Orders from participating in the Opening Process. The Exchange further proposes to amend Rule 11.24(e)(1)(A) to provide that, consistent with RHO orders, non-RTP orders will be eligible for participation in the Re-Opening Process following a halt, subject to the same exceptions and limitations that currently apply to non-RHO orders.[28] These amendments ensure that the RTP TIF is integrated consistently into the Exchange's opening and re-opening processes for non-BZX-listed securities, on the same terms applicable to RHO orders.

Comparison to Other Exchange Times-in-Force

The Exchange has also considered how other national securities exchanges handle TIF requirements for order entry when it comes to spanning the regular and after-hours trading sessions. NYSE Arca's trading rules provide for three trading sessions: the Early Trading Session, the Core Trading Session, and the Late Trading Session.[29] Under NYSE Arca's framework, orders entered into the NYSE Arca Marketplace must include a designation for which trading session(s) the order will remain in effect.[30] An order is eligible to participate in the designated trading session(s) only and may remain in effect for one or more consecutive trading sessions on a particular day.[31] Orders may be accepted by the exchange that are not eligible to trade until a later trading session begins.[32] Thus, NYSE Arca offers comparable functionality as proposed by the Exchange as it permits orders to be entered during its Early Trading Session that are eligible to trade in both the Core Trading Session and the Late Trading Session, which is

[22] *See* Exchange Rule 11.23(b)(1)(A). Currently, RHO market orders are rejected between 9:28 a.m. and 9:30 a.m. and RHO limit orders submitted during that window are treated as LLOO orders until the Opening Auction has concluded.

[23] *See* Exchange Rule 11.23(b)(1)(B). Currently, RHO limit orders designated for the Opening Auction may be modified, but not cancelled, between 9:28 a.m. and 9:30 a.m.

[24] *See* Exchange Rule 11.23(b)(2)(C) and Exchange Rule 11.23(b)(2)(C)(i). Currently, MOO and market RHO orders have first priority in the Opening Auction, followed by limit orders, LOO orders, LLOO orders, and limit RHO orders at equal priority.

[25] *See* Exchange Rule 11.23(b)(3)(B). Currently, unexecuted RHO order shares are added to the Continuous Book at the conclusion of the Opening Auction, subject to the User's instructions, except that limit RHO orders priced more aggressively than the BZX Official Opening Price that are not executed when the Collar Price Range is triggered will be cancelled.

[26] *See* Exchange Rule 11.23(c)(2)(C) and Exchange Rule 11.23(c)(2)(C)(i). Currently, limit RHO orders receive equal priority with other limit orders, LOC orders, and LLOC orders in the Closing Auction after all MOC orders have been executed.

[27] *See* Exchange Rule 11.24(a). Currently, only orders designated as RHO are eligible to participate in the Opening Process for non-BZX-listed securities prior to the beginning of Regular Trading Hours.

[28] *See* Exchange Rule 11.24(e)(1)(A). Currently, non-RHO orders are eligible for participation in the Re-Opening Process, but IOC, FOK, BZX Post Only Orders, and Minimum Quantity Orders will be cancelled or rejected, and ISOs that are not IOC or FOK will be converted.

[29] *See* NYSE Arca Rule 7.34–E(a). NYSE Arca's Early Trading Session runs from 4:00 a.m. to 9:30 a.m. Eastern Time, its Core Trading Session runs from 9:30 a.m. to 4:00 p.m. Eastern Time, and its Late Trading Session runs from the conclusion of the Core Trading Session until 8:00 p.m. Eastern Time. Under Rule 7.34–E, all order types and modifiers defined in Rule 7.31–E that are designated for the Early Trading Session are eligible to participate in the Early Trading Session, subject to certain order-type restrictions.

[30] *See* NYSE Arca Rule 7.34–E(b)(1).

[31] *Id.*

[32] *Id.*

analogous to the Exchange's proposed RTP TIF.

Similarly, Nasdaq's Time-in-Force framework, set forth in Nasdaq Equity Rule 4703(a), provides that the TIF assigned to an order designates the period of time that the Nasdaq Market Center will hold the order for potential execution, with Participants specifying both a time at which the order becomes active and a time at which the order ceases to be active.[33] Nasdaq does refer to certain periods of times with explicit TIFs throughout its rulebook, including ''IOC,'' ''System Hours Day,'' ''System Hours Expire Time,'' and, ''Market Hours Day'', however these terms are derived from the specific start and end times appended to orders, similar to the NYSE Arca functionality described *supra.* As such, Nasdaq offers comparable functionality as proposed by the Exchange but does so through the ability of orders to be entered with specific start and end times as opposed to a specific TIF as proposed by the Exchange.

Implementation

The Exchange plans to implement the proposed rule change during the early fourth quarter of 2026 and will announce the implementation date via Trade Desk Notice.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[34] in general, and furthers the objectives of Section 6(b)(5) of the Act,[35] 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.

The Exchange believes the proposed rule change promotes just and equitable principles of trade, removes impediments to and perfects the mechanism of a free and open market and national market system, and protects investors and the public interest by providing Users with a convenient, streamlined mechanism to participate in both Regular Trading Hours and the After Hours Trading Session through the submission of a single order. Currently, Users seeking to maintain trading interest across both Regular Trading Hours and the After Hours Trading Session must either submit separate orders for each session or utilize broader TIF designations that may include trading sessions not desired by the User. The introduction of the RTP TIF in Rule 11.9 directly addresses this gap by offering a dedicated, purpose-built TIF designation that permits a User to submit a single order eligible for execution during Regular Trading Hours and, if not fully executed, to have such order remain active through the end of the After Hours Trading Session. This streamlined approach promotes just and equitable principles of trade by enabling Users to efficiently express their trading interest across the regular and post-close sessions in a single instruction, thereby reducing operational complexity, administrative burden, and the potential for order entry errors that may arise from the need to manage multiple orders across trading sessions.

Furthermore, the conforming amendments to Rules 11.1(a), 11.23, and 11.24 ensure that the RTP TIF is fully integrated into the Exchange's existing order handling, auction, and opening process framework in a manner that is consistent with the treatment of the existing limit RHO TIF. By aligning the treatment of RTP orders with RHO limit orders for purposes of pre-Opening Auction order entry restrictions, Opening and Closing Auction eligibility and priority, IPO Auction conversions, and participation in the Opening Process and Re-Opening Process for non-BZX-listed securities, the Exchange ensures that RTP orders are processed in a manner that is transparent, predictable, and fair to all Users. The consistent treatment of RTP orders across the Exchange's rules promotes just and equitable principles of trade by providing Users with certainty as to how their RTP orders will be handled throughout the trading day.

Moreover, the proposed rule change perfects the mechanism of a free and open market and supports a national market system by offering Users functionality that is comparable to that available on other national securities exchanges. As discussed above, NYSE Arca permits orders to be entered during its Early Trading Session that are eligible to trade in both the Core Trading Session and the Late Trading Session, providing comparable functionality to the Exchange's proposed RTP TIF. Similarly, Nasdaq's Time-in-Force framework permits Participants to specify both a time at which an order becomes active and a time at which the order ceases to be active, enabling comparable order entry flexibility. The Exchange's adoption of the RTP TIF ensures that Users have access to trading functionality on BZX that is consistent with industry practice and supports the efficient operation of the national market system by enabling Users to express their trading interest in a manner that is compatible with the trading mechanisms employed by other market centers.

Finally, the Exchange believes that the proposed rule change is not designed to permit unfair discrimination. The RTP TIF would be available to all Users on an equal and non-discriminatory basis. The use of the RTP TIF is entirely optional, and no User is required to utilize the RTP TIF in connection with order submission to the Exchange. Users who do not wish to use the RTP TIF may continue to submit orders using any of the other TIF designations currently offered by the Exchange, including the Day, RHO, and PTX TIF designations.

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 RTP TIF is an optional designation offered by the Exchange, and Users are free to decide whether to use the RTP TIF in connection with order submission to the Exchange.

The Exchange believes that the proposed RTP TIF and associated conforming amendments do not impose any intramarket burden on competition as they represent an enhancement to existing functionality that would be available to all Users on an equal and non-discriminatory basis. The proposed changes do not alter the way in which orders are prioritized, executed, or otherwise processed on the Exchange; they simply provide Users with an additional TIF option and integrate that option consistently into existing rules.

The Exchange believes that the proposed rule change does not impose any undue burden on intermarket competition. On the contrary, the proposed changes are being made to provide Users with enhanced order entry flexibility that may improve their ability to interact across Regular Trading Hours and the After Hours Trading

[33] *See* Nasdaq Equity Rule 4703(a). Nasdaq provides a list of acceptable times to activate and deactivate orders, which includes Regular Market Hours (similar to the Exchange's RHO TIF) and the end of System Hours (pursuant to Nasdaq Equity 1, Section 1(a)(9), the end of System Hours is defined as 8:00 p.m. ET, which is identical to the end time of the Exchange's After Hours Trading Session).

[34] 15 U.S.C. 78f.

[35] 15 U.S.C. 78f(b)(5).

Session that is comparable to order entry flexibility on competitor exchanges, therefore promoting competition between venues.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange has not solicited, and does not intend to solicit, comments on this proposed rule change. The Exchange has not received any unsolicited written comments from Members or other interested parties.

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 after 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 [36] and subparagraph (f)(6) of Rule 19b–4 thereunder.[37]

A proposed rule change filed under Rule 19b–4(f)(6) [38] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b4(f)(6)(iii),[39] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Exchange states that it is seeking to introduce the proposed functionality early in the fourth quarter of 2026 and waiver of the operative delay will permit the proposed rule changes to become effective immediately. The Exchange further states that waiver of the operative delay will allow the Exchange to offer a TIF that is competitive with TIF offerings of Nasdaq [40] and NYSE Arca,[41] each of which permits Users to submit orders during the respective Pre-Opening Session that become active during Regular Trading Hours and remain active through the end of the After Hours Trading Session. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest as the proposal does not raise any new or novel issues. Therefore, the Commission hereby waives the 30-day operative delay and designates the proposed rule change to be operative upon filing.[42]

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B) [43] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–CboeBZX–2026–070 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–CboeBZX–2026–070. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–CboeBZX–2026–070 and should be submitted on or before October 6, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[44]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–18806 Filed 9–14–26; 8:45 am]

BILLING CODE 8011–01–P

[36] 15 U.S.C. 78s(b)(3)(A)(iii).

[37] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[38] 17 CFR 240.19b–4(f)(6).

[39] 17 CFR 240.19b–4(f)(6)(iii).

[40] *Supra* note 33.

[41] *Supra* note 29.

[42] For purposes only of waiving the 30-day operative delay, the Commission has also considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[43] 15 U.S.C. 78s(b)(2)(B).

[44] 17 CFR 200.30–3(a)(12), (59).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106328; File No. 4–546]

Joint Industry Plan; Notice of Filing and Immediate Effectiveness of Amendment to the Options Order Protection and Locked/Crossed Market Plan To Add MX2 LLC as a Participant

September 10, 2026.

Pursuant to Section 11A(a)(3) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 608 thereunder,[2] notice is hereby given that on September 1, 2026, MX2 LLC (''MX2'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') an amendment to the Options Order Protection and Locked/Crossed Market Plan (''Plan'').[3] The

[1] 15 U.S.C. 78k–1(a)(3).

[2] 17 CFR 242.608.

[3] On July 30, 2009, the Commission approved the Plan, which was proposed by Chicago Board Options Exchange, Incorporated (''Cboe''), International Securities Exchange, LLC (''ISE'') (n/k/a Nasdaq ISE, LLC (''Nasdaq ISE'')), The NASDAQ Stock Market LLC (''Nasdaq''), NASDAQ OMX BX, Inc. (''BX'') (n/k/a Nasdaq BX, Inc. (''Nasdaq BX'')), NASDAQ OMX PHLX, Inc. (''Phlx'') (n/k/a Nasdaq Phlx LLC (''Nasdaq Phlx'')), NYSE Amex, LLC (''NYSE Amex''), and NYSE Arca, Inc. (''NYSE Arca''). *See* Securities Exchange Act Release No. 60405 (July 30, 2009), 74 FR 39362 (Aug. 6, 2009). *See also* Securities Exchange Act Release No. 61546 (Feb. 19, 2010), 75 FR 8762 (Feb. 25, 2010) (adding BATS Exchange, Inc. (''BATS'') (n/k/a Cboe BZX Exchange, Inc. (''Cboe BZX'')) as a Participant); 63119 (Oct. 15, 2010), 75 FR 65536 (Oct. 25, 2010) (adding C2 Options Exchange, Incorporated (''C2'') (n/k/a Cboe C2 Exchange, Inc. (''Cboe C2'')) as a Participant); 66969 (May 12, 2015), 77 FR 29396 (May 17, 2012) (adding BOX Options Exchange LLC (''BOX Options'') as a Participant); 70763 (Oct. 28, 2013), 78 FR 65740 (Nov. 1, 2013) (adding Topaz Exchange, LLC (''Topaz'') (n/k/a Nasdaq GEMX, LLC (''Nasdaq GEMX'') as a Participant); 70762 (Oct. 28, 2013), 78 FR 65733 (Nov. 1, 2013) (adding MIAX International Securities Exchange, LLC (''MIAX'') as

Continued

amendment adds MX2 as a Participant [4] to the Plan. The Commission is publishing this notice to solicit comments on the amendment from interested persons.

I. Description and Purpose of the Amendment

The Plan requires the options exchanges to establish a framework for providing order protection and addressing locked and crossed markets in eligible options classes. The amendment to the Plan adds MX2 as a Participant. The other Plan Participants are BOX, Cboe, Cboe BZX, Cboe C2, Cboe EDGX, MEMX, MIAX, Emerald, PEARL, Sapphire, Nasdaq, Nasdaq BX, Nasdaq GEMX, Nasdaq ISE, Nasdaq MRX, Nasdaq Phlx, NYSE American, and NYSE Arca. MX2 has submitted an executed copy of the Plan to the Commission in accordance with the procedures set forth in the Plan regarding new Participants. Section 3(c) of the Plan provides for the entry of new Participants to the Plan. Specifically, Section 3(c) of the Plan provides that an Eligible Exchange [5] may become a Participant in the Plan by: (i) executing a copy of the Plan, as then in effect; (ii) providing each current Participant with a copy of such executed Plan; and (iii) effecting an amendment to the Plan, as specified in Section 4(b) of the Plan.[6]

Section 4(b) of the Plan sets forth the process by which an Eligible Exchange may effect an amendment to the Plan. Specifically, an Eligible Exchange must: (a) execute a copy of the Plan with the only change being the addition of the new Participant's name in Section 3(a) of the Plan; and (b) submit the executed Plan to the Commission. The Plan then provides that such an amendment will be effective when the amendment is approved by the Commission or otherwise becomes effective pursuant to Section 11A of the Act and Rule 608 thereunder.

II. Effectiveness of the Proposed Linkage Plan Amendment

The foregoing Plan amendment has become effective pursuant to Rule 608(b)(3)(iii) [7] because it has been designated as involving solely technical or ministerial matters. At any time within sixty days of the filing of this amendment, the Commission may summarily abrogate the amendment and require that it be refiled pursuant to paragraph (a)(1) of Rule 608,[8] if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or the maintenance of fair and orderly markets, to remove impediments to, and perfect the mechanisms of, a national market system or otherwise in furtherance of the purposes of the Act.

III. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the amendment is consistent with the Act and the rules thereunder. 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 4–546 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 4–546. 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 4–546 and should be submitted on or before October 6, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[9]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–18809 Filed 9–14–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0238]

Agency Information Collection Activities; Proposed Collection; Comment Request; Extension: Form N–6F

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''SEC'' or ''Commission'') is soliciting comments on the proposed collection of information.

The title for the collection of information is ''Form N–6F (17 CFR 274.15), Notice of Intent to Elect to be Subject to Sections 55 through 65 of the Investment Company Act of 1940.'' The purpose of Form N–6F is to notify the Commission of a company's intent to file a notification of election to become subject to Sections 55 through 65 of the Investment Company Act of 1940 (15 U.S.C. 80a–1 *et seq.*) (''1940 Act''). Certain companies may have to make a filing with the Commission before they are ready to elect to be regulated as a business development company.[1] A

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a Participant); 76823 (Jan. 5, 2016), 81 FR 1260 (Jan. 11, 2016) (adding EDGX Exchange, Inc. (''EDGX'') (n/k/a Cboe EDGX Exchange, Inc. (''Cboe EDGX'')) as a Participant); 77324 (Mar. 8, 2016), 81 FR 13425 (Mar. 14, 2016) (adding ISE MERCURY, LLC (''ISE Mercury'') (n/k/a Nasdaq MRX, LLC (''Nasdaq MRX'')) as a Participant); 79896 (Jan. 30, 2017), 82 FR 9264 (Feb. 3, 2017) (adding MIAX Pearl (''PEARL'')) as a Participant); 85229 (Mar. 1, 2019), 84 FR 8347 (Mar. 7, 2019) (adding MIAX Emerald, LLC (''Emerald'') as a Participant); 98303 (Sept. 6, 2023) 88 FR 62610 (Sept. 12, 2023) (adding MEMX, LLC (''MEMX'') as a Participant); and 100657 (Aug. 5, 2024), 89 FR 65467 (Aug. 9, 2024) (adding MIAX Sapphire LLC (''Sapphire'')).

[4] The term ''Participant'' is defined as an Eligible Exchange whose participation in the Plan has become effective pursuant to Section 3(c) of the Plan.

[5] Section 2(6) of the Plan defines an ''Eligible Exchange'' as a national securities exchange registered with the Commission pursuant to Section 6(a) of the Act, 15 U.S.C. 78f(a), that: (a) is a ''Participant Exchange'' in the Options Clearing Corporation (''OCC'') (as defined in OCC By-laws, Section VII); (b) is a party to the Options Price Reporting Authority (''OPRA'') Plan (as defined in the OPRA Plan, Section 1); and (c) if the national securities exchange chooses not to become part to this Plan, is a participant in another plan approved by the Commission providing for comparable Trade-Through and Locked and Crossed Market protection. MX2 has represented that it has met the requirements for being considered an Eligible Exchange. *See* letter from Anders Franzon, General Counsel, MX2, to Vanessa Countryman, Secretary, Commission, dated September 1, 2026.

[6] MX2 has represented that it has executed a copy of the current Plan, amended to include MX2 as a Participant and has sent each current Participant a copy of the executed Plan. *See* letter from Anders Franzon, General Counsel, MX2, to Vanessa Countryman, Secretary, Commission, dated September 1, 2026.

[7] 17 CFR 242.608(b)(3)(iii).

[8] 17 CFR 242.608(a)(1).

[9] 17 CFR 200.30–3(a)(85).

[1] A company might not be prepared to elect to be subject to Sections 55 through 65 of the 1940 Act because its capital structure or management

company that is excluded from the definition of ''investment company'' by Section 3(c)(1) because it has fewer than one hundred shareholders and is not making a public offering of its securities may lose such an exclusion solely because it proposes to make a public offering of securities as a business development company. Such company, under certain conditions, would not lose its exclusion if it notifies the Commission on Form N–6F of its intent to make an election to be regulated as a business development company. The company only has to file a Form N–6F once.

The Commission estimates that on average approximately 3 companies file these notifications each year. Each of those companies need only make a single filing of Form N–6F. The Commission further estimates that this information collection imposes burden of 0.5 hours, resulting in a total annual PRA burden of 1.5 hours. Based on the estimated wage rate, the total cost to the industry of the hour burden for complying with Form N–6F would be approximately $1,161.00.

The collection of information under Form N–6F is mandatory. The information provided under the form is not kept confidential.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

Written comments are invited on: (a) whether this proposed collection of information is necessary for the proper performance of the functions of the SEC, including whether the information will have practical utility; (b) the accuracy of the SEC's estimate of the burden imposed by the proposed collection of information, including the validity of the methodology and the assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated, electronic collection techniques or other forms of information technology.

Please direct your written comments on this 60-Day Collection Notice to Austin Gerig, Director/Chief Data Officer, Securities and Exchange Commission, c/o Tanya Ruttenberg via email to *PaperworkReductionAct@sec.gov* by November 16, 2026.

compensation plan is not yet in compliance with the requirements of those sections.

Dated: September 10, 2026.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–18818 Filed 9–14–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0807]

Agency Information Collection Activities; Proposed Collection; Comment Request; Extension: Securities Act Rule 192

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Rule 192 (17 CFR 230.192) prohibits, for a specified period of time and subject to certain exceptions, an underwriter, placement agent, initial purchaser, or sponsor of an asset-backed security (including a synthetic asset-backed security), or certain affiliates or subsidiaries of any such entity, from engaging in any transaction that would involve or result in certain material conflicts of interest between such entity and an investor in the relevant asset-backed security. Rule 192 provides certain exceptions to the prohibition, subject to certain conditions. One of these conditions is that the securitization participant establish, and implement, maintain, and enforce, an internal compliance program that is reasonably designed to ensure the securitization participant's compliance with the conditions of the relevant exception, including reasonably designed written policies and procedures. This requirement is intended to help prevent evasion of Rule 192's general prohibition on conflicts of interest. The information required by Rule 192 is mandatory and is not made publicly available. We estimate that there are approximately 1,277 responses to Rule 192 annually. We estimate that respondents incur 24.75 burden hours per Rule 192 response, for a total annual reporting burden of 31,606 hours (24.75 burden hours per response × 1,277 responses). We estimate that respondents incur $4,950 cost burden per Rule 192 response, for a total annual cost burden of $6,321,150 ($4,950 cost burden per response × 1,277 responses).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Written comments are invited on: (a) whether this proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden imposed by the collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Please direct your written comments on this 60-Day Collection Notice to Austin Gerig, Director/Chief Data Officer, Securities and Exchange Commission, c/o Tanya Ruttenberg via email to *PaperworkReductionAct@sec.gov* by November 16, 2026.

Dated: September 10, 2026.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–18819 Filed 9–14–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106323; File No. SR–CboeBZX–2026–071]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Exchange Rule 11.29 Regarding Trading Halts

September 10, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 28, 2026, Cboe BZX Exchange, Inc. (the ''Exchange'' or ''BZX'') 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

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

Exchange filed the proposal as a ''non-controversial'' proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act [3] and Rule 19b–4(f)(6) thereunder.[4] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe BZX Exchange, Inc. (the ''Exchange'' or ''BZX'') proposes to amend Exchange Rule 11.29 (''Trading Halts'') to set forth specific requirements for halting and resuming trading in a security that is subject to certain corporate actions. The Exchange has designated this proposal as non-controversial pursuant to Rule 19b–4(f)(6)(iii) under the Act.[5] The text of the proposed rule change is provided in Exhibit 5.

The text of the proposed rule change is also available on the Commission's website (*https://www.sec.gov/rules/sro.shtml*), the Exchange's website (*https://www.cboe.com/us/equities/regulation/rule_filings/bzx/*), and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Rule 11.29 (''Trading Halts'') to set forth specific requirements for halting and resuming trading in a security that is subject to certain corporate actions.

In conjunction with plans for operating 23 hours a day, 5 days a week (''23/5 Trading''),[6] the Exchange proposes to amend Rule 11.29 to set forth specific requirements for halting trading in a security for which the Exchange is the Primary Listing Market [7] that is subject to certain issuer-related corporate actions and for resuming trading in that security using a Halt Auction.[8] The Exchange believes that the proposed rules will provide transparency and clarity with respect to the situations in which trading certain securities subject to issuer-related corporate actions will be halted and the process through which that halt will be implemented and terminated.

The Exchange understands that the other primary listing exchanges plan to implement substantially identical versions of this rule to ensure consistent treatment of corporate actions across the market.[9]

Background

Beginning in 2023, other primary listing exchanges adopted rules establishing a mandatory regulatory halt in a security that is subject to a reverse stock split.[10] In 2023, the Commission approved a proposal by The Nasdaq Stock Market LLC (''Nasdaq'') to amend its trading halt rules to provide for a regulatory halt at the end of trading on the day immediately before the market effective date of a reverse stock split and a delayed reopening of the security on the market effective date using the Nasdaq Halt Cross. In its filing, Nasdaq explained that, because it processes reverse stock splits overnight, allowing a security to reopen for trading in the pre-market hours raised the ''potential for errors resulting in a material effect on the market resulting from market participants' processing of the reverse stock split, including incorrect adjustment or entry of orders,'' [11] and that imposing a trading halt ''which would prohibit pre-market trading immediately after a reverse stock split'' [12] would allow the exchange and market participants to better detect any errors or problems with orders for the security before trading begins and thereby avoid any material effect on the market.[13] In 2024, NYSE Arca, Inc. (''NYSE Arca'') adopted a substantially similar framework,[14] amending its rules to require a regulatory halt in a security for which it is the primary listing market before the end of the Late Trading Session on the day immediately before the effective date of a reverse stock split, with trading to resume through a Trading Halt Auction at 9:00 a.m. Eastern Time (''ET'') on the effective date.[15] In approving and noticing these substantively identical proposals, the Commission recognized that such a framework was ''designed to promote fair and orderly trading on the Exchange by reducing the potential for order entry or other system-related errors associated with a reverse stock split in a security for which [the Exchange] is the Primary Listing Market.'' Unlike Nasdaq and NYSE Arca, the Exchange has not previously codified a reverse stock split-specific regulatory halt in its rulebook. Accordingly, rather than adopt a standalone reverse stock split halt, the Exchange proposes through this filing to establish a mandatory regulatory halt framework in Rule 11.29 that would apply to reverse stock splits together with the additional, analogous corporate actions described below.

With the launch of 23/5 Trading later this year, the same concerns that led Nasdaq and NYSE Arca to adopt a regulatory halt framework for reverse stock splits [16] and other corporate actions [17] will likewise arise for the Exchange. Under the current market structure, the Exchange processes these corporate action-related changes and updates for listed securities during overnight hours, when the Exchange is closed to trading. Other market participants, including broker-dealers, likewise use that overnight period to process corporate action-related information and adjust quotes, orders, and related instructions accordingly.

Under 23/5 Trading, however, the Exchange's non-trading window will be

[3] 15 U.S.C. 78s(b)(3)(A)(iii).

[4] 17 CFR 240.19b–4(f)(6).

[5] 17 CFR 240.19b–4(f)(6)(iii).

[6] *See* Securities Exchange Act Release No. 105587 (May 29, 2026), 91 FR 33238 (June 3, 2026), SR–CboeEDGX–2026–019.

[7] *See* Exchange Rule 11.29(a)(10). The term ''Primary Listing Market'' has the same meaning as the term is defined in the Amended CTA/CQ Plan. The Amended CTA/CQ Plan defines a ''Primary Listing Market'' as ''the national securities exchange on which an Eligible Security is listed. If an Eligible Security is listed on more than one national securities exchange, Primary Listing Market means the exchange on which the security has been listed the longest''.

[8] The Exchange describes its Halt Auction process in Rule 11.23(d).

[9] *See* Securities Exchange Act Release No. 105862 (July 8, 2026), 91 FR 42999 (July 13, 2026), SR–NYSEArca–2026–71 (''NYSE Arca Corporate Action Filing'') and Securities Exchange Act Release No. 105860 (July 8, 2026), 91 FR 42990 (July 13, 2026), SR–NASDAQ–2026–057 (''Nasdaq Corporate Action Filing'').

[10] See Securities Exchange Act Release No. 98878 (November 7, 2023), 88 FR 78081 (November 14, 2023) (SR–NASDAQ–2023–036) (''Nasdaq Reverse Stock Split Proposal'').

[11] *Id.* at 78081.

[12] *Id.* at 78082.

[13] *Id.*

[14] See Securities Exchange Act Release No. 99862 (March 27, 2024), 89 FR 22760 (April 2, 2024) (SR–NYSEARCA–2024–29) (''NYSE Arca Reverse Stock Split Proposal'').

[15] *Id.*

[16] *Supra* notes 10 and 14.

[17] *Supra* note 9.

reduced to a one-hour pause.[18] Consequently, the Exchange will no longer have a substantial non-trading window during which it can process such corporate actions without potentially impacting ongoing trading. These corporate actions require coordinated updates across Exchange and market-participant systems—including adjustments to orders, quotes, and related instructions—to ensure orderly trading and accurate pricing and execution in the affected security. With only a one-hour pause between trading days, neither the Exchange nor other market participants would have sufficient time to process and incorporate corporate action-related information—such as adjustments to systems, orders, quotes, and related instructions—without the risk that trading could occur in the affected security based on incomplete or inconsistent information. In short, the continued trading of securities undergoing such corporate actions could potentially result in price dislocations, investor confusion, erroneous executions, and general operational risk.

To address these concerns, the Exchange proposes to amend Rule 11.29 to adopt a mandatory regulatory halt framework for certain corporate actions, modeled on the reverse stock split halt and corporate action halt frameworks previously adopted by Nasdaq and NYSE Arca, that would apply to corporate actions that require a clearly defined and transparent pause in trading to permit coordinated processing. As proposed, under 23/5 Trading, if a security is affected by any of the corporate actions enumerated in the proposal, the Exchange would implement a mandatory regulatory halt [19] in that security after the end of the After Hours Trading Session and before 9:00 p.m. ET, and trading would resume with a Halt Auction at 8:00 a.m. ET. The Exchange believes these changes would provide important operational safeguards by ensuring that both the Exchange and market participants have adequate time to process such corporate actions in a nearly continuous trading environment, thereby preserving a protection that has historically been implicit in a market structure with limited trading hours.

Proposed Rule Change

Implicit in Rule 11.29 is the recognition that certain corporate actions—such as reverse stock splits—require a clearly defined and transparent pause in trading to permit their coordinated processing and thereby avoid the risks associated with concurrent trading in the affected security while that processing is underway. The same principle applies to the categories of corporate actions addressed in this proposal, particularly in the context of nearly continuous trading.

In the context of 23/5 Trading, the Exchange has determined—based on discussions both internal and with industry participants, including the other Primary Listing Markets—that, similar to reverse stock splits, certain other corporate actions require a clearly defined and transparent pause in trading to facilitate their coordinated processing by the Exchange and other market participants before orderly trading may resume in the affected security.

Specifically, the Exchange believes that the following issuer-related corporate actions are analogous to reverse stock splits with respect to processing requirements and thus warrant analogous treatment with respect to their categorization and regulatory response: (1) changes in trading symbol, (2) changes in CUSIP number, (3) stock dividends equal to at least 25% of the Official Closing Price; [20] (4) forward and reverse stock splits; (5) De-SPAC transactions; (6) spin-off transactions; (7) security-type changes; (8) mergers or similar mandatory exchanges of shares; and (9) any other corporate action or issuer-related event not enumerated above, for which the Exchange determines that a regulatory halt is necessary or appropriate for the maintenance of fair and orderly markets, the protection of investors, or otherwise in the public interest, as described below. Like reverse stock splits, these corporate actions all involve non-discretionary changes to core security characteristics that require synchronized updates across Exchange and market-participant systems.

Accordingly, the Exchange proposes to amend Rule 11.29 to incorporate such corporate actions into the framework established for mandatory regulatory halts, as follows.

Specifically, the Exchange proposes to amend Rule 11.29(b)(1)(A) to add new clause (v) extending the current regulatory halt framework to the categories of corporate actions discussed above that would be subject to the mandatory regulatory requirements of that rule. The Exchange accordingly proposes to add new Rule 11.29(b)(1)(A)(v) stating:

Corporate Action Halt. For a security for which the Exchange is the Primary Listing Market that is the subject of an issuer corporate action or other issuer-related event referenced below after the end of the After Hours Trading Session and before 9:00 p.m. ET on the day immediately preceding the market effective date of such issuer corporate action or issuer-related event (''Corporate Action Halt''). A security subject to an issuer corporate action or issuer event-related Regulatory Halt pursuant to this rule will resume trading with a Halt Auction at 8:00 a.m. ET on the market effective date of such corporate action or issuer-related event. For purposes of this rule, the following shall be deemed corporate actions or issuer-related events subject to the mandatory Regulatory Halt provisions of this rule:

The Exchange proposes to further amend Rule 11.29(b)(1)(A)(v) to enumerate the nine categories of corporate actions discussed above that would be subject to a mandatory regulatory halt under that provision. As proposed, the nine categories of enumerated corporate actions subject to a mandatory regulatory halt would consist of the following corporate actions: (1) trading symbol changes; [21] (2) changes in CUSIP; [22] (3) stock dividends equal to at least 25% of the Official Closing Price; [23] (4) forward and reverse stock splits; [24] (5) de-SPAC

[18] The Exchange's 23/5 Trading operations will include a one-hour pause between 8:00 p.m. ET and 9:00 p.m. ET. That pause, however, is intended to accommodate systems and other maintenance activities, rather than to provide a window for the coordinated processing of the more complex issuer-related corporate actions as proposed herein.

[19] Notification of the declaration and termination of the proposed regulatory halt would be provided in accordance with Rule 11.29.

[20] The term ''Official Closing Price'' is defined in Rule 11.23(a)(3) and shall mean the price disseminated to the consolidated tape as the market center closing trade.

[21] As proposed, Rule 11.29(b)(1)(A)(v)(1) would define changes to any ''Trading Symbol'' as ''a change in the issuer's trading symbol.''

[22] As proposed, Rule 11.29(b)(1)(A)(v)(2) would define changes in ''CUSIP'' as ''[a] change in the issuer's Committee on Uniform Securities Identification Procedures (''CUSIP'').''

[23] As proposed, Rule 11.29(b)(1)(A)(v)(3) would define ''Dividend'' transactions as ''[s]tock dividends, whether payable in cash, stock, or another security of the issuer (or a subsidiary or other affiliate of the issuer), or any combination thereof, other than stock splits or similar adjustments described in paragraph (4), where the Exchange determines that such dividend has an aggregate value per share that is equal to at least 25% of the Official Closing Price of the affected security on the date immediately preceding the ex-date of such dividend; provided, however, that if no such Official Closing Price is available, the Exchange shall use the most recent available Official Closing Price for such shares (or other securities).''

[24] As proposed, Rule 11.29(b)(1)(A)(v)(4) would define ''Forward, Reverse Splits'' as ''[a]ny stock split or similar adjustment that affects the number of outstanding shares of an issuer or changes the

Continued

transactions; [25] (6) spin-off transactions; [26] (7) security-type changes; [27] (8) mergers/mandatory exchanges; [28] and (9) other corporate actions or issuer-related events not specifically enumerated in (1)–(8) above as more particularly described below.[29]

Specifically, proposed Rule 11.29(b)(1)(A)(v)(9) would require the Exchange to declare a regulatory halt for any other corporate action or issuer-related event not enumerated in (1)–(8) above for which the Exchange determines, based on the totality of the circumstances and any information available to it, including without limitation information obtained from the issuer, that a regulatory halt is necessary or appropriate for the maintenance of fair and orderly markets, the protection of investors, or otherwise in the public interest.

This residual provision is designed to capture issuer-related corporate actions that, while not enumerated in Rule 11.29(b)(1)(A)(v)(1)–(8), raise operational or market-integrity concerns comparable to those actions. Once the Exchange determines that such a corporate action warrants a Regulatory Halt based on its application of the standards in Rule 11.29(b)(1)(A)(v)(9), implementation of the regulatory halt would be required.[30] Accordingly, the provision is intended to promote consistent regulatory treatment across comparable corporate actions and to preserve transparency and uniformity in the application of the proposed framework in a 23/5 Trading environment.

Timing of Corporate Action Regulatory Halts

The Exchange proposes that under 23/5 Trading, the mandatory regulatory halts described above in proposed Rule 11.29(b)(1)(A)(v) would be implemented after the end of the After Hours Trading Session and before 9:00 p.m. ET on the day immediately preceding the market effective date of each such corporate action. This timing differs from Nasdaq and NYSE Arca's current process for reverse stock split regulatory halts, pursuant to which a mandatory regulatory halt is implemented at 7:50 p.m. ET, before the end of the respective exchange's analogous After Hours Trading Session, on the day immediately before the reverse split becomes effective. That approach has been feasible in the reverse stock split context, but this proposal would extend the mandatory regulatory halt framework beyond reverse stock splits to a broader set of corporate actions that, although differing in form, share the need for coordinated systems and reference-data updates before trading may resume in an orderly manner. Because some of those actions may involve entirely new symbols or CUSIPs that would not yet exist at 7:50 p.m. ET on the prior trading day, the Exchange does not believe that the current reverse stock split timing can practicably be applied across the full set of covered corporate actions. The Exchange therefore believes it is reasonable, in the context of 23/5 Trading, to adopt a single, uniform implementation time for all halts under proposed Rule 11.29(b)(1)(A)(v)—after the After Hours Trading Session and before 9:00 p.m. ET—which would facilitate consistent treatment of covered corporate actions and enable the halts to be implemented through an automated process.[31] This timing would apply to each of the corporate actions addressed in this filing.

Resumption of Trading After Corporate Action-Related Regulatory Halts

The Exchange proposes that under 23/5 Trading, trading in a security halted pursuant to proposed Rule 11.29(b)(1)(A)(v) would resume at 8:00 a.m. ET on the market effective date of such corporate action or issuer-related event with a Halt Auction, in advance of the Opening Auction at 9:30 a.m. ET.[32] This is similar to Nasdaq and NYSE Arca's current process with respect to reverse stock split regulatory halts, where trading resumes at 9:00 a.m. ET, with a modification to 8:00 a.m. ET from 9:00 a.m. ET.

In NYSE Arca's Reverse Stock Split Proposal, NYSE Arca explained that re-opening the security at 9:00 a.m. ET, ''which is after the start of early trading on away markets and the Exchange but before the opening of the Exchange's Core Trading Session at 9:30 a.m., would promote fair and orderly trading, protect investors, and promote the public interest by allowing market participants and the Exchange a better opportunity to notice errors or problems with orders for the security because it would be opening for trading at a unique time, and not at a time when thousands of other securities open for trading.'' [33]

Since the reverse stock split regulatory halt was introduced in 2023,

relative equity ownership of holders of such shares, including any forward or reverse stock split, subdivision, reclassification, or combination of shares, or any similar transaction that has the effect of adjusting the number of outstanding shares or the relative equity ownership of holders, whether effected pursuant to a fixed or variable exchange ratio or otherwise, and whether occurring as a stand-alone action or in conjunction with any other corporate action or issuer-related event.''

[25] As proposed, Rule 11.29(b)(1)(A)(v)(5) would define a ''De-SPAC'' transaction as ''[a]ny De-SPAC transaction, as that term is defined in Item 1601(a) of Regulation S–K.''

[26] As proposed, Rule 11.29(b)(1)(A)(v)(6) would define a ''Spin-off'' transaction as ''[a]ny transaction in which an issuer distributes to its security holders, on a pro rata basis, (i) equity securities of a subsidiary or other business that is separated into a new or existing standalone issuer; or (ii) any different class of securities.''

[27] As proposed, Rule 11.29(b)(1)(A)(v)(7) would define a ''Security Type Change'' as ''[a]ny change in the form, type, class, or designation of a listed security, including, without limitation, (i) American Depositary Receipts or American Depositary Shares (''ADR''/''ADS'') to ordinary shares (and ordinary shares to ADR/ADS); (ii) conversions between ordinary shares and common stock (in either direction); and (iii) similar transactions.''

[28] As proposed, Rule 11.29(b)(1)(A)(v)(8) would define a ''Merger/Mandatory Exchange'' as ''[a]ny merger, consolidation, statutory share exchange, or similar business combination or corporate action that results in the affected security being mandatorily exchanged, converted, redeemed, or cancelled for cash, securities, or other consideration (including an exchange into securities of a successor issuer); provided, however, that this paragraph (8) does not include transactions that solely effect a change in the issuer's (company) name without a mandatory exchange of the affected security.''

[29] As proposed, Rule 11.29(b)(1)(A)(v)(9) would define any ''Other Corporate Action or Issuer-Related Event'' as ''[a]ny other corporate action or issuer-related event not enumerated in (1)—(8) above for which the Exchange determines, based on the totality of the circumstances and any information available to it, including without limitation information obtained from the issuer, that a Regulatory Halt is necessary or appropriate for the maintenance of fair and orderly markets, the protection of investors, or otherwise in the public interest.''

[30] Such determination would be made by the Exchange's senior trading and regulatory officials in advance of the corporate action effective date.

[31] See Exchange proposed Rule 11.29(b)(1)(A)(v). Shifting the implementation time for such regulatory halts from 7:50 p.m. to before 9:00 p.m. would not have a material effect on market participants. The Exchange notes that market participants, including alternative trading systems (''ATSs''), would have advance notice of the types of issuer corporate actions addressed in this proposal through the Exchange's existing issuer notification, market notice, and public dissemination mechanisms. Under the Exchange's existing listing and related rules and/or procedures, listed issuers are required in various circumstances to provide the Exchange advance notice of corporate actions and to publicly disclose such events before they become effective. In addition, the Exchange's established corporate action processing and market notification procedures generally result in the Exchange receiving notice of, and disseminating information concerning, other covered corporate actions sufficiently in advance of their effectiveness to support the orderly implementation of the proposed halt process. Accordingly, the Exchange believes that ATSs and other market participants would have adequate advance awareness of the types of corporate actions addressed by this proposal to make informed business decisions with respect to the affected securities, and that proposed Rule 11.29(b)(1)(A)(v) thus provides a transparent and appropriate mechanism for addressing such corporate actions in a 23/5 Trading environment.

[32] *See* proposed Rule 11.29(b)(5)(A)(ii)(e).

[33] *See* NYSE Arca Reverse Stock Split Proposal, *supra* note 14, at 22762.

both Nasdaq and NYSE Arca have determined that it would be preferable to re-open from a reverse stock split halt at 8:00 a.m. ET instead of 9:00 a.m. ET. That alteration would provide for an additional hour of liquidity formation and price discovery before the 9:30 a.m. ET Opening Auction, while still being consistent with the rationales cited above for re-opening trading at a ''unique'' time. Specifically, the Exchange believes that resuming trading in the affected securities at 8:00 a.m. ET is appropriate because the proposed pause in trading provides a sufficient and transparent interval for the Exchange and market participants to complete the processing of such corporate actions and the earlier resumption of trading would provide the affected securities with additional price discovery and liquidity formation opportunities before participating in the Opening Auction at 9:30 a.m. ET.

Consistent with that rationale, the Exchange proposes that the securities subject to the corporate action regulatory halts addressed in this filing, including reverse stock splits, would re-open at 8:00 a.m. ET.[34]

In sum, the corporate actions addressed in this proposal raise operational and market integrity concerns in a 23/5 Trading environment that mirror the concerns addressed by the Commission in approving Nasdaq and NYSE Arca's proposals related to reverse stock splits. Under 23/5 Trading, the Exchange will no longer have a substantial non-trading window during which it and other market participants can process these corporate actions before trading resumes. With only one hour between trading days, neither the Exchange nor other market participants would have sufficient time to process and incorporate corporate action-related information, resulting in a risk of price dislocations, investor confusion, erroneous executions, and broader operational issues. The Exchange believes that extending the current Nasdaq and NYSE Arca reverse stock split regulatory halt framework to the corporate actions described herein would appropriately preserve, in a 23/5 Trading environment, the safeguard implicit in the current market structure—specifically, the overnight pause in trading that allows for coordinated processing and related systems and reference-data updates. Accordingly, the proposal would promote fair and orderly trading, mitigate operational risk, and help ensure that trading resumes only after those updates have been completed.

Implementation

The Exchange understands that the other Primary Listing Exchanges plan to implement substantially identical versions of this rule to ensure consistent treatment of corporate actions across the market. The Exchange proposes that the changes in this proposal and in the other Primary Listing Exchanges' similar filings would become operative at the commencement of 23/5 Trading, which is anticipated to begin on December 6, 2026.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[35] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[36] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[37] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange believes that the corporate action halt framework discussed in this proposal would promote free and open trade, protect investors, and serve the public interest by helping to ensure fair and orderly markets. Specifically, the proposal would preserve and apply an established, transparent framework for pausing and resuming trading in securities subject to mandatory regulatory halts to certain corporate actions with processing requirements similar to the reverse stock split halts that exist on Nasdaq and NYSE Arca, so that trading in an affected security does not occur before the corporate action has been processed and the related systems and reference-data updates have been completed and applied across the market.

With respect to the specific categories of corporate actions addressed in this proposal, the Exchange believes that it is reasonable and appropriate to extend the regulatory halt framework applicable to reverse stock splits on Nasdaq and NYSE Arca to certain categories of corporate actions with analogous processing requirements, as more specifically described above. Like reverse stock splits, these corporate actions all involve non-discretionary changes to core security characteristics that require synchronized updates across Exchange and market-participant systems.

Under the current market structure, an overnight pause in trading has historically provided a defined non-trading window during which the Exchange and other market participants have sufficient time to process such corporate actions in an orderly and coordinated manner prior to the resumption of trading. But in the 23/5 Trading environment, with only one hour of non-trading time between trading days, there is a substantial chance that trading in an impacted security could occur based on incomplete, inconsistent, or partially updated information, giving rise to pricing anomalies, investor confusion, erroneous executions, and heightened operational risk. The Exchange believes the proposed approach promotes fair and orderly markets by helping to ensure that trading resumes only once systems and reference data concerning these corporate actions have been fully and consistently updated across the marketplace.

With respect to the mandatory regulatory halts specifically enumerated in proposed Rule 11.29(b)(1)(A)(v)(1)–(8), if the corporate action falls within the categories enumerated in the rule, the Exchange will not have discretion about whether to declare a trading halt in the affected security.

In addition, proposed Rule 11.29(b)(1)(A)(v)(9) is intended to operate as a residual provision covering issuer-related corporate actions not enumerated in Rule 11.29(b)(1)(A)(v)(1)–(8) that nonetheless raise operational or market-integrity concerns comparable to those presented by the enumerated actions. Under that provision, when the Exchange determines, based on the totality of the circumstances and the information available to it, including information obtained from the issuer, that it is necessary or appropriate for the maintenance of fair and orderly markets, the protection of investors, or otherwise in the public interest, it would be required to declare a regulatory halt in

[34] *Supra* note 32.

[35] 15 U.S.C. 78f(b).

[36] 15 U.S.C. 78f(b)(5).

[37] *Id.*

that security. Once the Exchange makes that determination, the regulatory halt would be mandatory, thereby avoiding ad hoc treatment once the applicable standard has been met. In that respect, proposed Rule 11.29(b)(1)(A)(v)(9) serves as a narrow residual mechanism designed to promote consistent regulatory treatment across comparable corporate actions and to preserve transparency and uniformity in the application of proposed Rule 11.29(b)(1)(A)(v) in a 23/5 Trading environment by requiring the Exchange to declare a regulatory halt in such cases. The Exchange therefore believes that it is reasonable and appropriate to extend its authority to declare a regulatory halt in this instance.

In all cases under proposed Rule 11.29(b)(1)(A)(v), a mandatory regulatory halt in the affected security would be implemented after the end of the After Hours Trading Session and before 9:00 p.m. ET on the day immediately preceding the market effective date of the corporate action.

The Exchange also believes it is reasonable and appropriate to use a Halt Auction under Rule 11.23(d) to re-open trading in a security that is subject to a regulatory halt pursuant to this proposal because it is consistent with the process that is typically used by the Exchange when re-opening a security that has been halted under Rule 11.29. Applying a uniform, previously approved framework enhances transparency and predictability for issuers, investors, and market participants.

The Exchange believes that resuming trading in the corporate action-impacted securities addressed in this proposal at 8:00 a.m. ET would promote fair and orderly markets, protect investors, and serve the public interest by providing the Exchange and market participants sufficient time to process the relevant corporate actions correctly. The Exchange further believes that resuming trading in the affected securities through a Halt Auction at 8:00 a.m. ET, rather than at 9:30 a.m. ET through an Opening Auction, would provide a more focused re-opening window and a better opportunity to identify and address potential order-entry or processing issues before the broader market opening, when thousands of other securities are undergoing their opening process.

The Exchange also believes that the proposal is consistent with Section 6(b)(5) of the Act because the Exchange's existing issuer notification, market notice, and public dissemination mechanisms generally provide market participants with advance awareness of the types of corporate actions addressed herein, thereby supporting the orderly implementation of the proposed halt process and helping to protect investors and the public interest.

Overall, establishing mandatory trading halts for securities that are subject to the corporate actions addressed in this filing and resuming trading thereafter promotes fair and orderly markets and the protection of investors, because it allows the Exchange to protect the broader interests of the national market system and addresses potential concerns that system errors may affect immediate trading in those securities. The Exchange believes that with the advent of 23/5 Trading, the proposed rules will help the Exchange reduce the potential for errors resulting in a material effect on the market resulting from the challenge of processing such corporate actions with only a one-hour non-trading window between trading days. As discussed above, in a 23/5 Trading environment, the Exchange will no longer have an overnight trading pause during which it can process corporate actions of the type addressed in this proposal. By introducing a corporate action halt framework based on the existing Nasdaq and NYSE Arca reverse stock split regulatory halt framework, the proposal is designed to preserve the safeguards currently afforded by that overnight pause.

For these reasons, the Exchange believes that the proposed rule change is designed to remove impediments to and perfect the mechanism of a free and open market and a national market system by mitigating operational and market integrity risks that would otherwise arise in a nearly continuous trading environment. By helping to ensure that trading resumes only after corporate action processing has been completed in an orderly and coordinated manner, the proposed rule change promotes just and equitable principles of trade and protects investors and the public interest, consistent with Sections 6(b) and 6(b)(5) of the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange believes the proposal will not impose a burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act because the proposed rule change is designed to protect investors and facilitate a fair and orderly market, which are both important purposes of the Act. To the extent that there is any impact on intermarket competition, it is incidental to these objectives.

Rather, the proposed changes will promote competition by ensuring that trading in corporate action-affected securities resumes only when the Exchange has processed corporate actions in a coordinated manner across Exchange and market participants' systems, consistent with its obligations as a primary listing market, thereby avoiding concurrent trading and potential confusion with respect to the affected securities while such corporate action processing is underway. In addition, the Exchange believes that the proposal does not impose any burden on competition because it applies equally to all issuers and market participants. The proposal builds on an established, uniform, and transparent framework governing the timing of trading halts and resumptions in trading in connection with certain corporate actions and is designed to address operational and market-integrity concerns, rather than competitive considerations. In substance, the proposal preserves an operational safeguard implicit in the current market structure and adapts that safeguard to a nearly continuous trading environment by extending the well-established reverse stock split framework to analogous corporate actions. By helping to ensure that trading resumes only after systems and reference data have been updated in a coordinated manner, the proposal promotes fair and orderly markets and enhances, rather than burdens, competition.

The Exchange does not believe that the proposed rule change imposes a burden on intra-market competition because the provisions apply to all market participants and issuers equally. In addition, information regarding the halting and resumption of trading will be disseminated using several freely accessible sources to ensure the widespread availability of that information.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days after 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 [38] and subparagraph (f)(6) of Rule 19b–4 thereunder.[39]

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B) [40] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include file number SR–CboeBZX–2026–071 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–CboeBZX–2026–071. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–CboeBZX–2026–071 and should be submitted on or before October 6, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[41]

Sherry R. Haywood,

Assistant Secretary.

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[38] 15 U.S.C. 78s(b)(3)(A)(iii).

[39] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[40] 15 U.S.C. 78s(b)(2)(B).

[41] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106318; File No. SR–FICC–2026–008]

Self-Regulatory Organizations; Fixed Income Clearing Corporation; Notice of Designation of Longer Period for Commission Action on Proposed Rule Change, as Modified by Partial Amendment No. 1, To Establish a Guaranty Fund at the Government Securities Division

September 10, 2026.

On July 24, 2026, Fixed Income Clearing Corporation (''FICC'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change SR–FICC–2026–008 pursuant to Section 19(b) of the Securities Exchange Act of 1934 (''Exchange Act'') [1] and Rule 19b–4 [2] thereunder to modify FICC's Government Securities Division (''GSD'') Rulebook (''GSD Rules'') [3] to establish a guaranty fund designed to cover losses that may arise due to a Member default or non-default loss event.[4] On August 4, 2026, FICC filed Partial Amendment No. 1 to make clarifications and corrections to the proposed rule change (the proposed rule change, as modified by Partial Amendment No. 1, is hereinafter referred to as the ''Proposed Rule Change'').[5] The Proposed Rule Change was published for public comment in the **Federal Register** on August 11, 2026.[6] The Commission has received comments regarding the substance of the changes proposed in the Proposed Rule Change.[7]

Section 19(b)(2)(i) of the Exchange Act [8] provides that, within 45 days of the publication of notice of the filing of a proposed rule change, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved unless the Commission extends the period within which it must act as provided in Section 19(b)(2)(ii) of the Exchange Act.[9] Section 19(b)(2)(ii) of the Exchange Act allows the Commission to designate a longer period for review (up to 90 days from the publication of notice of the filing of a proposed rule change) if the Commission finds such longer period to be appropriate and publishes its reasons for so finding, or as to which the self-regulatory organization consents.[10]

The 45th day after publication of the Notice of Filing is September 25, 2026. In order to provide the Commission with sufficient time to consider the Proposed Rule Change, the Commission finds that it is appropriate to designate a longer period within which to take action on the Proposed Rule Change and therefore is extending this 45-day time period.

Accordingly, the Commission, pursuant to Section 19(b)(2) of the Exchange Act,[11] designates November 9, 2026, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove proposed rule change SR–FICC–2026–008.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Terms not defined herein are defined in the GSD Rules, *available at www.dtcc.com/–/media/Files/Downloads/legal/rules/ficc_gov_rules.pdf.*

[4] *See* Notice of Filing, *infra* note 6.

[5] Partial Amendment No. 1 made certain changes the description of the proposed rule changes that were incorporated, as appropriate, into the description of the proposed rule change in the Notice of Filing, *infra* note 6.

[6] Securities Exchange Act Release No. 106053 (Aug. 6, 2026), 91 FR 51762 (Aug. 11, 2026) (File No. SR–FICC–2026–008) (''Notice of Filing''). FICC also filed a related advance notice (SR–FICC–2026–802) with the Commission pursuant to Section 806(e)(1) of Title VIII of the Dodd-Frank Wall Street Reform and Consumer Protection Act entitled the Payment, Clearing, and Settlement Supervision Act of 2010 (''Clearing Supervision Act'') and Rule 19b–4 under the Act, 17 CFR 240.19b–4. On August 4, 2026, FICC filed Partial Amendment No. 1 to the advance notice to make the same clarifications and corrections to the advance notice as Partial Amendment No. 1 to the proposed rule change. The advance notice, as modified by Partial Amendment No. 1, was published in the **Federal Register** on August 11, 2026. Securities Exchange Act Release No. 106054 (Aug. 6. 2026), 91 FR 51787 (Aug. 11, 2026) (File No. SR–FICC–2026–802).

[7] Comments on the Proposed Rule Change are available at *https://www.sec.gov/rules-regulations/public-comments/sr-ficc-2026-008.*

[8] 15 U.S.C. 78s(b)(2)(i).

[9] 15 U.S.C. 78s(b)(2)(ii).

[10] *Id.*

[11] *Id.*

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[12]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–18815 Filed 9–14–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106320; File No. SR–CboeBYX–2026–030]

Self-Regulatory Organizations; Cboe BYX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Exchange Rules 11.1(a), 11.9(b), and 11.23 To Add a New Time-in-Force Designation Known as ''Regular til Post Market''

September 10, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 28, 2026, Cboe BYX Exchange, Inc. (the ''Exchange'' or ''BYX'') 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

Cboe BYX Exchange, Inc. (''BYX'' or the ''Exchange'') proposes to amend Exchange Rules 11.1(a), 11.9(b), and 11.23 to add a new Time-in-Force (''TIF'') designation known as ''Regular til Post Market'' (''RTP''). The Exchange has designated the proposed rule change as noncontroversial and provided the Commission with the notice required by Rule 19b–4(f)(6)(iii) under the Act.[3] The text of the proposed rule change is provided in Exhibit 5.

The text of the proposed rule change is also available on the Commission's website (*https://www.sec.gov/rules/sro.shtml*), the Exchange's website (*https://www.cboe.com/us/equities/regulation/rule_filings/byx/*), and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Rule 11.9(b) (''Time-in-Force'') to add a new TIF designation known as ''Regular 'til Post Market'' or ''RTP.'' As proposed, an RTP order would be a limit order designated for execution during both Regular Trading Hours[4] and the After Hours Trading Session,[5] with any unexecuted portion expiring at the end of the After Hours Trading Session. In connection with the introduction of the RTP TIF, the Exchange also proposes conforming amendments to Rules 11.1(a) and 11.23 to reflect the availability of the RTP TIF across the Exchange's order handling and opening process rules.

Currently, Rule 11.9(b) provides Users[6] with the following TIF options for order entry. An ''Immediate-or-Cancel'' (''IOC'') order[7] is a limit order designated for immediate execution. Any unexecuted portion of an IOC order is cancelled. A ''Day'' order[8] is a limit order designated for execution only during Regular Trading Hours on the day it is entered. A ''Good, til Cancel'' (''GTC'') order[9] is a limit order which, if not executed, will be cancelled by the close of Regular Trading Hours. A ''Good, til Day'' (''GTD'') order[10] is a limit order which, if not executed, will be cancelled at the expiration time assigned to the order, which can be no later than the close of the After Hours Trading Session. A ''Good, til Extended Day'' (''GTX'') order[11] is a limit order which, if not executed, will be cancelled by the close of the After Hours Trading Session. A ''Fill-or-Kill'' (''FOK'') order[12] is a limit order designated for immediate execution in its entirety or cancellation as soon as it is received by the Exchange. A ''Regular Hours Only'' (''RHO'') order[13] is a limit or market order designated for execution during Regular Trading Hours only. A ''Pre-Opening Session Plus'' (''PRE'') order[14] is a limit order designated for execution only during the Pre-Opening Session[15] and Regular Trading Hours. Any portion not executed expires at the end of Regular Trading Hours. A ''Pre-Opening Session til Extended Day'' (''PTX'') order[16] is a limit order designated for execution during the Pre-Opening Session, Regular Trading Hours, and the After Hours Trading Session. Any portion not executed expires at the end of the After Hours Trading Session. A ''Pre-Opening Session til Day'' order[17] is a limit order designated for execution during the Pre-Opening Session, Regular Trading Hours, and the After Hours Trading Session. Any portion not executed will be cancelled at the expiration time assigned to the order, which can be no later than the close of the After Hours Trading Session. While BYX currently offers a wide range of TIF designations, the Exchange does not presently offer a TIF that specifically combines Regular Trading Hours with the After Hours Trading Session in a single, dedicated designation.

Against this backdrop, the Exchange proposes to introduce the RTP TIF as a new, dedicated TIF option on BYX. As proposed, the RTP TIF would permit a User to submit a single limit order that is eligible for execution during Regular Trading Hours and that, if not fully executed during Regular Trading Hours, would remain active and eligible for execution during the After Hours Trading Session. Any portion of an RTP order not executed by the end of the

[12] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 17 CFR 240.19b–4(f)(6)(iii).

[4] *See* Exchange Rule 1.5(w). The term ''Regular Trading Hours'' shall mean the time between 9:30 a.m. and 4:00 p.m. Eastern Time.

[5] *See* Exchange Rule 1.5(a). The After Hours Trading Session on BYX runs from 4:00 p.m. to 8:00 p.m. Eastern Time.

[6] *See* Exchange Rule 1.5(cc). ''User'' is defined as ''any Member or Sponsored Participant who is authorized to obtain access to the System pursuant to Rule 11.3.'' The ''System'' is ''the electronic communications and trading facility designated by the Board through which securities orders of Users are consolidated for ranking, execution and, when applicable, routing away.'' See Exchange Rule 1.5(aa). The term ''Member'' means any registered broker or dealer that has been admitted to membership in the Exchange. See Exchange Rule 1.5(n).

[7] *See* Exchange Rule 11.9(b)(1).

[8] *See* Exchange Rule 11.9(b)(2).

[9] *See* Exchange Rule 11.9(b)(3).

[10] *See* Exchange Rule 11.9(b)(4).

[11] *See* Exchange Rule 11.9(b)(5).

[12] *See* Exchange Rule 11.9(b)(6).

[13] *See* Exchange Rule 11.9(b)(7).

[14] *See* Exchange Rule 11.9(b)(8).

[15] *See* Exchange Rule 1.5(r). The term ''Pre-Opening Session'' shall mean the time between 8:00 a.m. and 9:30 a.m. Eastern Time.

[16] *See* Exchange Rule 11.9(b)(9).

[17] *See* Exchange Rule 11.9(b)(10).

After Hours Trading Session would expire. An RTP order may be modified or cancelled in accordance with Rule 11.9(e) and order priority will be determined pursuant to Rule 11.12(a), just as is the case for RHO orders currently. The Exchange believes that adding the RTP TIF to its suite of available TIF designations in Rule 11.9(b) would provide Users with a convenient, single-instruction mechanism to participate in both Regular Trading Hours and the After Hours Trading Session without the need to submit separate orders for each session.

In connection with the introduction of the RTP TIF, the Exchange also proposes to amend Rule 11.1(a) (''Hours of Trading and Trading Days'') to add RTP to the list of TIF designations that are subject to restrictions on order entry prior to 7:00 a.m. Eastern Time. Rule 11.1(a) currently provides that the Exchange will not accept, prior to 7:00 a.m. Eastern Time, among other orders, Minimum Quantity Orders that also include a Time in Force of Regular Hours Only.[18] Because an RTP order, like an RHO order, is designed for execution during Regular Trading Hours (and, in the case of RTP, extending into the After Hours Trading Session), the Exchange proposes to add RTP to this restriction so that Minimum Quantity Orders that also include a Time in Force of RTP will also not be accepted prior to 7:00 a.m. Eastern Time. This proposed change is consistent with the treatment of RHO orders and ensures that orders combining the Minimum Quantity condition with the RTP TIF are not entered into the System during the pre-7:00 a.m. period before the applicable trading sessions for such orders have commenced.

The Exchange also proposes amendments to Rule 11.23 (''Opening Process'') to add RTP alongside RHO throughout that rule's provisions governing eligibility for and participation in the Opening Process and the Re-Opening Process.[19] Specifically, the Exchange proposes to amend Rule 11.23(a) to provide that, prior to the beginning of Regular Trading Hours, Users wishing to participate in the Opening Process may enter orders designated as either RHO or RTP. All existing restrictions applicable to RHO orders in Rules 11.23(a)(1) and 11.23(a)(2) would apply equally to RTP orders, including the restriction prohibiting BYX Post Only Orders, ISOs, and Minimum Quantity Orders from participating in the Opening Process. The Exchange further proposes to amend Rule 11.23(e)(1)(A) to provide that, consistent with non-RHO orders, non-RTP orders will be eligible for participation in the Re-Opening Process following a halt, subject to the same exceptions and limitations that currently apply to non-RHO orders.[20] These amendments ensure that the RTP TIF is integrated consistently into the Exchange's opening and re-opening processes for securities, on the same terms applicable to RHO orders.

Comparison to Other Exchange Times-in-Force

The Exchange has also considered how other national securities exchanges handle TIF requirements for order entry when it comes to spanning the regular and after-hours trading sessions. NYSE Arca's trading rules provide for three trading sessions: the Early Trading Session, the Core Trading Session, and the Late Trading Session.[21] Under NYSE Arca's framework, orders entered into the NYSE Arca Marketplace must include a designation for which trading session(s) the order will remain in effect.[22] An order is eligible to participate in the designated trading session(s) only and may remain in effect for one or more consecutive trading sessions on a particular day.[23] Orders may be accepted by the exchange that are not eligible to trade until a later trading session begins.[24] Thus, NYSE Arca offers comparable functionality as proposed by the Exchange as it permits orders to be entered during its Early Trading Session that are eligible to trade in both the Core Trading Session and the Late Trading Session, which is analogous to the Exchange's proposed RTP TIF.

Similarly, Nasdaq's Time-in-Force framework, set forth in Nasdaq Equity Rule 4703(a), provides that the TIF assigned to an order designates the period of time that the Nasdaq Market Center will hold the order for potential execution, with Participants specifying both a time at which the order becomes active and a time at which the order ceases to be active.[25] Nasdaq does refer to certain periods of times with explicit TIFs throughout its rulebook, including ''IOC,'' ''System Hours Day,'' ''System Hours Expire Time,'' and, ''Market Hours Day'', however these terms are derived from the specific start and end times appended to orders, similar to the NYSE Arca functionality described *supra.* As such, Nasdaq offers comparable functionality as proposed by the Exchange but does so through the ability of orders to be entered with specific start and end times as opposed to a specific TIF as proposed by the Exchange.

Implementation

The Exchange plans to implement the proposed rule change during the early fourth quarter of 2026 and will announce the implementation date via Trade Desk Notice.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[26] in general, and furthers the objectives of Section 6(b)(5) of the Act,[27] 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.

The Exchange believes the proposed rule change promotes just and equitable principles of trade, removes impediments to and perfects the mechanism of a free and open market and national market system, and

[18] *See* Exchange Rule 11.1(a). Rule 11.1(a) provides in part that the Exchange will not accept Minimum Quantity Orders that also include a Time in Force of Regular Hours Only prior to 7:00 a.m. Eastern Time.

[19] *See* Exchange Rule 11.23(a). Currently, only orders designated as RHO are eligible to participate in the Opening Process for securities prior to the beginning of Regular Trading Hours.

[20] *See* Exchange Rule 11.23(e)(1)(A). Currently, non-RHO orders are eligible for participation in the Re-Opening Process, but IOC, FOK, BYX Post Only Orders, and Minimum Quantity Orders will be cancelled or rejected, and ISOs that are not IOC or FOK will be converted.

[21] *See* NYSE Arca Rule 7.34–E(a). NYSE Arca's Early Trading Session runs from 4:00 a.m. to 9:30 a.m. Eastern Time, its Core Trading Session runs from 9:30 a.m. to 4:00 p.m. Eastern Time, and its Late Trading Session runs from the conclusion of the Core Trading Session until 8:00 p.m. Eastern Time. Under Rule 7.34–E, all order types and modifiers defined in Rule 7.31–E that are designated for the Early Trading Session are eligible to participate in the Early Trading Session, subject to certain order-type restrictions.

[22] *See* NYSE Arca Rule 7.34–E(b)(1).

[23] *Id.*

[24] *Id.*

[25] *See* Nasdaq Equity Rule 4703(a). Nasdaq provides a list of acceptable times to activate and deactivate orders, which includes Regular Market Hours (similar to the Exchange's RHO TIF) and the end of System Hours (pursuant to Nasdaq Equity 1, Section 1(a)(9), the end of System Hours is defined as 8:00 p.m. ET, which is identical to the end time of the Exchange's After Hours Trading Session).

[26] 15 U.S.C. 78f.

[27] 15 U.S.C. 78f(b)(5).

protects investors and the public interest by providing Users with a convenient, streamlined mechanism to participate in both Regular Trading Hours and the After Hours Trading Session through the submission of a single order. Currently, Users seeking to maintain trading interest across both Regular Trading Hours and the After Hours Trading Session must either submit separate orders for each session or utilize broader TIF designations that may include trading sessions not desired by the User. The introduction of the RTP TIF in Rule 11.9 directly addresses this gap by offering a dedicated, purpose-built TIF designation that permits a User to submit a single order eligible for execution during Regular Trading Hours and, if not fully executed, to have such order remain active through the end of the After Hours Trading Session. This streamlined approach promotes just and equitable principles of trade by enabling Users to efficiently express their trading interest across the regular and post-close sessions in a single instruction, thereby reducing operational complexity, administrative burden, and the potential for order entry errors that may arise from the need to manage multiple orders across trading sessions.

Furthermore, the conforming amendments to Rules 11.1(a) and 11.23 ensure that the RTP TIF is fully integrated into the Exchange's existing order handling and opening process framework in a manner that is consistent with the treatment of the existing limit RHO TIF. By aligning the treatment of RTP orders with RHO limit orders for purposes of participation in the Opening Process and Re-Opening Process, the Exchange ensures that RTP orders are processed in a manner that is transparent, predictable, and fair to all Users. The consistent treatment of RTP orders across the Exchange's rules promotes just and equitable principles of trade by providing Users with certainty as to how their RTP orders will be handled throughout the trading day.

Moreover, the proposed rule change perfects the mechanism of a free and open market and supports a national market system by offering Users functionality that is comparable to that available on other national securities exchanges. As discussed above, NYSE Arca permits orders to be entered during its Early Trading Session that are eligible to trade in both the Core Trading Session and the Late Trading Session, providing comparable functionality to the Exchange's proposed RTP TIF. Similarly, Nasdaq's Time-in-Force framework permits Participants to specify both a time at which an order becomes active and a time at which the order ceases to be active, enabling comparable order entry flexibility. The Exchange's adoption of the RTP TIF ensures that Users have access to trading functionality on BYX that is consistent with industry practice and supports the efficient operation of the national market system by enabling Users to express their trading interest in a manner that is compatible with the trading mechanisms employed by other market centers.

Finally, the Exchange believes that the proposed rule change is not designed to permit unfair discrimination. The RTP TIF would be available to all Users on an equal and non-discriminatory basis. The use of the RTP TIF is entirely optional, and no User is required to utilize the RTP TIF in connection with order submission to the Exchange. Users who do not wish to use the RTP TIF may continue to submit orders using any of the other TIF designations currently offered by the Exchange, including the Day, RHO, and PTX TIF designations.

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 RTP TIF is an optional designation offered by the Exchange, and Users are free to decide whether to use the RTP TIF in connection with order submission to the Exchange.

The Exchange believes that the proposed RTP TIF and associated conforming amendments do not impose any intramarket burden on competition as they represent an enhancement to existing functionality that would be available to all Users on an equal and non-discriminatory basis. The proposed changes do not alter the way in which orders are prioritized, executed, or otherwise processed on the Exchange; they simply provide Users with an additional TIF option and integrate that option consistently into existing rules.

The Exchange believes that the proposed rule change does not impose any undue burden on intermarket competition. On the contrary, the proposed changes are being made to provide Users with enhanced order entry flexibility that may improve their ability to interact across Regular Trading Hours and the After Hours Trading Session that is comparable to order entry flexibility on competitor exchanges, therefore promoting competition between venues.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange has not solicited, and does not intend to solicit, comments on this proposed rule change. The Exchange has not received any unsolicited written comments from Members or other interested parties.

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 after 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 [28] and subparagraph (f)(6) of Rule 19b–4 thereunder.[29]

A proposed rule change filed under Rule 19b–4(f)(6) [30] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b4(f)(6)(iii),[31] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Exchange states that it is seeking to introduce the proposed functionality early in the fourth quarter of 2026 and waiver of the operative delay will permit the proposed rule changes to become effective immediately. The Exchange further states that waiver of the operative delay will allow the Exchange to offer a TIF that is competitive with TIF offerings of Nasdaq [32] and NYSE Arca [33], each of which permits Users to submit orders during the respective Pre-Opening Session that become active during Regular Trading Hours and remain active through the end of the After Hours Trading Session. The Commission believes that waiving the

[28] 15 U.S.C. 78s(b)(3)(A)(iii).

[29] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[30] 17 CFR 240.19b–4(f)(6).

[31] 17 CFR 240.19b–4(f)(6)(iii).

[32] *Supra* note 25.

[33] *Supra* note 21.

30-day operative delay is consistent with the protection of investors and the public interest as the proposal does not raise any new or novel issues. Therefore, the Commission hereby waives the 30-day operative delay and designates the proposed rule change to be operative upon filing.[34]

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)[35] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–CboeBYX–2026–030 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–CboeBYX–2026–030. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–CboeBYX–2026–030 and should be submitted on or before October 6, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[36]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–18811 Filed 9–14–26; 8:45 am]

BILLING CODE 8011–01–P

[34] For purposes only of waiving the 30-day operative delay, the Commission has also considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[35] 15 U.S.C. 78s(b)(2)(B).

[36] 17 CFR 200.30–3(a)(12), (59).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106319; File No. SR–NASDAQ–2026–073]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Exchange Rule Equity 7 Regarding Pricing of Ports for the Night Session

September 10, 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 31, 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, II, and III, below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Exchange Rule Equity 7, Sections 115 and 130 to (1) clarify the fees applicable to ports used to connect to the Exchange's Night Session trading environment, and (2) provide certain fee waivers designed to facilitate member participation in the Night Session, as described further 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.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to amend Equity 7, Sections 115 and 130 to clarify the fees applicable to ports used to connect to the Exchange's Night Session[3] trading environment and to provide certain fee waivers designed to facilitate member participation in the Night Session. The Exchange proposes to implement the fee changes on September 1, 2026.

Night Session Port Fees

As described in the 23–5 Approval Order, the Exchange established the

[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 also* Securities Exchange Act Release No. 34–105199 (April 10, 2026), 91 FR 20222 (April 15, 2026) (''23–5 Approval Order'').

Night Session [4] as a trading session that operates in a separate system environment from the Exchange's Day Session.[5] Because the Night Session operates in a separate environment, members wishing to participate in the Night Session must obtain separate ports to connect to that environment. Ports used for the Day Session cannot connect to the Night Session environment.[6] This approach reflects the technical and functional separation of the two systems and supports market integrity, investor protection, and fair and orderly trading.[7]

The Night Session will begin on Sunday evenings at 9:00 p.m. and will be held Monday through Thursday.[8] As described in the 23–5 Approval Order, the Night Session will operate in a manner similar, subject to certain limitations, to the Exchange's Pre-Market Hours and Post-Market Hours sessions, while also requiring additional customer disclosures regarding the potential risks of trading during the Night Session and the use of dedicated ports.[9]

The ports used during the Night Session are the same Financial Information Exchange (''FIX''), OUCH, CORE FIX, OUCH Purge, FIX Purge, and DROP connectivity products currently offered by the Exchange.[10] OUCH Purge and FIX Purge ports provide members with the ability to cancel open orders and disable or re-enable order entry, while DROP ports provide subscribers with real-time execution information. Because the Night Session operates in a separate environment, members must obtain these ports separately if they wish to participate in the Night Session.

Current fees for ports under Equity 7, Sections 115 and 130 are $575 per port per month for FIX Trading, OUCH, and CORE FIX ports; $500 per port per month for OUCH Purge and FIX Purge ports; and $550 per port per month for DROP ports. To facilitate onboarding and incentivize participation in the Night Session in advance of the planned launch of Night Session trading on or about December 6, 2026,[11] the Exchange proposes to amend Equity 7, Sections 115(b) and 115(g) to waive fees for the first five Night Session ports of each applicable port type ordered for an MPID. Specifically, the Exchange proposes to provide that, subject to Exchange Rule Equity 1, Section 1(a)(19), the first five Night Session FIX Trading Ports, OUCH Ports, CORE FIX Ports, OUCH Purge Ports, FIX Purge Ports, and DROP Ports ordered for an MPID will be provided without charge.

The Exchange further proposes to provide that, beginning with the sixth port of each applicable port type ordered for an MPID, the Exchange will assess the standard fee otherwise applicable for such ports under Equity 7, Section 115. The proposed rule text appears as explanatory footnote text in proposed Equity 7, Sections 115(b) and 115(g)(2).

NTF Port Fees

With respect to other services offered, the Exchange operates two testing environments in separate locations. Reference to the Nasdaq Testing Facility (''NTF'') applies to both of those environments.[12] Exchange Rule Equity 7, Section 130(d) sets forth the fees for access to the NTF. Subscribers that conduct tests of Nasdaq access protocol connections other than the computer-to-computer interface (CTCI) and the FIX interface to ACT and ACES access protocols through the NTF are currently assessed a fee of $300 per port, per month, as provided under Exchange Rule Equity 7, Section 130(d)(1)(B). The Exchange proposes to amend Equity 7, Section 130(d)(1)(B) to provide that, subject to Exchange Rule Equity 1, Section 1(a)(19), for subscribers ordering ports to connect to the Night Session through the Nasdaq Testing Facility (NTF), the first five (5) Night Session NTF ports of each applicable port type ordered for an MPID will be provided without charge. The proposed rule text appears as explanatory footnote text in proposed Exchange Rule Equity 7, Section 130(d)(1)(B).

Beginning with the sixth Night Session NTF port of the same applicable port type ordered for an MPID, the Exchange will assess the standard per-port, per-month fee otherwise applicable under Equity 7, Section 130(d)(1)(B).

Participation in NTF testing is voluntary. Members are not required to use NTF testing as a condition of participating in the Night Session. The Exchange nevertheless encourages members to test connectivity to the Night Session environment and is proposing the limited waiver to encourage such testing in advance of launch.

The Exchange proposes to implement the fee changes on September 1, 2026. The implementation date will permit members to order ports and establish connectivity in advance of the anticipated commencement of Night Session trading in December 2026.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[13] in general, and furthers the objectives of Sections 6(b)(4) and 6(b)(5) of the Act,[14] in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among members and issuers and other persons using any facility, and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

Night Session Port Fees

The Exchange believes the proposal is reasonable because the ports used during the Night Session are the same connectivity products currently offered by the Exchange. Members wishing to participate in the Night Session must obtain separate ports because the Night Session operates in a separate system

[4] *See* 23–5 Approval Order, *supra* note 1, 91 FR at 20231.

[5] *See* 23–5 Approval Order, *supra* note 1, 91 FR at 20231, 20233 (describing requirements for separate ports for the Night Session and finding, among other things, that ''[t]he use of dedicated ports for the Night Session is consistent with the requirements of the Act. The Exchange's proposed use of designated ports will allow the Exchange to use different Trading Systems for the Day and Night Sessions and will allow the Exchange to manage and monitor each session independently''). *See also* Exchange Rule Equity 1, Section 1(a)(18) (defining the term ''Day Session'' as the time between 4:00 a.m. Eastern Time (''ET'') and 8:00 p.m. ET on Business Days, during which period the Pre-Market Hours, Regular Market Hours and Post-Market Hours are in operation).

[6] *See* 23–5 Approval Order, *supra* note 1, 91 FR at 20231, 20233. Night Session ports will be operational from 9:00 p.m. ET through the following day at 4:00 a.m. ET. Day ports will be operational from 4:00 a.m. ET through 8:00 p.m. ET on Business Days. *See* Exchange Rule 4702.

[7] *See* 23–5 Approval Order, *supra* note 1, 91 FR at 20231, 20233.

[8] *See supra* note 1 and accompanying text.

[9] *See* 23–5 Approval Order, *supra* note 1, 91 FR at 20231.

[10] *See, e.g.,* Exchange Rule 4702 (describing, among other things, the various ports offered by the Exchange); Exchange Rule Equity 7 (Pricing Schedule) (setting fees for, among other things, the various ports and port-related services offered by the Exchange).

[11] Operation of the Night Session is subject to the terms and conditions set forth in Exchange Rule Equity 1, Section 1(a)(19). *See supra* note 1 and accompanying text. *See also* Securities Exchange Act Release No. 105780 (June 26, 2026), 91 FR 40058 (July 1, 2026) (approving a proposal by the Joint Self-Regulatory Organization Plan Governing the Collection, Consolidation and Dissemination of Quotation and Transaction Information for Nasdaq-Listed Securities Traded on Exchanges on an Unlisted Trading Privileges Basis (''UTP Plan'') to amend the UTP Plan to among other things extend the UTP Plan's hours of operation); Securities Exchange Act Release No. 105779 (June 26, 2026), 91 FR 40082 (July 1, 2026) (approving a proposal by the Consolidated Tape Association Plan (''CTA Plan'') and the Restated Consolidated Quotation Plan (''CQ Plan'') (collectively ''CTA/CQ Plans'' or ''Plans'') to amend the CTA/CQ Plans to among other things extend the CTA/CQ Plans' hours of operation).

[12] *See* Exchange Rule Equity 7, Section 130(d).

[13] 15 U.S.C. 78f(b).

[14] 15 U.S.C. 78f(b)(4) and (5).

environment, as previously described in the 23–5 Approval Order. The proposal does not create new port functionality. Rather, it clarifies the fees and certain waivers applicable when members use existing FIX Trading, OUCH, CORE FIX, OUCH Purge, FIX Purge, and DROP ports to connect to the Night Session environment.

The Exchange further believes the proposal is reasonable because it provides substantial fee relief to firms seeking to participate in the Night Session. The Exchange proposes to provide the first five Night Session ports of each applicable port type ordered for an MPID without charge, including FIX Trading, OUCH, CORE FIX, OUCH Purge, FIX Purge, and DROP ports. Members that order additional ports of the same applicable port type for that MPID would be assessed the standard fee after the first five ports ordered for that MPID. Thereafter, all members will be assessed the same fees under the Exchange's fee schedule.

The Exchange believes the proposed limited waiver is reasonable because, based on feedback received from customers, firms participating in the Night Session are expected to use no more than five ports per MPID for trading in the Night Session. Accordingly, the proposed limited waiver is expected to permit most firms to participate in the Night Session without incurring port fees. The waiver is intended to encourage participation in the Night Session and facilitate member onboarding in advance of the launch of Night Session on or about December 6, 2026.

The Exchange believes the proposal represents an equitable allocation of fees and is not unfairly discriminatory because the proposed limited waiver will be available to all members on the same terms. Any member may obtain Night Session ports and receive the benefit of the proposed limited waiver for each applicable port type ordered for an MPID, including FIX Trading, OUCH, CORE FIX, OUCH Purge, FIX Purge, and DROP ports. Moreover, members that exceed the limits of the proposed waiver will be assessed the same fees under the Exchange's fee schedule.

NTF Port Fees

The Exchange believes that the proposed NTF limited waiver is reasonable because it encourages firms voluntarily to test connectivity to the Night Session environment prior to launch. Although NTF testing is not required for participation in the Night Session, the Exchange believes that encouraging such testing promotes operational readiness and supports an orderly launch of Night Session trading. By waiving fees associated with testing the first five Night Session NTF ports of each applicable port type ordered for an MPID through NTF, the Exchange seeks to encourage members to validate connectivity prior to commencement of Night Session trading.

The Exchange believes the NTF limited waiver represents an equitable allocation of fees and is not unfairly discriminatory because the waiver will be available to all members on the same terms. Any member may use NTF testing and receive the benefit of the proposed waiver for the first five Night Session NTF ports of each applicable port type ordered for an MPID. Moreover, all members that exceed the limits of the proposed waiver will be assessed the same fees under the Exchange's fee schedule.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

In terms of inter-market competition, the proposal will not impose any burden on competition because participation in the Night Session is voluntary and market participants may choose whether to obtain Night Session connectivity. Moreover, the proposal provides certain limited fee waivers that reduce the costs associated with establishing Night Session connectivity and testing such connectivity prior to launch. All members that exceed the proposed waiver limitations will be assessed the same fees under the Exchange's fee schedule.

In terms of intra-market competition, the proposal will not impose any burden on competition because the proposed limited waivers will be available equally to all members. All members that choose to participate in the Night Session will be eligible to receive the first five Night Session ports of each applicable port type ordered for an MPID without charge and to test the first five Night Session NTF ports of each applicable port type ordered for an MPID through NTF without charge. Thereafter, all members will be assessed the same fees under the Exchange's fee schedule.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act.[15]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i) necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include file number SR–NASDAQ–2026–073 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–2026–073. 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–2026–073 and should be submitted on or before October 6, 2026.

[15] 15 U.S.C. 78s(b)(3)(A)(ii).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[16]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–18808 Filed 9–14–26; 8:45 am]

BILLING CODE 8011–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21861 and #21862; NORTH DAKOTA Disaster Number ND–20016]

Presidential Declaration of a Major Disaster for Public Assistance Only for the State of North Dakota

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is notice of the Presidential declaration of a major disaster for Public Assistance Only for the state of North Dakota (FEMA–4934–DR), dated September 1, 2026.

Incident: Severe Storms, Straight-line Winds, and Tornadoes.

DATES: Issued on September 1, 2026.

Incident Period: June 7, 2026 through June 9, 2026.

Physical Loan Application Deadline Date: November 1, 2026.

Economic Injury (EIDL) Loan Application Deadline Date: June 1, 2027.

ADDRESSES: *Visit the MySBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Robert Camacho, Office of Disaster Recovery and Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given as a result of the President's major disaster declaration on September 1, 2026, Private Non-Profit organizations providing essential services of a governmental nature may file disaster loan applications online using the MySBA Loan Portal *https://lending.sba.gov* or in person at other locally announced locations. For further assistance please contact the SBA disaster assistance customer service center by email at *disastercustomerservice@sba.gov* or by phone at 1–800–659–2955. If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Bottineau, Burke, Divide, McLean, Mercer, Oliver, Williams.

The Interest Rates are:

	Percent
For Physical Damage:	
Private Non-Profit Organizations with Credit Available Elsewhere	3.625
Private Non-Profit Organizations without Credit Available Elsewhere	3.625
For Economic Injury:	
Private Non-Profit Organizations without Credit Available Elsewhere	3.625

The number assigned to this disaster for physical damage is 21861B and for economic injury is 218620.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority:13 CFR 123.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2026–18907 Filed 9–14–26; 8:45 am]

BILLING CODE 8026–09–P

DEPARTMENT OF STATE

Privacy Act of 1974; System of Records

AGENCY: Department of State.

ACTION: Notice of a new matching program.

SUMMARY: In accordance with 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 computer matching, the Department of State (''Department'') proposes to establish a matching program with the U.S. Department of the Treasury, Bureau of the Fiscal Service (''Treasury''). The matching program allows Treasury to provide services relating to the identification, prevention, and/or recovery of improper payments pursuant to the Do Not Pay (DNP) program operating under 31 U.S.C. 3354.

DATES: Please submit any comments by October 15, 2026. This matching program will become effective 30 days after publication of this notice, unless comments have been received from interested members of the public requiring modification and republication of this notice. This matching program will remain in effect through September 10, 2029.

ADDRESSES: Comments must be submitted via the Federal eRulemaking Portal at *regulations.gov.* However, if you require accommodation or cannot otherwise submit your comments via *regulations.gov,* please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

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 viewing in their entirety on the Federal eRulemaking Portal at *www.regulations.gov.* Therefore, commenters should be careful to include only information that they wish to make publicly available in their comments.

FOR FURTHER INFORMATION CONTACT: Timothy J. Kootz, Senior Agency Official for Privacy; U.S. Department of State; Shared Knowledge Services, A/SKS; Room 4534, 2201 C St. NW; Washington, DC 20520 or *SORN@state.gov.* If email, please address the email to the Senior Agency Official for Privacy, Timothy J. Kootz, at *SORN@state.gov.* Please write ''Matching Program, State-30'' on the envelope or the subject line of your email.

SUPPLEMENTARY INFORMATION: The Computer Matching and Privacy Protection Act of 1988 (Pub. L. 100–503) amended the Privacy Act of 1974 (5 U.S.C. 552a) by establishing procedural safeguards related to agencies' use of records when performing certain types of computerized matching. Section 7201 of the Omnibus Budget Reconciliation Act of 1990 (Pub. L. 101–508) further amended the Privacy Act regarding protections for individuals when agencies perform these functions.

Additionally, the Payment Integrity Information Act of 2019 (31 U.S.C. 3351 *et seq.*) provides the head of the agency operating the 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

[16] 17 CFR 200.30–3(a)(12).

U.S.C. 552a(o) for the class of matching programs that meet all of the eligibility criteria defined in OMB Memorandum M–25–32, *Preventing Improper Payments and Protecting Privacy through Do Not Pay,* Appendix II.

This matching program will remain in effect through September 10, 2029.

Participating Agencies

The U.S. Department of State and the U.S. Department of the Treasury, Bureau of 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. The records used in this matching program are maintained pursuant to 22 U.S.C. 2651a (Organization of the Department of State*);* 22 U.S.C. 3921 (Management of service); 5 U.S.C. 301 (Management of the Department of State); 22 U.S.C. 4042 (Maintenance of the Foreign Service Retirement and Disability Fund); 42 U.S.C. 653 (the Personal Responsibility and Work Opportunity Reconciliation Act of 1996); 5 U.S.C. 5501–5584 (Pay Administration); and 31 U.S.C. 901–903 (Agency Chief Financial Officers).

Purpose(s)

The purposes of this matching program are to identify and prevent improper payments and conduct related recovery activities by verifying, prior to payment certification, eligibility for monthly annuity and beneficiary payments to former Foreign Service personnel. Data elements that are necessary for eligibility determinations for this program 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 Treasury will provide the Department with 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

Current and former Department of State Foreign Service employees, and their beneficiaries, who receive a monthly annuity or beneficiary payment.

Categories of Records

The Department will disclose to Treasury the following data elements: payee full legal name and Taxpayer Identification Number. Treasury, through the Do Not Pay (DNP) Working System, will compare the Department's disclosed data elements against the following categories of records and data sources:

- *Deceased Status verification records*, including the American InfoSource (AIS) Obituary & Probate (Commercial) database, the Social Security Administration Death Master File—Full (DMF–Full), and Department of State Death Data, each containing the data elements TIN and Awardee/Payee Name; and
- *Federal Debt Status verification records*, including the Treasury Offset Program (TOP) Debt Check, containing the data elements TIN and Awardee/Payee Name.

When a comparison of these records results in a potential match, Treasury will notify the Department and identify the database(s) containing the potentially matching record(s). The Department will then independently review and verify the match, consistent with 5 U.S.C. § 552a(p)(1)(A), before taking any action affecting a payee's annuity or beneficiary payment, including providing notice and an opportunity to contest any adverse finding consistent with 5 U.S.C. § 552a(p)(1)(B).

System(s) of Records

Treasury will use the system of records entitled, ''Department of 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 FR11776).

The Department will disclose data from the system of records entitled, State-30, Personnel Payroll Records, last published in full in the **Federal Register** on October 2, 1975 (40 FR 4758, as amended by 63 FR 7039 and 91 FR 9684).

Timothy J. Kootz,

Deputy Assistant Secretary, Shared Knowledge Services (A/SKS), U.S. Department of State,

[FR Doc. 2026–18801 Filed 9–14–26; 8:45 am]

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SURFACE TRANSPORTATION BOARD

[Docket No. AB 55 (Sub-No. 827X)]

CSX Transportation, Inc.—Abandonment Exemption—in Anne Arundel County, Md.

CSX Transportation, Inc. (CSXT), has filed a verified notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments* to abandon an approximately 0.72-mile rail line between milepost BBR 6.89 to milepost BBR 7.61, on its Northeast Region, Baltimore Terminal Subdivision Division, in Anne Arundel County, Md. (the Line). There are no stations on the Line. The Line traverses U.S. Postal Service Zip Code 21226.

CSXT has certified that: (1) no local traffic has moved over the Line during the past two years; (2) any overhead traffic can be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the Line (or by a state or local government on behalf of such user) regarding cessation of service over the Line is pending with either the Surface Transportation Board (Board) or any U.S. District Court or has been decided in favor of a complainant within the two-year period prior to the filing of the notice; and (4) the requirements at 49 CFR 1105.7(b) and 1105.8(c) (notice of environmental and historic reports), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to government agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received,[1]

[1] Persons interested in submitting an OFA must first file a formal expression of intent to file an

Continued

this exemption will be effective on October 15, 2026, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,[2] formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2), and interim trail use/railbanking requests under 49 CFR 1152.29 must be filed by September 25, 2026.[3] Petitions to reopen and requests for public use conditions under 49 CFR 1152.28 must be filed by October 5, 2026.

All pleadings, referring to Docket No. AB 55 (Sub-No. 827X), must be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E Street SW, Washington, DC 20423–0001. In addition, a copy of each pleading must be served on CSXT's representative, Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204.

If the verified notice contains false or misleading information, the exemption is void ab initio.

CSXT has filed a combined environmental and historic report that addresses the potential effects, if any, of the abandonment on the environment and historic resources. OEA will issue a Draft Environmental Assessment (Draft EA) by September 18, 2026. The Draft EA will be available to interested persons on the Board's website, by writing to OEA, or by calling OEA at (202) 245–0294. If you require an accommodation under the Americans with Disabilities Act, please call (202) 245–0245. Comments on environmental or historic preservation matters must be filed within 15 days after the Draft EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/railbanking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), CSXT shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the Line. If consummation has not been effected by CSXT's filing of a notice of consummation by September 15, 2027, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available at *www.stb.gov*.

Decided: September 10, 2026.

By the Board, Anika S. Cooper, Chief Counsel, Office of Chief Counsel.

Regena Smith-Bernard,

Clearance Clerk.

[FR Doc. 2026–18785 Filed 9–14–26; 8:45 am]

BILLING CODE 4915–01–P

offer, indicating the type of financial assistance they wish to provide (*i.e.*, subsidy or purchase) and demonstrating that they are preliminarily financially responsible. *See* 49 CFR 1152.27(c)(2)(i).

[2] The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Office of Environmental Analysis (OEA) in its independent investigation) cannot be made before the exemption's effective date. *See Exemption of Out-of-Serv. Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

[3] Filing fees for OFAs and trail use requests can be found at 49 CFR 1002.2(f)(25) and (27), respectively.

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

[Docket No. FHWA–2026–1024]

Agency Information Collection Activities: Request for Comments for a New Information Collection

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice and request for comments.

SUMMARY: The FHWA invites public comments about our intention to request the Office of Management and Budget's (OMB) approval for a new information collection, which is summarized below under **SUPPLEMENTARY INFORMATION**. We are required to publish this notice in the **Federal Register** by the Paperwork Reduction Act of 1995.

DATES: Please submit comments by November 16, 2026.

ADDRESSES: You may submit comments identified by DOT Docket ID Number FHWA–2026–1024 by any of the following methods:

Website: For access to the docket to read background documents or comments received go to the Federal eRulemaking Portal: Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.

Fax: 1–202–493–2251.

Mail: Docket Management Facility, U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590–0001.

Hand Delivery or Courier: U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Seema Javeri, *Seema.Javeri@dot.gov,* (202) 836–3554, Office of Infrastructure, Federal Highway Administration, Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590. Office hours are from 8 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Title: State Transportation Roadway Innovation Deployment Excellence (STRIDE) Program Proposals, Annual Reports, and Final Reports.

Background: The proposed State Transportation Roadway Innovation Deployment Excellence (STRIDE) Program would be administered by the Federal Highway Administration (FHWA) under the Technology and Innovation Deployment Program (TIDP), authorized by 23 U.S.C. 503(c). TIDP supports the implementation and adoption of innovations across highway transportation, including planning, financing, operations, structures, rights-of-way, materials, pavements, environmental activities, construction, and project delivery. Subject to final program approval and the availability of funds, the STRIDE Program will make TIDP funding available to accelerate the implementation and adoption of the following:

- Innovations promoted under Every Day Counts Round 8 (EDC–8); and
- Other nationally significant highway innovations consistent with the U.S. Department of Transportation's strategic priorities and applicable statutory requirements.

Respondents: Eligible applicants and recipients are the transportation departments or equivalent transportation agencies of the 50 States, the District of Columbia, and Puerto Rico. Metropolitan planning organizations, local governments, Tribal governments, Federal Land Management Agencies, and other entities may participate as subrecipients through an eligible State DOT, subject to the requirements set forth in the final STRIDE program guidance. The State DOT would remain the direct applicant and recipient of federal-aid funds. FHWA estimates that about 35 applicants would submit project proposals in each application cycle.

Frequency: Applicants would submit project proposals during the established STRIDE application period. Selected recipients are required to submit an annual progress report for each active project and one final report following project completion.

Estimated Average Burden per Response: FHWA estimates an average burden of:

- 10 hours to prepare and submit each project proposal;

• 10 hours annually for project administration and annual progress reports; and

• 40 hours to prepare and submit each final project report.

Estimated Total Annual Burden Hours: Assuming 35 eligible applicants, the estimated annual burden would be:

• Project proposals: 35 × 10 hours = 350 hours.

• Annual reporting and project administration: 35 × 10 hours = 350 hours.

• Final reports, assuming approximately one-half of the projects are completed annually: 17.5 × 20 hours = 350 hours.

For an estimated total annual burden of 1,050 hours.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the FHWA's performance; (2) the accuracy of the estimated burdens; (3) ways for the FHWA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized, including the use of electronic technology, without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended; and 49 CFR 1.48.

Issued on: September 10, 2026.

Jazmyne Lewis,

Information Collection Officer.

[FR Doc. 2026–18802 Filed 9–14–26; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2026–0760]

Agency Information Collection Activities; Renewal of an Approved Information Collection Request: 391.41 CMV Driver Medication Form

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. This Information Collection (IC) is voluntary and may be utilized by medical examiners (ME) responsible for issuing Medical Examiner's Certificates (MECs) to commercial motor vehicle (CMV) drivers. MEs that choose to use this IC do so to communicate with treating healthcare professionals who are responsible for prescribing certain medications, so that the ME fully understands the reasons the medications have been prescribed. The information obtained by the ME when utilizing this IC assists the ME in determining if the driver is medically qualified and ensures that there are no disqualifying medical conditions or underlying medical conditions and prescribed medications that could adversely affect their safe driving ability or cause incapacitation constituting a risk to the public. One comment was received in response to the 60-day **Federal Register** publication.

DATES: Comments on this notice must be received on or before October 15, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection should be submitted within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Medical Programs Division, DOT, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001; (202) 366–4001; *christine.hydock@dot.gov.*

SUPPLEMENTARY INFORMATION:

Title: 391.41 CMV Driver Medication Form.

OMB Control Number: 2126–0064.

Type of Request: Renewal of a currently approved ICR.

Respondents: Prescribing healthcare professionals.

Estimated Number of Respondents: Up to 1,470,185 (total number of prescribing healthcare providers in the United States).

Estimated Time per Response: 8 minutes.

Expiration Date: September 30, 2026.

Frequency of Response: Other (use of this IC is optional so there is no required collection frequency).

Estimated Total Annual Burden: 311,375 hours.

Background

FMCSA's primary mission is to reduce crashes, injuries, and fatalities involving large trucks and buses. The Secretary of Transportation has delegated to FMCSA its responsibility 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 CMV drivers engaged in interstate commerce are physically qualified and able to safely perform their work.

The public interest in, and right to have, safe highways require the assurance that drivers of CMVs can safely perform the increased physical and mental demands of their duties. FMCSA's physical qualification standards provide this assurance by requiring drivers to be examined and medically certified as physically and mentally qualified to drive.

The purpose of this voluntary IC is to assist the ME in determining if the driver is medically qualified under 49 Code of Federal Regulations (CFR) 391.41 and to ensure that there are no disqualifying medical conditions that could adversely affect their safe driving ability or cause incapacitation constituting a risk to the public. Under § 391.41(b)(12), a person is physically qualified to drive a CMV if that person does not use any drug or substance identified in 21 CFR 1308.11 Schedule I, an amphetamine, a narcotic, or other habit-forming drug; and does not use any non-Schedule I drug or substance that is identified in the other Schedules in 21 CFR part 1308 except when the use is prescribed by a *licensed medical practitioner,* as defined in 49 CFR 382.107, who is familiar with the driver's medical history and has advised the driver that the substance will not adversely affect the driver's ability to safely operate a CMV.

The use of this IC is at the discretion of the ME and facilitates communication with treating healthcare professionals who are responsible for prescribing certain medications so that the ME fully understands the reasons the medications have been prescribed. This information assists the ME in determining whether the underlying medical condition and the prescribed medication will impact the driver's safe operation of a CMV. Therefore, there is no required collection frequency.

The ''391.41 CMV Driver Medication Form, MCSA–5895,'' may be downloaded from the FMCSA website. Prescribing healthcare providers are also able to either fax or scan and email the report to the certified 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 believes that approximately 50 percent of the ''391.41 CMV Driver Medication Forms, MCSA–5895,'' are transmitted electronically.

The information collected from the ''391.41 CMV Driver Medication Form, MCSA–5895,'' is used by the certified ME that requested the completion of the form. The ''391.41 CMV Driver Medication Form, MCSA–5895,'' is attached to the ''Medical Examination Report Form, MCSA–5875,'' which becomes part of the CMV driver's record maintained by the certified ME. The information is not available to the public. The Federal Motor Carrier Safety Regulations covering driver physical qualification records are found at § 391.43, which specify that a medical examination must be performed on CMV drivers subject to part 391 who operate in interstate commerce. The results of the examination must be recorded in accordance with the requirements set forth in that section. MEs are required to maintain records of the CMV driver medical examinations they conduct.

The initial 60-day **Federal Register** notice was published May 7, 2026 (91 FR 24958) and one comment was received. The National Transportation Safety Board (NTSB) supported the renewal of the collection but continues to recommend revising the collection to improve the quality and usefulness of the information available to MEs. NTSB reiterated the same recommendations it made in response to the collection's previous request for comment on the 60-day **Federal Register** notice published on September 8, 2022 (87 FR 55077). NTSB specifically recommended the following:

- Revise the ''391.41 CMV Driver Medication Form, MCSA–5895,'' to include all medications (prescriptions, non-prescriptions, supplements) that the provider is aware the driver uses and all medical conditions that the provider is aware the driver has, regardless of whether those conditions are treated with medications.
- Do not limit the IC to cases with known potentially impairing medications by removing the sentence on the form that states, ''During the medical evaluation, it was determined this individual is taking medication(s) that may impair his/her ability to safely operate a CMV.''
- Clarify what is being asked of responding providers by removing all reference to regulations from the instructions and clarifying that the responding provider is expected only to list medications/medical conditions and to give a medical opinion on safety, not to apply medical certification standards, which is the responsibility solely of the ME.
- Enable responding providers to give complete medical opinions by revising item 4 to ask the responding provider's medical opinion about whether any of the driver's known medications or medical conditions pose a risk to safe CMV operation, to provide the item with a third response option (''yes/no/unsure''), and to include a field for any clarifying comments.

FMCSA Response

FMCSA acknowledges NTSB's comment. However, FMCSA maintains its original response, published in the 30-day **Federal Register** notice on February 3, 2023 (88 FR 7514). FMCSA still finds that NTSB's recommendation would not enhance the ''391.41 CMV Driver Medication Form, MCSA–5895,'' because the form is intended to be used as a tool to supplement the information obtained from the ''Medical Examination Report Form, MCSA–5875,'' from the driver during the ME's review of the driver's health history, and from the physical examination conducted by the ME.

The ''Medical Examination Report Form, MCSA–5875,'' already provides the ME with a complete health history for the driver including all current medications (prescriptions, non-prescriptions, supplements) and medical conditions as reported by the driver. The form specifically address medication(s) that may impair the driver's ability to safely operate a CMV so that the ME fully understands the reasons the medications have been prescribed and can consider the impact the medication(s) and medical conditions for which the medication(s) has been prescribed may have on the driver to make an informed physical qualification determination.

FMCSA maintains that the ''391.41 CMV Driver Medication Form, MCSA–5895,'' contains information regarding the driver's role and regulation in § 391.41(b)(12) as a reference for healthcare professionals and does not indicate that the healthcare professional must interpret the regulation. The ''391.41 CMV Driver Medication Form, MCSA–5895,'' clearly states what is and is not expected of the healthcare professional completing the form by requesting the healthcare professional review the regulation provided, complete the form, and return it to the ME. The form explains that the final determination as to whether the individual listed on the form is physically qualified to drive a CMV will be made by the certified ME.

Lastly, item 4 was specifically intended to obtain the medical opinion of the healthcare professional completing the form regarding the specific medication(s) they have prescribed to the driver for a particular medical condition(s). It is the responsibility of the ME to use the information provided by the healthcare professional completing the ''391.41 CMV Driver Medication Form, MCSA–5895,'' as a tool to assist them in making a physical qualification determination.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including: (1) whether the proposed collection is necessary for the performance of FMCSA's functions; (2) the accuracy of the estimated burden; (3) ways for FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected information.

Issued under the authority of 49 CFR 1.87.

Nicole S. Michel,

Acting Associate Administrator, Office of Research and Registration.

[FR Doc. 2026–18863 Filed 9–14–26; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2026–1189]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Request for Comment; Criminal Penalty Safe Harbor Provision

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Notice and request for comments on reinstatement of a previously approved information collection.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (PRA), this notice announces that the Information Collection Request (ICR) summarized below will be submitted to the Office of Management and Budget (OMB) for review and approval. The ICR describes the nature of the information collection and its expected burden. This collection of information for which NHTSA seeks OMB approval concerns NHTSA's Criminal Penalty Safe Harbor Provision. NHTSA previously requested and received a three-year approval of this information collection. NHTSA

now requests OMB's approval for a three-year reinstatement of this previously approved information collection. NHTSA published a notice on May 29, 2026 requesting comment on the reinstatement of this ICR. NHTSA received no public comments in response to the notice.

DATES: Comments must be submitted on or before October 15, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection, including suggestions for reducing burden, should be submitted to the Office of Management and Budget at *www.reginfo.gov/public/do/PRAMain.* To find this particular information collection, select ''Currently under Review—Open for Public Comment'' or use the search function.

FOR FURTHER INFORMATION CONTACT: For additional information or access to background documents, contact Michael Kuppersmith, Office of the Chief Counsel, at *michael.kuppersmith@dot.gov,* Telephone: (202) 366–9957; Mailing address: U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501 *et seq.*), a Federal agency must receive approval from the Office of Management and Budget (OMB) before it collects certain information from the public, and a person is not required to respond to a collection of information by a Federal agency unless the collection displays a valid OMB control number. In compliance with these requirements, this notice announces that the following information collection request will be submitted to OMB.

Title: Criminal Penalty Safe Harbor Provision.

OMB Control Number: 2127–0609.

Form Number(s): N/A.

Type of Request: Request for reinstatement of a previously approved information collection.

Type of Review Requested: Regular.

Requested Expiration Date of Approval: Three years from date of approval.

Summary of the Collection of Information: The Transportation Recall Enhancement, Accountability, and Documentation (''TREAD'') Act (Pub. L. 106–414), codified at 49 U.S.C. 30170, establishes criminal liability for intentionally misleading the Secretary of Transportation (the ''Secretary'') regarding safety-related vehicle or motor vehicle equipment defects that result in death or serious injury. Section 30170 also contains a ''safe harbor'' provision that would shield a person from criminal penalties if they lacked knowledge that the violation would cause death or serious bodily injury and if they correct any improper or missing reports to the Secretary (NHTSA by delegation) within a reasonable time. To implement this requirement, NHTSA published a final rule defining a ''reasonable time'' and a sufficient manner of ''correction'' for safe harbor eligibility. 66 FR 38380 (July 24, 2001). The rule is codified at 49 CFR 578.7.

To seek this safe harbor, a respondent must submit a signed, dated document to NHTSA identifying: (1) each previous improper report, and each failure to report as required under 49 U.S.C. 30166, including a regulation, requirement, request or order issued thereunder, for which protection is sought; and (2) the specific predicate under which the improper or omitted report should have been provided. Additionally, respondents must submit complete and correct information and documents that were previously omitted or improperly submitted. If they cannot, they must provide a detailed description of that information and/or the content of those documents and the reason why the individual cannot provide them to NHTSA (*e.g.,* the information or documents are not in the individual's possession or control).

Description of the Need for the Information and Proposed Use of the Information: This statutorily mandated collection also advances NHTSA's mission. It allows NHTSA to accept information from persons seeking ''safe harbor.'' It further encourages the correction of violations and submission of corrections of any improper reports or failures to report, thereby increasing the likelihood of NHTSA receiving information about safety related defects. NHTSA anticipates using the information collection to evaluate requests for protection from criminal prosecution and to aid in the identification of potential safety defects in motor vehicles and motor vehicle equipment.

60-Day Notice

A **Federal Register** notice with a comment period soliciting public comments on the following information collection was published on May 29, 2026 (91 FR 32193, Docket No. NHTSA–2026–1189).[1] NHTSA received no comments.

Affected public: Those affected are motor vehicle and motor vehicle equipment manufacturers, including officers or employees thereof, and other persons who respond to or have a duty to respond to an information collection pursuant to 49 U.S.C. 30166 or a regulation, requirement, request, or order issued thereunder. The information collection applies to persons who seek ''safe harbor'' under § 30170.

Estimated Number of Respondents: One.

Estimated Number of Annual Responses: One.

Frequency: As needed basis.

Estimated Total Annual Burden Hours: Two hours.

NHTSA estimates that one person per year will submit a report under this collection of information. NHTSA also estimates that a maximum of two hours would be needed to gather and provide the information. Thus, NHTSA estimates that two burden hours a year would be spent on this collection of information.

To calculate the labor cost associated with submitting the collection of information, NHTSA looked at wage estimates for the type of personnel involved with compiling and submitting the documents. NHTSA estimates the total labor costs associated with these burden hours by looking at the average wage for Management Occupations. The Bureau of Labor Statistics (BLS) estimates that the average hourly wage for Management Occupations (BLS Occupation code 11–0000) in the Motor Vehicle Manufacturing Industry is $69.84.[2] The Bureau of Labor Statistics estimates that private industry workers' wages represent 69.9% of total labor compensation costs.[3] Therefore, NHTSA estimates the hourly labor costs to be $99.91 for BLS Occupation code 11–0000. NHTSA likewise estimates the total labor cost associated with the two burden hours to be $199.82. Note that these numbers reflect a modest, non-material reduction in the estimated labor costs from the original notice: here, NHTSA used the wage data from the Motor Vehicle Manufacturing Industry instead of the Management of Companies and Enterprise Industry and also updated the numbers to account for more recently available data. Table 1 provides a summary of the estimated

[1] Due to an administrative error, the published notice incorrectly provided a 30-day comment period, instead of providing the full 60-day period required by the Paperwork Reduction Act (PRA). NHTSA reopened the comment period to ensure the public received the full 60 days to submit comments. 91 FR 47031 (July 27, 2026).

[2] *See* Occupational Employment and Wage Statistics—Industry: Motor Vehicle Manufacturing (May 2025), available at *https://data.bls.gov/oes/#/industry/336100* (accessed August 27, 2026).

[3] *See* Table 1. Employer Costs for Employee Compensation by ownership (March 2026), available at *https://www.bls.gov/news.release/ecec.t01.htm* (accessed August 27, 2026).

burden hours and labor costs associated with those submissions.

TABLE 1—BURDEN ESTIMATES

Annual responses	Estimated burden per response (hours)	Average hourly labor cost	Labor cost per hour	Total burden hours	Total labor costs
1	2	$69.84	$99.91	2	$199.82

Estimated Total Annual Burden Cost: $12.90

Assuming the respondent uses the U.S. Postal Service, NHTSA estimates that each mailed response is estimated to cost $12.90 (priority flat rate envelope from USPS). Accordingly, NHTSA estimates the total annual costs for this information collection to be $12.90 (1 submission × $12.90). If the respondent emails the report to NHTSA, the cost may be less than $12.90.

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 the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; 49 CFR 1.49; and DOT Order 1351.29A.

Peter Simshauser,

Chief Counsel.

[FR Doc. 2026–18867 Filed 9–14–26; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF THE TREASURY

Community Development Financial Institutions Fund

Funding Opportunity; Notice of Allocation Availability Inviting Applications for the Calendar Years 2026 Allocation Round of the New Markets Tax Credit Program

Funding Opportunity Title: Notice of Allocation Availability (NOAA) Inviting Applications for the Calendar Years (CY) 2026 Allocation Round of the New Markets Tax Credit (NMTC) Program.

Announcement Type: Announcement of NMTC Allocation availability.

Dates:

TABLE 1—CY 2026 ALLOCATION ROUND NMTC PROGRAM CRITICAL DEADLINES FOR APPLICANTS

Description	Deadline	Time (eastern time—ET)	Submission method
Community Development Entity (CDE) Certification Application deadline	September 22, 2026	11:59 p.m. ET	Electronically via AMIS.
Request to modify CDE certification service area	September 22, 2026	11:59 p.m. ET	Electronically via AMIS.
Subsidiary CDE Certification Application for meeting Qualified Equity Investment (QEI) issuance thresholds.	September 22, 2026	11:59 p.m. ET	Electronically via AMIS.
CY 2026 Allocation Application Registration	October 6, 2026	5:00 p.m. ET	Electronically via AMIS.
Amendment request to add Subsidiary CDEs to Allocation Agreements for meeting QEI issuance thresholds.	November 3, 2026	11:59 p.m. ET	Electronically via AMIS.
Amendment request to remove a Controlling Entity from Allocation Agreement(s).	November 3, 2026	11:59 p.m. ET	Electronically via AMIS.
Last day to contact CDFI Fund staff	November 6, 2026	5:00 p.m. ET	Electronically via AMIS.
CY 2026 Allocation Application deadline (including required Attachments)	November 10, 2026	5:00 p.m. ET	Electronically via AMIS.
QEI Issuance and Qualified Low Income Community Investments (QLICIs) requirements deadline.	January 7, 2027	11:59 p.m. ET	Not Applicable.
Report QEIs and certify QLICIs deadline	January 14, 2027	11:59 p.m. ET	Electronically via AMIS.

Executive Summary: This NOAA is issued in connection with the CY 2026 allocation round (Allocation Round) of the New Markets Tax Credit Program (NMTC Program), as authorized by Title I, subtitle C, section 121 of the Community Renewal Tax Relief Act of 2000 (P.L. 106–554) as amended. Through the NMTC Program, the Community Development Financial Institutions Fund (CDFI Fund) provides authority to certified CDEs to offer an incentive to investors in the form of tax credits over seven years, which is expected to stimulate the provision of private investment capital that, in turn, will facilitate economic and community development in Low-Income Communities. Through this NOAA, the CDFI Fund announces the availability of $5 billion of NMTC Allocation authority in this Allocation Round.

In this NOAA, the CDFI Fund specifically addresses how a CDE may apply to receive an allocation of NMTCs, the competitive procedure through which NMTC Allocations will be made and the actions that will be taken to ensure that proper allocations are made to appropriate entities.

I: Allocation Availability Description

A. Programmatic changes from the CY 2026 allocation round:

1. *Prior QEI Issuance Requirements:* Prior-year NMTC Allocatees will be subject to minimum thresholds for QEI issuance and closing of QLICIs with respect to their prior-year NMTC Allocations. These thresholds and deadlines have been revised in comparison to the CY 2024–2025

NOAA. See Section III. A.5(a) of this NOAA for additional details.

2. *CDE Certification:* The CDFI Fund will only consider an Allocation Application as eligible for an NMTC Allocation in this Allocation Round if (a) the Applicant is certified as a CDE as of the **Federal Register** publication date of the NOAA; or (b) the Applicant submits an application for certification as a CDE through AMIS by the deadline in Table 1.

II. Allocation Information

A. Allocation amounts: Pursuant to the One Big Beautiful Bill Act of 2025 (P.L.119–21), the CDFI Fund expects to allocate to CDEs the authority to issue to their investors the aggregate amount of $5 billion in equity as to which NMTCs may be claimed, as permitted under IRC § 45D(f)(1)(D). Pursuant to this NOAA, the CDFI Fund anticipates to issue up to $100 million in tax credit investment authority per Allocatee. The CDFI Fund, in its sole discretion, reserves the right to allocate amounts in excess of or less than the anticipated maximum allocation amount should the CDFI Fund deem it appropriate. The CDFI Fund reserves the right to allocate NMTC authority to any, all, or none of the entities that submit Applications in response to this NOAA and in any amounts it deems appropriate.

B. Type of award: NMTC Program awards are made in the form of allocations of tax credit investment authority.

C. Program guidance and regulations: This NOAA describes Application and NMTC Allocation requirements for the CY 2026 Allocation Round of the NMTC Program and should be reviewed in conjunction with: (i) the final NMTC Program Income Tax Regulations issued by the Internal Revenue Service (IRS) (26 CFR 1.45D–1, published on December 28, 2004), as amended and related guidance, notices and other publications (collectively referred to as the ''IRS NMTC Regulations'' in this NOAA); and (ii) the Application and related materials for this Allocation Round. All such materials may be found on the CDFI Fund's website at *https://www.cdfifund.gov.* The CDFI Fund requires Applicants to review these documents. Capitalized terms used, but not defined, in this NOAA have the respective meanings assigned to them in the NMTC Program Allocation Application, Internal Revenue Code (IRC) § 45D or the IRS NMTC regulations. In the event of any inconsistency between this NOAA, the CY 2026 Allocation Application (Application), and guidance issued by the CDFI Fund thereto, and IRC § 45D or the IRS NMTC Regulations, the provisions of IRC § 45D and the IRS NMTC Regulations shall govern.

D. Allocation Agreement: Each Allocatee must sign an Allocation Agreement, which must be countersigned by the CDFI Fund, before the NMTC Allocation is effective. The Allocation Agreement contains the terms and conditions of the NMTC Allocation. For further information, see Section VI.B of this NOAA.

E. Statutory and national policy requirements: The CDFI Fund will manage and administer the NMTC Program in a manner so as to ensure that NMTC Allocations associated programs are implemented in full accordance with the U.S. Constitution, Federal law, statutory, and public policy requirements: including, but not limited to, those protecting free speech; religious liberty; public welfare; the environment; and prohibiting discrimination.

III. Eligibility

A. Eligible Applicants: IRC § 45D specifies certain eligibility requirements that each Applicant must meet to be eligible to apply for an allocation of NMTCs. The following sets forth additional detail and certain additional dates that relate to the submission of Applications under this NOAA for the available NMTC Allocation authority.

1. *CDE certification:* For purposes of this NOAA, the CDFI Fund will only consider an Applicant as eligible for an NMTC Allocation in this round if (a) the Applicant is certified as a CDE as of the **Federal Register** publication date of the NOAA; or (b) the Applicant submits an application for certification as a CDE through AMIS by the deadline in Table 1. The CDFI Fund will not provide NMTC Allocation authority to Applicants that are not certified as CDEs or to entities that are not certified as Subsidiary CDEs.

2. *Modifying CDE Service Area:* If an Applicant currently certified as a CDE intends to change its designated CDE Service Area for this Allocation Round, then it must submit a CDE Service Area Amendment Application to request such a change from the CDFI Fund, and the CDE Service Area Amendment Application must be received by the CDFI Fund by the deadline listed in Table 1. A request to change a CDE's Service Area will need to include the revised service area designation and updated accountability information that demonstrates that the CDE has the required representation from Low-Income Communities in the revised CDE Service Area.

3. *Repayment or Refinancing of QEI with QLICI Proceeds:* An Applicant must commit that it will not permit the use of the proceeds of QEIs to make QLICIs in Qualified Active Low-Income Community Businesses (QALICBs) where QLICI proceeds are used, in whole or in part, to repay or refinance a debt or equity provider whose capital was used to fund the QEI, or are used to repay or refinance any Affiliate of such a debt or equity provider, except where: (i) the QLICI proceeds are used to repay or refinance documented reasonable expenditures that are directly attributable to the qualified business of the QALICB, and such reasonable expenditures were incurred no more than 24 months prior to the QLICI closing date; or (ii) no more than five percent of the total QLICI proceeds from the QEI are used to repay or refinance documented reasonable expenditures that are directly attributable to the qualified business of the QALICB. Refinance includes transferring cash or property, directly or indirectly, to the debt or equity provider or an Affiliate of the debt or equity provider.

4. *Do Not Pay:* The CDFI Fund will contact the Do Not Pay Business Center to ensure that an Applicant, its Controlling Entity, and any Affiliate(s) are not prohibited from receiving Federal funds. An Applicant, its Controlling Entity, and any Affiliate(s) reported by the Do Not Pay Business Center as having a pending or delinquent debt to the Federal government will be required to demonstrate that it has resolved such pending or delinquent debt. Applicants that fail to demonstrate resolution of such pending or delinquent debt to the Federal government will be found ineligible to receive an allocation.

5. *Controlling Entities:* An organization that was a Controlling Entity to an Allocatee in a prior round(s) and subsequently separated from that Allocatee as a result of an amendment to the Allocation Agreement(s), may not claim the NMTC-related track record of such Allocatee.

6. *Prior award recipients or Allocatees:* Applicants should be aware that success in a prior Application or allocation round of any of the CDFI Fund's programs is not indicative of success under this NOAA. For purposes of this NOAA, and eligibility determinations, the CDFI Fund will consider an Affiliate to be any entity that meets the definition of Affiliate as defined in the NMTC Allocation Application materials, or any entity otherwise identified as an Affiliate by

the Applicant in its NMTC Allocation Application materials.

Prior award recipients of any CDFI Fund program are eligible to apply under this NOAA, except as follows:

(a) Prior Allocatees and Qualified Equity Investment (QEI) issuance and Qualified Low Income Community Investment (QLICI) requirements: CDEs that are Allocatees under the CY 2020 to the CY 2024–2025 rounds must finalize at least the percentage of QEIs noted in Table 2 for each NMTC Allocation round and use at least the percentage of those QEIs designated in Schedule 1, section 3.2(j) of their Allocation Agreements to make QLICIs by the deadline in Table 1. CDEs that are Allocatees under the CY 2020 to the CY 2024–2025 allocation rounds and CDEs that are Allocatees designated as Rural CDEs in their CY 2023 and CY 2024–2025 Allocation Agreement must meet the thresholds outlined in Table 2.

TABLE 2—QEI ISSUANCE AND QLICI REQUIREMENTS

Prior round allocation	Finalized QEI requirement (%)	Rural CDE finalized QEI requirement (%)	QLICIs
CY 2020	100	100	As stated in Schedule 1, Section 3.2(j) of the applicable Allocation Agreement.
CY 2021	90	90	
CY 2022	80	80	
CY 2023	60	50	
CY 2024–2025	10	0	

In addition to the requirements noted above, a CDE is not eligible to receive an NMTC Allocation pursuant to this NOAA if an Affiliate of the Applicant is a prior Allocatee and has not met the minimum QEI issuance and QLICI thresholds as set forth in Table 2 for Allocatees in the prior allocation rounds of the NMTC Program.

For purposes of this section of the NOAA, the CDFI Fund will only recognize as ''finalized'' those QEIs that have been properly reported in AMIS Allocation and QEI Tracking System for Qualified Equity Investments (AQEIs) by the deadline in Table 1. Allocatees and their Subsidiary Allocatees, if any, are advised to access AMIS to record each QEI that they issue to an investor in exchange for cash. Furthermore, the CDFI Fund will only recognize QLICIs that have been certified in AMIS by the deadline in Table 1. Instructions on recording a QEI and QLICIs in AMIS are available at *https://www.cdfifund.gov/amisreporting.* Applicants may be required, upon notification from the CDFI Fund, to submit documentation to substantiate the required QEI issuance and QLICI thresholds.

Any prior Allocatee that requires action by the CDFI Fund (*i.e.,* certifying a Subsidiary entity as a CDE; adding a Subsidiary CDE to an Allocation Agreement; etc.) in order to meet the QEI issuance requirements above must submit a CDE Certification Application for Subsidiary CDEs and/or Allocation Agreement amendment requests by the respective deadlines in Table 1, in order to guarantee that the CDFI Fund completes all necessary approvals prior to the QEI issuance deadline in Table 1. Applicants for Subsidiary CDE certification may obtain information regarding CDE certification and the CDE Certification Application process in AMIS on the CDFI Fund's website at *https://www.cdfifund.gov/programs-training/certification/cde/Pages/default.aspx.*

(b) Pending determination of noncompliance or default: If an Applicant or Affiliate of the Applicant is a prior award recipient or Allocatee under any CDFI Fund program and if: (i) it has demonstrated noncompliance with a previous assistance or award agreement or default under a previous Allocation Agreement or pursuant to any other agreement under any CDFI Fund program; and (ii) the entity has been given a timeframe to cure the noncompliance or default, the CDFI Fund will consider the Applicant's Application under this NOAA during the time period given for the entity to cure the noncompliance or default, and until such time as the CDFI Fund makes a final determination that the entity is in noncompliance or default.

(c) Noncompliance or default status: The CDFI Fund will not consider an Application submitted by an Applicant that is a prior CDFI Fund award recipient or Allocatee under any CDFI Fund program if, as of the Application deadline of this NOAA: (i) the CDFI Fund has made a final determination in writing that such Applicant or Affiliate of an Applicant is in noncompliance with or default of a previously executed Assistance Agreement, Award Agreement, Allocation Agreement, Bond Loan Agreement, or Agreement to Guarantee; and (ii) the CDFI Fund has provided written notification that such entity is ineligible to apply for or receive any future CDFI Fund awards or allocations. Such entities will be ineligible to submit an Application for such time period as specified by the CDFI Fund in writing. Additionally, regardless of whether a sanction or remedy is imposed, the CDFI Fund will not consider an Application submitted by an Applicant or Affiliate of an Applicant if the default on a prior Allocation Agreement of the Applicant or Affiliate occurs during the time period beginning 12 months prior to the Application deadline and ending with the CY 2026 allocation award announcement. The CDFI Fund will not consider any Applicant that has defaulted on a loan from the CDFI Fund within five years of the Application deadline.

(d) Contacting the CDFI Fund: Accordingly, Applicants that are prior award recipients and/or Allocatees under any CDFI Fund program are advised to comply with the requirements specified in assistance, allocation and/or award agreement(s). All outstanding reports and compliance questions should be directed to the Office of Compliance Monitoring and Evaluation (OCME) through a Service Request initiated in AMIS. Requests submitted less than 30 calendar days prior to the Application deadline may not receive a response before the Application deadline.

The CDFI Fund will respond to Applicants' reporting, compliance and CDE certification inquiries Monday through Friday, between the hours of 9:00 a.m. and 5:00 p.m. ET, starting the date of publication of this NOAA through the ''Last date to contact CDFI Fund staff'' specified in Table 1. Inquiries received after the ''Last date to contact the CDFI Fund staff'' will be responded to after the Allocation Application deadline.

7. *Failure to accurately respond to a question in the Assurances and Certifications section of the Application, submit the required written explanation, or provide any updates:* In its sole

discretion, the CDFI Fund may deem the Applicant's Application ineligible if the CDFI Fund determines that the Applicant inaccurately responded to a question, accurately responded to a question, but failed to submit a required written explanation, or failed to notify the CDFI Fund of any changes to the information submitted between the date of Application and the date the Allocatee executes the Allocation Agreement, with respect to the Assurances and Certifications. In making this determination, the CDFI Fund will take into consideration, among other factors, the materiality of the question, the substance of any supplemental responses provided, and whether the information in the Applicant's supplemental responses would have a material adverse effect on the Applicant, its financial condition or its ability to perform under an Allocation Agreement, should the Applicant receive an allocation.

8. *Entities that propose to transfer NMTCs to Subsidiary CDEs:* Both for-profit and non-profit CDEs may apply for NMTC Allocation authority, but only a for-profit CDE is permitted to provide NMTCs to its investors. A non-profit Applicant intending to apply for an NMTC Allocation must demonstrate, prior to entering into an Allocation Agreement with the CDFI Fund, that: (i) it controls one or more Subsidiary CDEs that are for-profit entities; and (ii) it intends to transfer the full amount of any NMTC Allocation it receives to said Subsidiary CDEs.

An Applicant intending to transfer all or a portion of its NMTC Allocation to a Subsidiary CDE is not required to create the Subsidiary prior to submitting an NMTC Allocation Application to the CDFI Fund. However, the Subsidiary entities must be certified as CDEs by the CDFI Fund and enjoined as parties to the Allocation Agreement at closing or by amendment to the Allocation Agreement after closing.

The CDFI Fund requires a non-profit Applicant to submit a CDE Certification Application to the CDFI Fund on behalf of at least one for-profit Subsidiary within 30 days after the non-profit Applicant receives notification from the CDFI Fund of its allocation award, as such Subsidiary must be certified as a CDE prior to entering into an Allocation Agreement with the CDFI Fund. The CDFI Fund reserves the right to rescind the award if a non-profit Applicant that does not already have a certified for-profit Subsidiary CDE fails to submit a CDE Certification Application for one or more for-profit Subsidiaries within 30 days of the date it receives notification from the CDFI Fund of its allocation award.

9. *Entities that submit Applications together with Affiliates; Applications from common enterprises:*

(a) As part of the Allocation Application review process, the CDFI Fund will evaluate whether Applicants are Affiliates, as such term is defined in the Allocation Application. If an Applicant and its Affiliate(s) intend to submit Allocation Applications, they must do so collectively, in one Application; an Applicant and its Affiliate(s) may not submit separate Allocation Applications. If Affiliated entities submit multiple Applications, the CDFI Fund will reject all such Applications received, except for those state-owned or state-controlled governmental Affiliated entities. In the case of state-owned or state-controlled governmental entities, the CDFI Fund may accept Applications submitted by different government bodies within the same state but only to the extent the CDFI Fund determines that the business strategies and/or activities described in such Applications, submitted by separate entities, are distinct and/or are operated and/or managed by distinct personnel, including staff, board members and identified consultants. In such cases, the CDFI Fund reserves the right to limit award amounts to such entities to ensure that the entities do not collectively receive more than the $120 million cap.

If the CDFI Fund determines that the Applications submitted by different government bodies in the same state are not distinct and/or operated and/or managed by distinct personnel, it will reject all such Applications.

(b) For purposes of this NOAA, the CDFI Fund will also evaluate whether each Applicant is operated or managed as a ''common enterprise'' with another Applicant in this Allocation Round using the following indicia, among others: (i) whether different Applicants have the same individual(s), including the Authorized Representative, staff, board members and/or consultants, involved in day-to-day management, operations and/or investment responsibilities; (ii) whether the Applicants have business strategies and/or proposed activities that are so similar or so closely related that, in fact or effect, they may be viewed as a single entity; and/or (iii) whether the Applications submitted by separate Applicants contain significant narrative, textual or other similarities such that they may, in fact or effect, be viewed as substantially identical Applications. In such cases, the CDFI Fund will reject all Applications received from such entities.

(c) Furthermore, an Applicant that receives an NMTC Allocation in this Allocation Round (or its Subsidiary Allocatee) may not become an Affiliate of or member of a common enterprise (as defined above) with another Applicant that receives an NMTC Allocation in this Allocation Round (or its Subsidiary Allocatee) at any time after the submission of an Allocation Application under this NOAA. This prohibition, however, generally does not apply to entities that are commonly controlled solely because of common ownership by QEI investors. This requirement will also be a term and condition of the Allocation Agreement (see Section VI.B of this NOAA and additional Application guidance materials on the CDFI Fund's website at *https://www.cdfifund.gov* for more details).

10. *Entities created as a series of funds:* An Applicant whose business structure consists of an entity with a series of funds must apply for CDE certification for each fund. If such an Applicant represents that it is properly classified for Federal tax purposes as a single partnership or corporation, it may apply for CDE certification as a single entity. If an Applicant represents that it is properly classified for Federal tax purposes as multiple partnerships or corporations, then it must submit a CDE Certification Application for the Applicant and for each fund it intends to participate in the NMTC Program. Each fund must be separately certified as a CDE. Applicants should note, however, that receipt of CDE certification as a single entity or as multiple entities is not a determination that an Applicant and its related funds are properly classified as a single entity or as multiple entities for Federal tax purposes. Regardless of whether the series of funds is classified as a single partnership or corporation or as multiple partnerships or corporations, an Applicant may not transfer any NMTC Allocations it receives to one or more of its funds unless the fund is a certified CDE that is a Subsidiary of the Applicant, enjoined to the Allocation Agreement as a Subsidiary Allocatee.

11. *Entities that are Bank Enterprise Award Program (BEA Program) award recipients:* An insured depository institution investor (and its Affiliates and Subsidiaries) may not receive a BEA Program award for the same investment in a CDE that is used to claim NMTCs. Likewise, an insured depository institution investor (and its Affiliates and Subsidiaries) may not receive a BEA

Program award for the same investment in a CDE that is used to claim NMTCs.

12. *Insured Depository Institutions:* An Applicant that is or is affiliated with an insured depository institution will not be awarded an NMTC Allocation if it has a composite CAMELS rating of ''5'' on its most recent examination, performed in accordance with the Uniform Financial Institutions Rating System.

Furthermore, the CDFI Fund will not award an NMTC Allocation to an Applicant that is an insured depository institution or is an Affiliate of an insured depository institution, if during the time period beginning with the Application deadline and ending with the execution of the CY 2026 Allocation Agreement; the Applicant received any of the following:

(a) CRA assessment rating of below ''Satisfactory'' on its most recent examination;

(b) A going concern opinion on its most recent audit; or

(c) A Prompt Corrective Action directive from its regulator.

IV. Application and Submission Information

A. Address to request Application package: Applicants must submit Applications electronically through the CDFI Fund's AMIS. Following the publication of this NOAA, the CDFI Fund will make the electronic Allocation Application available on its website at *https://www.cdfifund.gov.*

B. Application content requirements: Detailed Application content requirements are found in the Application related to this NOAA. Applicants must submit all materials described in and required by the Application by the applicable deadlines. Applicants will not be afforded an opportunity to provide any missing materials or documentation, except, if necessary and at the request of the CDFI Fund. Electronic Applications must be submitted solely by using the format made available via AMIS. Additional information, including instructions relating to the submission of supporting information (*e.g.,* the Controlling Entity's representative signature page, Assurances and Certifications supporting documents, investor letters, organizational charts), is set forth in further detail in the CY 2026 NMTC Application—AMIS Navigation Guide for this Allocation Round. An Application must include a valid and current Employer Identification Number (EIN) issued by the Internal Revenue Service (IRS) and assigned to the Applicant and, if applicable, its Controlling Entity. Electronic Applications without a valid EIN are incomplete and cannot be transmitted to the CDFI Fund. For more information on obtaining an EIN, please contact the IRS at (800) 829–4933 or *www.irs.gov.* Do not include any personal Social Security Numbers as part of the Application.

C. NMTC Application Registration (Application Registration): CY 2026 Allocation Round Applicants are first required to complete and save the Application Registration section of the NMTC Allocation Application in AMIS by the Application Registration deadline in Table 1 in order to be able to submit the remaining sections of the CY 2026 Allocation Application by the Application deadline. Applicants that do not complete and save the Application Registration by the Application Registration deadline in Table 1, will not be able to subsequently submit a CY 2026 Allocation Application in AMIS.

An Applicant may not submit more than one Application in response to this NOAA. In addition, as stated in Section III.A.8 of this NOAA, an Applicant and its Affiliates must collectively submit only one Allocation Application; an Applicant and its Affiliates may not submit separate Allocation Applications except as outlined in Section III.A.8 above. Once an Application is submitted, an Applicant will not be allowed to change any element of its Application.

D. Form of Application submission: Applicants may only submit Applications under this NOAA electronically via AMIS. Applications and required attachments sent by mail, facsimile, or email will not be accepted. Submission of an electronic Application will facilitate the processing and review of Applications and the selection of Allocatees; further, it will assist the CDFI Fund in the implementation of electronic reporting requirements.

Electronic Applications must be submitted solely in AMIS by using the CDFI Fund's website and must be sent in accordance with the submission instructions provided in the CY 2026 NMTC Application—AMIS Navigation Guide for this Allocation Round. AMIS will only permit the submission of Applications in which all required questions and tables are fully completed. Additional information, including instructions relating to the submission of supporting information (*e.g.,* the Controlling Entity's representative signature page, Assurances and Certifications supporting documents, investor letters, and organizational charts) is outlined in detail in the CY 2026 NMTC Application—AMIS Navigation Guide for this Allocation Round.

E. Application submission dates and times: Electronic Applications must be received by the Allocation Application deadline in Table 1. Electronic Applications cannot be transmitted or received after Allocation Application deadline in Table 1. In addition, Applicants must electronically submit supporting information (*e.g.,* the Controlling Entity's representative signature page, investor letters, and organizational charts). The Controlling Entity's representative signature page, investor letters, and organizational charts must be submitted on or before the Application deadline in Table 1. For details, see the instructions provided in the CY 2026 NMTC Application—AMIS Navigation Guide for this Allocation Round on the CDFI Fund's website.

Applications and other required documents received after this date and time will be rejected. Please note that the document submission deadlines in this NOAA and/or the Allocation Application are strictly enforced.

F. Intergovernmental Review: Not applicable.

G. Funding Restrictions: For allowable uses of investment proceeds related to an NMTC Allocation, please see 26 U.S.C. 45D and the final regulations issued by the Internal Revenue Service (26 CFR 1.45D–1, published December 28, 2004 and as amended) and related guidance. Please see Section I, above, for the Programmatic Changes of this NOAA.

H. Paperwork Reduction: Under the Paperwork Reduction Act (44 U.S.C. chapter 35), an agency may not conduct or sponsor a collection of information, and an individual is not required to respond to a collection of information, unless it displays a valid OMB control number. Pursuant to the Paperwork Reduction Act, the Application has been assigned the following control number: 1559–0016.

V. Application Review Information

A. Review and selection process: All Allocation Applications will be reviewed for eligibility and completeness. To be complete, the Application must contain, at a minimum, all information described as required in the Application form. An incomplete Application will be rejected. Once the Application has been determined to be eligible and complete, the CDFI Fund will conduct the substantive review of each Application in two parts (Phase 1 and Phase 2) in accordance with the criteria and procedures generally described in this NOAA and the Allocation Application.

In Phase 1, Applications will be scored by two reviewers who are selected based on criteria that include a professional background in community and/or economic development experience. These reviewers must complete the CDFI Fund's conflict of interest process and be approved by the CDFI Fund. The reviewers will evaluate and score the Business Strategy and Community Outcomes sections of each Application. An Applicant must exceed a minimum overall aggregate base score threshold and exceed a minimum aggregate section score threshold in each scored section in order to advance from the Phase 1 to the Phase 2 part of the substantive review process. In Phase 2, the CDFI Fund will rank Applicants and determine the dollar amount of allocation authority awarded in accordance with the procedures set forth below. Factors considered in Phase 2 include the relevant business strategy and community outcome criteria from Section V.B and the additional factors outlined in Section V.C of this NOAA.

B. Phase 1 Evaluation:

1. Business Strategy (25-point maximum):

(a) When assessing an Applicant's business strategy, reviewers will consider, among other things: the Applicant's products, services and investment criteria; a pipeline of potential business loans or investments consistent with an Applicant's request for an NMTC Allocation; the prior performance of the Applicant or its Controlling Entity, particularly as it relates to making similar kinds of investments as those it proposes to make with the proceeds of QEIs; the Applicant's prior performance in providing capital or technical assistance to disadvantaged businesses or communities; and the extent to which the Applicant intends to make QLICIs in one or more businesses in which persons unrelated to the entity hold a majority equity interest.

Under the Business Strategy criterion, an Applicant will generally score well to the extent that it will deploy debt or investment capital in products or services which are flexible or non-traditional in form and on better terms than available in the marketplace. An Applicant will also score well to the extent that, among other things: (i) it has identified a set of clearly defined potential borrowers or investees; (ii) it describes the due diligence it will conduct prior to making QLICIs to determine whether a QALICB will remain financially viable and operational; (iii) it has a track record of successfully deploying loans or equity investments and providing services similar to those it intends to provide with the proceeds of QEIs; (iv) its projected dollar volume of NMTC Allocation deployment is supported by its track record of deployment; and (v) in the case of an Applicant proposing to purchase loans from CDEs, the Applicant will require the CDE selling such loans to re-invest the proceeds of the loan sale to provide additional products and services to Low-Income Communities.

(b) Priority Points: In addition, as provided by IRC § 45D(f)(2), the CDFI Fund will allocate additional points to entities that meet one or both of the statutory priorities. First, the CDFI Fund will allocate up to five additional points to any Applicant that has a record of having successfully provided capital or technical assistance to disadvantaged businesses or communities. Second, the CDFI Fund will allocate five additional points to any Applicant that intends to satisfy the requirement of IRC § 45D(b)(1)(B) by making QLICIs in one or more businesses in which persons unrelated (within the meaning of IRC § 267(b) or IRC § 707(b)(1)) to an Applicant (and the Applicant's Subsidiary CDEs, if the Subsidiary Allocatee makes the QLICI) hold the majority equity interest. Applicants may earn points for one or both statutory priorities. Thus, Applicants that meet the requirements of both priority categories can receive up to a total of ten additional points. A record of having successfully provided capital or technical assistance to disadvantaged businesses or communities may be demonstrated either by the past actions of an Applicant itself or by its Controlling Entity (*e.g.,* where a new CDE is established by a nonprofit corporation with a history of providing assistance to disadvantaged communities). An Applicant that receives additional points for intending to make investments in unrelated businesses and is awarded an NMTC Allocation must meet the requirements of IRC § 45D(b)(1)(B) by investing substantially all of the proceeds from its QEIs in unrelated businesses. The CDFI Fund will include an Applicant's priority points when ranking Applicants during Phase 2 of the review process, as described below.

2. Community Outcomes (25-point maximum): In assessing the potential benefits to Low-Income Communities that may result from the Applicant's proposed investments, reviewers will consider, among other things, the degree to which the Applicant is likely to: (i) achieve significant and measurable community development outcomes in its Low-Income Communities; (ii) invest in particularly economically distressed markets including areas identified in the Allocation Application; (iii) engage with local communities regarding investments; (iv) ensure that investments benefit Low-Income Persons and Low-Income Community Residents; and (v) involve community representatives in the governing board and/or advisory board in approving investment criteria or decisions.

An Applicant will generally score well in this section to the extent that, among other things: (a) it will generate clear and well supported community development outcomes; (b) it has a track record of producing quantitative and qualitative community outcomes that are similar to those projected to be achieved with an NMTC Allocation; (c) it commits to working in particularly economically distressed or otherwise underserved communities as identified in the Allocation Application; (d) its activities are part of a broader community or economic development strategy; (e) it demonstrates a track record of community engagement around past investment decisions; and (f) it ensures that an NMTC investment into a project or business is supported by and will be beneficial to Low-Income Persons and residents of Low-Income Communities, including how input received through community engagement and data analysis inform its investment decisions.

C. Phase 2 Evaluation:

1. Application Ranking and Anomaly Reviews: Using the numeric scores from Phase 1, Applicants are ranked on the basis of each Applicant's combined scores in the Business Strategy and Community Outcomes sections of the Application plus one half of the priority points. If, in the case of a particular Application, a reviewer's total base score or section score(s) (in one or more of the two Application scored sections) varies significantly from the other reviewer's total base scores or section scores for such Application, the CDFI Fund may, in its sole discretion, obtain the evaluation and numeric scoring of a third reviewer to determine whether the anomalous score should be replaced with the score of the third reviewer.

2. Late Reports: In the case of an Applicant or any Affiliates that have previously received an award or NMTC Allocation from the CDFI Fund through any CDFI Fund program, the CDFI Fund will deduct up to five points from the Applicant's rank score for the Applicant's (or its Affiliate's) failure to meet any of the reporting deadlines set forth in any assistance, award or Allocation Agreement(s), if the reporting deadlines occurred during the period

from January 30, 2025 to the Application deadline in this NOAA.

3. Prior Year Allocatees: In the case of Applicants (or their Affiliates) that are prior year Allocatees, the Applicant will complete Part V of the Application and the CDFI Fund will review the activities of the prior year Allocatee to determine whether the entity has: (a) effectively utilized its prior-year NMTC Allocations in a manner generally consistent with the representations made in the relevant Allocation Application (including, but not limited to, the proposed product offerings, business type, fees and markets served (*i.e.,* service area) and notable relationships); (b) issued QEIs and closed QLICIs in a timely manner; and (c) substantiated a need for additional NMTC Allocation authority. The CDFI Fund will use this information in determining whether to reject or reduce the allocation award amount of its NMTC Allocation Application.

An Applicant will be evaluated more favorably under Part V of the Application to the extent that it clearly explains: (i) how it ensures that the NMTCs allocated to QALICBs did not exceed the amount necessary to assure QALICB feasibility; (ii) the community outcomes or benefits that were generated as a result of the transactions; (iii) the source(s) and amount(s) of leveraged debt; (iv) the NMTC-related fees and third-party expenses paid by the *QALICB* or the *QALICB's Affiliate*s, including actions taken to control expenses paid by *QALICBs* and investors; and (v) the quantified value of the investment acquired by the *QALICBs* at the end of the seven-year credit period, to the extent the *Applicant's* past transactions have been structured to allow *QALICBs* to acquire a portion of *QLICIs* at the end of the seven-year credit period. An Applicant will also be evaluated favorably to the extent the activities undertaken with the NMTC dollars are consistent with the business strategy presented in the relevant Allocation Application (*e.g.,* product offerings; business type; fees and markets served; notable relationships, etc.).

4. Management Capacity: In assessing an Applicant's management capacity, the CDFI Fund will consider, among other things, the current and planned roles, as well as qualifications of the Applicant's (and Controlling Entity's, if applicable): principals; board members; management team; and other essential staff or contractors, with specific focus on: experience providing loans; equity investments or financial counseling and other services, including activities similar to those described in the Applicant's business strategy; asset management and risk management experience; experience fulfilling compliance requirements of other governmental programs, including other tax credit programs; and the Applicant's (or its Controlling Entity's) financial health. CDFI Fund evaluators will also consider the extent to which an Applicant has protocols in place to ensure ongoing compliance with NMTC Program requirements and the Applicant's projected income and expenses related to managing an NMTC Allocation.

An Applicant will be generally evaluated more favorably under this section to the extent that its management team or other essential personnel have experience in: (a) identifying and underwriting loans and/or equity investments or providing financial counseling and other services in Low-Income Communities, if applicable, particularly those likely to be served with QLICIs from the Applicant; (b) asset and risk management; and (c) fulfilling government compliance requirements, particularly tax credit program compliance. An Applicant will also be evaluated favorably to the extent it demonstrates strong financial health and a high likelihood of remaining a going-concern, including support from the Controlling Entity, if applicable; it clearly explains its NMTC fees as well as levels of income and expenses; has policies and systems in place to ensure portfolio quality, ongoing compliance with NMTC Program requirements.

5. Capitalization Strategy: When assessing an Applicant's capitalization strategy, the CDFI Fund will consider, among other things: the key personnel of the Applicant (or Controlling Entity) and their track record of raising capital, particularly from for-profit investors; the extent to which the Applicant has secured investments or commitments to invest in NMTC (if applicable), or indications of investor interest commensurate with its requested amount of NMTC Allocations, or, if a prior Allocatee, the track record of the Applicant or its Affiliates in raising Qualified Equity Investments in the past five years; the Applicant's strategy for identifying additional investors, if necessary, including the Applicant's (or its Controlling Entity's) prior performance with raising equity from investors, particularly for-profit investors; the distribution of the economic benefits of the tax credit; and the extent to which the Applicant intends to invest the proceeds from the aggregate amount of its QEIs at a level that exceeds the requirements of IRC § 45D(b)(1)(B) and the IRS regulations.

An Applicant will be evaluated more favorably under this section to the extent that: (a) it or its Controlling Entity demonstrate a track record of raising investment capital; (b) it has secured investor commitments, or has a reasonable strategy for obtaining such commitments, or, if it or its Affiliates is a prior Allocatee with a track record in the past five years of raising Qualified Equity Investments and; (c) it generally demonstrates that the economic benefits of the tax credit will be passed through to a QALICB; and (d) it intends to invest the proceeds from the aggregate amount of its QEIs at a level that exceeds the requirements of IRC § 45D(b)(1)(B) and the IRS regulations. In the case of an Applicant proposing to raise investor funds from organizations that also will identify or originate transactions for the Applicant or from Affiliated entities, said Applicant will be evaluated more favorably to the extent that it will offer products with more favorable rates or terms than those currently offered by its investor(s) or Affiliated entities and/or will target its activities to areas of greater economic distress than those currently targeted by the investor or Affiliated entities.

6. Contacting Applicants: As a part of the substantive review process, the CDFI Fund reserves the right to contact Applicants by telephone, email, or mail to request information from Applicants for the sole purpose of obtaining, clarifying or confirming Application information or omission of information. In no event shall such contact be construed to permit an Applicant to change any element of its Application. At this point in the process, an Applicant may be required to submit additional information about its Application in order to assist the CDFI Fund with its final evaluation process. If the Applicant (or the Controlling Entity or any Affiliate) has previously been awarded an NMTC Allocation, the CDFI Fund may also request information on the use of those NMTC Allocations, to the extent that this information has not already been reported to the CDFI Fund. Such requests must be responded to within the time parameters set by the CDFI Fund. The selecting official(s) will make a final allocation determination based on an Applicant's file, including, without limitation, eligibility under IRC § 45D, the reviewers' scores and the amount of NMTC Allocation authority available.

7. Award Decisions: The CDFI Fund will award allocations in descending order of the final rank score, subject to

Applicants meeting all other eligibility requirements; provided, however, that the CDFI Fund, in its sole discretion, reserves the right to reject an Application and/or adjust award amounts as appropriate based on information obtained during the review process.

D. Allocations serving Non-Metropolitan counties: As provided for under Section 102(b) of the Tax Relief and Health Care Act of 2006 (Pub. L. 109–432), the CDFI Fund shall ensure that Non-Metropolitan counties receive a proportional allocation of QEIs under the NMTC Program. The CDFI Fund will endeavor to ensure that 20 percent of the QLICIs to be made using QEI proceeds are invested in Non-Metropolitan counties. In addition, the CDFI Fund will ensure that the proportion of Allocatees that are Rural CDEs is, at a minimum, equal to the proportion of Applicants in the highly qualified pool that are Rural CDEs. A Rural CDE is one that has a track record of at least three years of direct financing experience, has dedicated at least 50 percent of its direct financing dollars to Non-Metropolitan counties over the past five years, and has made a minimum commitment of at least 50 percent of its NMTC financing dollars with this NMTC Allocation will be deployed in such areas. Non-Metropolitan counties are counties not contained within a Metropolitan Statistical Area, as such term is defined in OMB Bulletin No. 20–01 (Revised Delineations of Metropolitan Statistical Areas, Micropolitan Statistical Areas, and Combined Statistical Areas, and Guidance on Uses of the Delineations of These Areas) and applied using 2020 census tracts.

Applications that meet the minimum scoring thresholds will advance to Phase 2 and be placed in the ''preliminary'' allocatee pool, in descending order of final rank score, until the available allocation authority is fulfilled. Once these ''preliminary'' allocation award recommendations are determined, the CDFI Fund will then analyze the Allocatee pool to determine whether the two Non-Metropolitan proportionality objectives have been met.

The CDFI Fund will first examine the ''preliminary'' awards and Allocatees to determine whether the percentage of Allocatees that are Rural CDEs is, at a minimum, equal to the percentage of Applicants in the highly qualified pool that are Rural CDEs. If this objective is not achieved, the CDFI Fund will provide awards to additional Rural CDEs from the highly qualified pool, in descending order of their final rank score, until the appropriate percentage balance is achieved. In order to accommodate the additional Rural CDEs in the Allocatee pool within the available NMTC Allocation limitations, a formula reduction may be applied as uniformly as possible to the allocation amount for all Allocatees in the pool that have not committed to investing a minimum of 20 percent of their QLICIs in Non-Metropolitan counties.

The CDFI Fund will then determine whether the pool of Allocatees will, in the aggregate, invest at least 20 percent of their QLICIs (as measured by dollar amount) in Non-Metropolitan counties. The CDFI Fund will first apply the ''minimum'' percentage of QLICIs that Allocatees indicated in their Applications would be targeted to Non-Metropolitan areas to the total NMTC Allocation award amount of each Allocatee (less whatever percentage the Allocatee indicated would be retained for non-QLICI activities) and total these figures for all Allocatees. If this aggregate total is greater than or equal to 20 percent of the QLICIs to be made by the Allocatees, then the pool is considered balanced and the CDFI Fund will proceed with the NMTC Allocation process. However, if the aggregate total is less than 20 percent of the QLICIs to be made by the Allocatees, the CDFI Fund will consider requiring any or all of the Allocatees to direct up to the ''maximum'' percentage of QLICIs that the Allocatees indicated would be targeted to Non-Metropolitan counties, taking into consideration their track record and ability to deploy dollars in Non-Metropolitan counties. If the CDFI Fund cannot meet the goal of 20 percent of QLICIs in Non-Metropolitan counties by requiring any or all Allocatees to commit up to the maximum percentage of QLICIs that they indicated would be targeted to Non-Metropolitan counties, the CDFI Fund may add additional highly qualified Rural CDEs (in descending order of final rank score) to the Allocatee pool. In order to accommodate any additional Allocatees within the allocation limitations, a formula reduction will be applied as uniformly as possible, to the allocation amount for all Allocatees in the pool that have not committed to investing a minimum of 20 percent of their QLICIs in Non-Metropolitan counties.

E. Right of rejection: The CDFI Fund reserves the right to reject any NMTC Allocation Application in the case of a prior CDFI Fund award recipient, if such Applicant has failed to comply with the terms, conditions, and other requirements of the prior or existing assistance or award agreement(s) with the CDFI Fund or any other agreement under any CDFI Fund program. The CDFI Fund reserves the right to reject any NMTC Allocation Application in the case of a prior CDFI Fund Allocatee, if such Applicant has failed to comply with the terms, conditions, and other requirements of its prior or existing Allocation Agreement(s) with the CDFI Fund. The CDFI Fund reserves the right to reject any NMTC Allocation Application in the case of any Applicant, if an Affiliate of the Applicant has failed to meet the terms, conditions and other requirements of any prior or existing assistance agreement, award agreement, Allocation Agreement, or any other agreement under any CDFI Fund program with the CDFI Fund.

The CDFI Fund reserves the right to reject or reduce the allocation award amount of any NMTC Allocation Application in the case of a prior Allocatee, if such Applicant has failed to use its prior NMTC Allocation(s) in a manner that is generally consistent with the business strategy (including, but not limited to, the proposed product offerings, business type, fees, service area, and notable relationships) set forth in the Allocation Application(s) related to such prior NMTC Allocation(s) or such Applicant has been found by the IRS to have engaged in a transaction or series of transactions designed to achieve a result that is inconsistent with the purposes of IRC § 45D.

The CDFI Fund also reserves the right to reject or reduce the allocation award amount of any NMTC Allocation Application in the case of an Affiliate of the Applicant that is a prior Allocatee and has failed to use its prior NMTC Allocation(s) in a manner that is generally consistent with the business strategy, including, but not limited to, the proposed product offerings, business type, fees, service area, and notable relationships set forth in the Allocation Application(s) related to such prior NMTC Allocation(s) or has been found by the IRS to have engaged in a transaction or series of transactions designed to achieve a result that is inconsistent with the purposes of IRC § 45D.

The CDFI Fund reserves the right to reject an NMTC Allocation Application if information (including, but not limited to, administrative errors; submission of inaccurate information; or omission of information) comes to the attention of the CDFI Fund that adversely affects an Applicant's eligibility for an award, adversely affects the CDFI Fund's evaluation or scoring of an Application, adversely affects the CDFI Fund's prior determinations of CDE certification, or indicates fraud or

mismanagement on the part of an Applicant, its Affiliate(s), or the Controlling Entity, if such fraud or mismanagement by the Affiliate(s) or Controlling Entity would hinder the Applicant's ability to perform under the Allocation Agreement. If the CDFI Fund determines that any portion of the Application is incorrect in any material respect, the CDFI Fund reserves the right, in its sole discretion, to reject the Application.

The CDFI Fund reserves the right to reject any NMTC Allocation Application if additional information is obtained that, after further due diligence and in the discretion of the CDFI Fund, would hinder the Applicant's ability to effectively perform under the Allocation Agreement.

In the case of Applicants (or the Controlling Entity, or Affiliates) that are regulated or receive oversight by the Federal government or a state agency (or comparable entity), the CDFI Fund may request additional information from the Applicant regarding Assurances and Certifications or other information about the ability of the Applicant to effectively perform under the Allocation Agreement. The CDFI Fund reserves the right to consult with and take into consideration the views of the appropriate Federal banking and other regulatory agencies. In the case of Applicants (or Affiliates of Applicants) that are also Small Business Investment Companies, Specialized Small Business Investment Companies or New Markets Venture Capital Companies, the CDFI Fund reserves the right to consult with and take into consideration the views of the Small Business Administration.

The CDFI Fund reserves the right to conduct additional due diligence on all Applicants, as determined reasonable and appropriate by the CDFI Fund, in its sole discretion, related to the Applicant, Affiliates, the Applicant's Controlling Entity and the officers, directors, owners, partners and key employees of each. This includes the right to consult with the IRS if the Applicant (or the Controlling Entity, or Affiliates) has previously been awarded an NMTC Allocation.

F. Allocation Announcement: Each Applicant will be informed of the CDFI Fund's award decision through an electronic notification whether selected for an allocation or not selected for an allocation, which may be for reasons of Application incompleteness, ineligibility, or substantive issues. Eligible Applicants that are not selected for an allocation based on substantive issues may receive information on the score ranges of Applications that are selected for an allocation. This information will be provided in a format and within a timeframe to be determined by the CDFI Fund, based on available resources.

The CDFI Fund further reserves the right to change its eligibility and evaluation criteria and procedures, if the CDFI Fund deems it appropriate. If said changes materially affect the CDFI Fund's award decisions, the CDFI Fund will provide information regarding the changes through the CDFI Fund's website.

The CDFI Fund reserves the right, in its sole discretion, to rescind an allocation made under this NOAA, should an Allocatee or Affiliate be identified as ineligible due to pending or delinquent debt to the Federal government in the Do Not Pay database.

There is no right to appeal the CDFI Fund's NMTC Allocation decisions. The CDFI Fund's NMTC Allocation decisions are final.

VI. Award Administration Information

A. Allocation Award Compliance:

1. Failure to meet reporting requirements: If an Allocatee, or an Affiliate of an Allocatee, is a prior CDFI Fund award recipient or Allocatee under any CDFI Fund program and is not current on the reporting requirements set forth in the previously executed assistance, allocation, or award agreement(s) or any other agreement under any CDFI Fund program as of the date the CDFI Fund provides notification of an NMTC Allocation award or thereafter, the CDFI Fund reserves the right, in its sole discretion, to reject the Application, delay entering into an Allocation Agreement, and/or impose limitations on an Allocatee's ability to issue QEIs to investors until said prior award recipient or Allocatee is current on the reporting requirements in the previously executed assistance, allocation, or award agreement(s) or any other agreement under any CDFI Fund program. Please note that the automated systems the CDFI Fund uses for receipt of reports submitted electronically typically acknowledges only a report's receipt; such an acknowledgment does not warrant that the report received was complete and therefore met reporting requirements.

2. Pending determination of noncompliance or default: If an Allocatee or an Affiliate of an Allocatee is a prior award recipient or Allocatee under any CDFI Fund program and if: (i) it has demonstrated noncompliance with a previous assistance or award agreement or a default under an Allocation Agreement or any other agreement under any CDFI Fund program; and (ii) the entity has been given a timeframe to cure the noncompliance or default, the CDFI Fund reserves the right, in its sole discretion, to delay entering into an Allocation Agreement and/or to impose limitations on the Allocatee's ability to issue QEIs to investors, during the time period given for the entity to cure the noncompliance or default and until such time as the CDFI Fund makes a final determination that the entity is in noncompliance or default, and determination of remedies related to the defaulted Allocation Agreement, if applicable, in the sole determination of the CDFI Fund. If the prior award recipient, Allocatee or Affiliate of the Allocatee in question is unable to satisfactorily resolve the issues of noncompliance or default, in the sole determination of the CDFI Fund, the CDFI Fund reserves the right, in its sole discretion, to terminate and rescind the award notification made under this NOAA.

3. Determination of noncompliance or default status: If after the Application deadline of this NOAA and prior to entering into an Allocation Agreement through this NOAA, the CDFI Fund has made a final determination that an Allocatee or an Affiliate of the Allocatee that is a prior CDFI Fund award recipient or Allocatee under any CDFI Fund program is (i) noncompliant with a previously executed assistance or award agreement, or is in default of a previously executed Allocation Agreement or any other agreement under any CDFI Fund program; and (ii) the CDFI Fund has provided written notification that the Recipient is ineligible to apply for or receive any future awards or allocations for a specified timeframe or, regardless of whether a sanction or remedy is imposed, the default on a prior Allocation Agreement of the Applicant or Affiliate occurs during the time period beginning 12 months prior to the Application deadline and ending with the execution of the CY 2026 Allocation Agreement, the CDFI Fund reserves the right, in its sole discretion, to delay entering into an Allocation Agreement and/or to impose limitations on the Allocatee's ability to issue QEIs to investors, or to terminate and rescind the NMTC Allocation made under this NOAA.

B. Allocation Agreement: Each Allocatee (including their Subsidiary Allocatees) must enter into an Allocation Agreement with the CDFI Fund. The Allocation Agreement will set forth certain required terms and conditions of the NMTC Allocation which may include, but are not limited

to, the following: (i) the amount of the awarded NMTC Allocation; (ii) the approved uses of the awarded NMTC Allocation (*e.g.,* loans to or equity investments in QALICBs, loans to or equity investments in other CDEs); (iii) the approved service area(s) in which the proceeds of QEIs may be used, including the dollar amount of QLICIs that must be invested in Non-Metropolitan counties; (iv) commitments to specific innovative investments discussed by the Allocatee in its Allocation Application; (v) the time period by which the Allocatee may obtain QEIs from investors; (vi) reporting requirements for the Allocatee; and (vii) a requirement to maintain certification as a CDE throughout the term of the Allocation Agreement. If an Allocatee represented in its NMTC Allocation Application that it intends to invest substantially all of the proceeds from its investors in businesses in which persons unrelated to the Allocatee hold a majority equity interest, the Allocation Agreement will contain a covenant to that effect.

In addition to entering into an Allocation Agreement, each Allocatee must furnish to the CDFI Fund an opinion from its legal counsel or a similar certification, the content of which will be further specified in the Allocation Agreement, to include, among other matters, an opinion that an Allocatee (and its Subsidiary Allocatees, if any): (i) is duly formed and in good standing in the jurisdiction in which it was formed and the jurisdiction(s) in which it operates; (ii) has the authority to enter into the Allocation Agreement and undertake the activities that are specified therein; (iii) has no pending or threatened litigation that would materially affect its ability to enter into and carry out the activities specified in the Allocation Agreement; and (iv) is not in default of its articles of incorporation, bylaws or other organizational documents, or any agreements with the Federal government.

The Allocation Agreement shall provide that the Allocatee shall (i) not, to the best of its knowledge after reasonable diligence, make a QLICI in a QALICB that violates applicable Federal anti-discrimination laws, including a QALICB providing employment or financial preferences or set-asides based on any person's race, ethnicity, or sex, in a manner that is inconsistent with any applicable Federal anti-discrimination laws, and (ii) adopt, implement, and maintain policies and procedures reasonably designed to ensure the Allocatee's compliance with applicable Federal anti-discrimination laws. In addition, annually, the Allocatee shall certify the existence and administration of such policies and procedures and make them available for review upon request by the CDFI Fund.

If an Allocatee identifies Subsidiary Allocatees, the CDFI Fund reserves the right to require an Allocatee to provide supporting documentation evidencing that it Controls such entities prior to entering into an Allocation Agreement with the Allocatee and its Subsidiary Allocatees. The CDFI Fund reserves the right, in its sole discretion, to rescind its NMTC Allocation award if the Allocatee fails to return the Allocation Agreement, signed by the authorized representative of the Allocatee, and/or provide the CDFI Fund with any other requested documentation, including an approved legal opinion, within the deadlines set by the CDFI Fund.

C. Fees: The CDFI Fund reserves the right, in accordance with applicable Federal law and, if authorized, to charge allocation reservation and/or compliance monitoring fees to all entities receiving NMTC Allocations. Prior to imposing any such fee, the CDFI Fund will publish additional information concerning the nature and amount of the fee.

D. Reporting: The CDFI Fund will collect information, on at least an annual basis from all Allocatees and/or CDEs that are recipients of QLICIs, including such audited financial statements and opinions of counsel as the CDFI Fund deems necessary or desirable, in its sole discretion. The CDFI Fund will require the Allocatee to retain information as the CDFI Fund deems necessary or desirable and shall provide such information to the CDFI Fund when requested to monitor each Allocatee's compliance with the provisions of its Allocation Agreement and to assess the impact of the NMTC Program in Low-Income Communities. The CDFI Fund may also provide such information to the IRS in a manner consistent with IRC § 6103 so that the IRS may determine, among other things, whether the Allocatee has used substantially all of the proceeds of each QEI raised through its NMTC Allocation to make QLICIs. The Allocation Agreement shall further describe the Allocatee's reporting requirements.

The CDFI Fund reserves the right, in its sole discretion, to modify these reporting requirements if it determines it to be appropriate and necessary; however, such reporting requirements will be modified only after due notice to Allocatees.

VII. Agency Contacts

The CDFI Fund will provide programmatic and information technology support related to the Allocation Application Mondays through Fridays, between the hours of 9:00 a.m. and 5:00 p.m. ET through the last day to contact the CDFI Fund in Table 1. The CDFI Fund will not respond to phone calls, emails, or Service Requests in AMIS concerning the Application that are received after the last day to contact the CDFI Fund. The CDFI Fund will respond to such phone calls, emails, or Service Requests in AMIS after the Allocation Application deadline in Table 1. Applications and other information regarding the CDFI Fund and its programs may be obtained from the CDFI Fund's website at *https://www.cdfifund.gov.* The CDFI Fund will post on its website responses to questions of general applicability regarding the NMTC Program.

A. Information technology support: Technical support can be obtained by calling (202) 653–0422 or by submitting a Service Request in AMIS. People who have visual or mobility impairments that prevent them from accessing the Low-Income Community maps using the CDFI Fund's website should call (202) 653–0422 for assistance. These are not toll free numbers.

B. Programmatic support: If you have any questions about the programmatic requirements of this NOAA, contact the CDFI Fund's NMTC Program Manager by submitting a Service Request in AMIS; or by telephone at (202) 653–0421. These are not toll free numbers.

C. Administrative support: If you have any questions regarding the administrative requirements of this NOAA, contact the CDFI Fund's NMTC Program Manager by submitting a Service Request in AMIS, or by telephone at (202) 653–0421. These are not toll free numbers.

D. IRS support: For questions regarding the tax aspects of the NMTC Program, contact James Rider and Dillon Taylor, Office of the Chief Counsel (Energy, Credit, and Excise Tax), IRS, by telephone at (202) 317–4137, or by facsimile at (855) 591–7867. These are not toll free numbers. Applicants considering a formal ruling request should see IRS Internal Revenue Bulletin 2020–1, issued January 4, 2020.

VIII. Information Sessions

In connection with this NOAA, the CDFI Fund may conduct one or more information sessions that will be broadcast over the internet via webcasting as well as telephone

conference calls. For further information on these upcoming information sessions, please visit the CDFI Fund's website at *https://www.cdfifund.gov.*

(Authority: 26 U.S.C. 45D; 31 U.S.C. 321; 26 CFR 1.45D–1)

Christopher Miller,

Director, Community Development Financial Institutions Fund.

[FR Doc. 2026–18883 Filed 9–14–26; 8:45 am]

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DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

[Docket ID OCC–2026–0793]

RIN 1557–ZA18

FEDERAL RESERVE SYSTEM

[Docket No. OP–1881]

FEDERAL DEPOSIT INSURANCE CORPORATION

RIN 3064–ZA58

NATIONAL CREDIT UNION ADMINISTRATION

[Docket No. NCUA–2026–1684]

RIN 3133–ZA54

Proposed Third-Party Risk Management Guidance

AGENCY: The Office of the Comptroller of the Currency (OCC), Treasury, the Board of Governors of the Federal Reserve System (Board), the Federal Deposit Insurance Corporation (FDIC), and the National Credit Union Administration (NCUA).

ACTION: Proposed interagency guidance and request for comment.

SUMMARY: The OCC, Board, FDIC, and NCUA (collectively, the agencies) invite comments on this proposed third-party risk management guidance. The proposed guidance would reflect the agencies' supervisory experience and lessons learned through examining banking organizations' third-party risk management practices. In particular, the proposed guidance would discuss the potential benefits that may accrue when a banking organization aligns its third-party risk management practices in relation to the reasonably assessed risk levels specific to each of its third-party relationships. This approach may assist banking organizations in the prioritization of third-party risk management based on material financial risks, compliance with laws and regulations, and resource allocation. The proposed guidance also would help banking organizations consider potential strategies for tailoring their third-party risk management practices according to the banking organization's size, complexity, and risk profile, as well as the nature of its third-party relationships. The agencies plan to rescind and replace existing guidance on third-party risk management to promote consistency and innovation in the banking industry.

DATES: Comments must be received on or before November 16, 2026.

ADDRESSES:

OCC: Commenters are encouraged to submit comments through the Federal eRulemaking Portal. Please use the title ''Third-Party Risk Management Guidance'' to facilitate the organization and distribution of the comments. You may submit comments by any of the following methods:

- *Federal eRulemaking Portal—Regulations.gov:* Go to *https://regulations.gov/.* Enter Docket ID ''OCC–2026–0793'' in the search box and click ''Search.'' Public comments can be submitted via the ''Comment'' box below the displayed document information or by clicking on the document title and then clicking the ''Comment'' box on the top-left side of the screen. For help with submitting effective comments, please click on ''Commenter's Checklist.'' For assistance with the *Regulations.gov* site, please call 1–866–498–2945 (toll free) Monday–Friday, 9 a.m.–5 p.m. ET, or email *regulationshelpdesk@gsa.gov.*
- *Mail:* Chief Counsel's Office, Attention: Comment Processing, Office of the Comptroller of the Currency, 400 7th Street SW, Suite 1E–216, Washington, DC 20219.
- *Hand Delivery/Courier:* 400 7th Street SW, Suite 1E–216, Washington, DC 20219.

Instructions: You must include ''OCC'' as the agency name and Docket ID ''OCC–2026–0793'' in your comment. In general, the OCC will enter all comments received into the docket and publish the comments on the *Regulations.gov* website without change, including any business or personal information provided such as name and address information, email addresses, or phone numbers. Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

You may review comments and other related materials that pertain to this action by the following method:

- *Viewing Comments Electronically—Regulations.gov:* Go to *https://regulations.gov/.* Enter Docket ID ''OCC–2026–0793'' in the search box and click ''Search.'' Click on the ''Dockets'' tab and then the document's title. After clicking the document's title, click the ''Browse All Comments'' tab. Comments can be viewed and filtered by clicking on the ''Sort By'' drop-down on the right side of the screen or the ''Refine Comments Results'' options on the left side of the screen. Supporting materials can be viewed by clicking on the ''Browse Documents'' tab. Click on the ''Sort By'' drop-down on the right side of the screen or the ''Refine Results'' options on the left side of the screen checking the ''Supporting & Related Material'' checkbox. For assistance with the *Regulations.gov* site, please call 1–866–498–2945 (toll free) Monday–Friday, 9 a.m.–5 p.m. ET, or email *regulationshelpdesk@gsa.gov.*

The docket may be viewed after the close of the comment period in the same manner as during the comment period.

Board: You may submit comments, identified by Docket No. OP–1881, by any of the following methods:

- *Agency Website: https://www.federalreserve.gov/apps/proposals/.* Follow the instructions for submitting comments, including attachments. *Preferred Method.*
- *Mail:* Benjamin W. McDonough, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.
- *Hand Delivery/Courier:* Same as mailing address.
- *Other Means: publiccomments@frb.gov.* You must include docket number in the subject line of the message.

Comments received are subject to public disclosure. In general, comments received will be made available on the Board's website at *https://www.federalreserve.gov/apps/proposals/* without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would be not appropriate for public disclosure. Public comments may also be viewed electronically or in person in Room M–4365A, 2001 C St. NW, Washington, DC 20551, between 9 a.m. and 5 p.m. during Federal business weekdays.

FDIC: You may submit comments to the FDIC, identified by ZRIN 3064–ZA58, by any of the following methods:

- *Agency Website: https://www.fdic.gov/federal-register-publications.* Follow instructions for submitting comments on the FDIC's website.
- *Email: comments@FDIC.gov.* Include ZRIN 3064–ZA58 in the subject line of the message.
- *Mail:* Jennifer M. Jones, Deputy Executive Secretary, Attention: Comments—ZRIN 3064–ZA58, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.
- *Hand Delivery/Courier:* Comments may be hand-delivered to the guard station at the rear of the 550 17th Street NW building (located on F Street NW) on business days between 7 a.m. and 5 p.m.
- *Public Inspection:* Comments received, including any personal information provided, may be posted without change to *https://www.fdic.gov/federal-register-publications.* Commenters should submit only information they wish to make available publicly. The FDIC may review, redact, or refrain from posting all or any portion of any comment that it may deem to be inappropriate for publication, such as irrelevant or obscene material. The FDIC may post only a single representative example of identical or substantially identical comments, and in such cases will generally identify the number of identical or substantially identical comments represented by the posted example. All comments that have been redacted, as well as those that have not been posted, that contain comments on the merits of this notice will be retained in the public comment file and will be considered as required under all applicable laws. All comments may be accessible under the Freedom of Information Act.

NCUA: Comments may be submitted in one of the following ways. (*Please send comments by one method only*):

- *Federal eRulemaking Portal: https://www.regulations.gov.* The docket number for this proposed guidance is NCUA–2026–1684. Follow the ''Submit a comment'' instructions. If you are reading this document on *federalregister.gov,* you may use the green ''SUBMIT A PUBLIC COMMENT'' button beneath this rulemaking's title to submit a comment to the *regulations.gov* docket. A plain language summary of the proposed guidance is also available on the docket website.
- *Mail:* Address to Melane Conyers-Ausbrooks, Secretary of the Board, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314–3428.
- *Hand Delivery/Courier:* Same as mailing address.

Mailed and hand-delivered comments must be received by the close of the comment period.

Public Inspection: Please follow the search instructions on *https://www.regulations.gov* to view the public comments. Do not include any personally identifiable information (such as name, address, or other contact information) or confidential business information that you do not want publicly disclosed. All comments are public records; they are publicly displayed exactly as received and will not be deleted, modified, or redacted. Comments may be submitted anonymously. If you are unable to access public comments on the internet, you may contact the NCUA for alternative access by calling (703) 518–6540 or emailing *OGCMail@ncua.gov.*

FOR FURTHER INFORMATION CONTACT:

OCC: Graham Bannon, Counsel, Chief Counsel's Office, 202–649–5490; Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219. If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

Board: Juan Climent, Deputy Associate Director, (202) 460–2180, Jeff Ernst, Manager, (202) 369–9439, Brock Kannan, Manager, (202) 924–0665, Allison Boller, Sr. Financial Institution Policy Analyst II, (202) 253–4686, Division of Supervision and Regulation; or Claudia Von Pervieux, Special Counsel, (202) 469–1020, Benjamin Nuyens, Senior Counsel, (202) 909–7574, Legal Division; Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

FDIC: Division of Risk Management Supervision: Sumaya Muraywid, Section Chief, (202) 898–3904; Division of Depositor and Consumer Protection: Monika Jansen, Senior Policy Analyst, (202) 898–6781; Legal Division: Kate Marks, Senior Counsel, (202) 898–3896.

NCUA: Office of Examination and Insurance: Simon Hermann, Senior Credit Specialist, *shermann@ncua.gov* or (703) 518–6360; *Office of General Counsel:* Ian Marenna, Associate General Counsel for Regulations and Legislation, *imarenna@ncua.gov* or (703) 518–6540; National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314.

SUPPLEMENTARY INFORMATION:

I. Introduction

Banking organizations [1] routinely rely on third parties for a range of products, services, and other activities. These third-party relationships vary widely in form and in the degree of operational functions outsourced to the third party. The agencies have long acknowledged both the benefits associated with third-party relationships and the potential that these relationships may present or, in some cases, heighten certain risks. Third-party relationships have varying levels of importance to a banking organization's operations and delivery of products and services, and accordingly may warrant different levels of risk management.

In order to assist banking organizations in identifying and managing risks associated with third-party relationships and in complying with applicable laws and regulations, the Board, FDIC, and OCC published the *Interagency Guidance on Third-Party Relationships: Risk Management* in 2023 (the 2023 Guidance).[2] The agencies continue to believe that the principles-based, tailored approach outlined in the 2023 Guidance remains a relevant tool to assist banking organizations in considering their third-party risk management practices. However, based on feedback from stakeholders and supervisory experience, the agencies believe the 2023 Guidance frequently has been interpreted in an overly broad manner and with an insufficient focus on tailoring its risk management principles.

The 2023 Guidance is susceptible to such an interpretation for several reasons, notwithstanding language disclaiming any prescriptive intent or

[1] For a description of the banking organizations supervised by each agency, refer to the definition of ''appropriate Federal banking agency'' in section 3(q) of the Federal Deposit Insurance Act (12 U.S.C. 1813(q)). For purposes of this proposed guidance, banking organizations also include insured credit unions as defined in the Federal Credit Union Act (12 U.S.C. 1752(7)). Use of this guidance may also be relevant to any other entity supervised by the agencies.

[2] 88 FR 37920 (June 9, 2023). The 2023 Guidance is supplemented by the OCC for its supervised entities by guidance specific to foreign-based third-party service providers (OCC Bulletin 2002–16, ''Bank Use of Foreign-Based Third-Party Service Providers: Risk Management Guidance'' (May 15, 2002)). The 2023 Guidance is also supplemented by the Board, FDIC, and OCC with a statement on bank-fintech arrangements (OCC Bulletin 2024–20, Board SR Letter 24–5, and FDIC FIL–45–2024, ''Joint Statement on Banks' Arrangements with Third Parties to Deliver Bank Deposit Products'' (July 25, 2024)), and the Board, FDIC, and OCC have published a resource for community banks (OCC Bulletin 2024–11, Board SR Letter 24–2/CA Letter 24–1, and FDIC FIL–19–2024, ''Third-Party Risk Management: A Guide for Community Banks'' (May 3, 2024)) (collectively, the Supplemental TPRM Resources).

checklist approach. First, because it attempts to address a broad range of third-party relationships, banking organizations have reported that they have often struggled to understand (i) which of the extensive list of considerations apply to specific contexts (*e.g.,* relationships with core providers vs. financial technology companies (fintechs) vs. facilities maintenance vendors); and (ii) how to tailor their approach in practice, as many of the examples the 2023 Guidance provides may prove effective for one banking organization but impractical or infeasible for another. This is in part due to overly detailed examples and idealized factual scenarios that may not align with the real-world experiences of banking organizations when dealing with third parties. While examples can be valuable for illustrating how risk management principles translate into effective strategies, they can undermine a principles-based approach by suggesting a one-size-fits-all checklist.

Second, while the 2023 Guidance sets forth an expectation that banking organizations apply more comprehensive and rigorous oversight of third-party relationships supporting ''critical activities,'' it is focused more on the activity conducted by the third party rather than either the third-party relationship or the magnitude or likelihood of harm related to the risks implicated by the relationship. Banking organizations have reported applying heightened risk management practices to a wide range of third-party relationships without regard to the magnitude and likelihood of the risks actually posed by each relationship.

Third, the 2023 Guidance has been interpreted as establishing prescriptive requirements for banking organizations. Supervisory experience has shown use of words like ''should'' when discussing examples has failed to convey the importance of tailoring risk management to the actual risks a banking organization faces, commensurate with the banking organization's size, complexity, and risk profile and the nature of its third-party relationships. The 2023 Guidance unintentionally incentivized overly-process-driven approaches that fail to prioritize higher-risk relationships and focus risk management efforts and resources where they are needed.[3]

Finally, the 2023 Guidance has been read to discourage arrangements with newer and innovative third parties because it indicates they may present elevated risks. However, these firms can provide innovative services and solutions that enhance access to financial products and services and create economic opportunities for banking organizations and their customers.[4] To the extent the 2023 Guidance has implied an impossible goal of risk elimination, rather than risk management, banking organizations have reported maintaining relationships with third parties that may not best meet their needs, including where the third party cannot provide the banking organization with best-in-class products and services, has breached contract terms, or offers above-market pricing.

The proposed guidance would address these concerns by emphasizing risk identification and assessment as the foundation of a risk-based approach. This would enable banking organizations and examiners to focus on material financial risks and violations of laws and regulations rather than ineffective and counter-productive check-the-box exercises. Banking organizations that appropriately prioritize their risk management efforts—tailoring the level and detail of oversight to correspond with assessed risk levels—are better positioned to effectively manage third-party risk.

The proposed guidance would also encourage responsible innovation, consistent with Executive Order 14405, by emphasizing a risk-based and tailored approach to third-party risk management and removing broad-based and overly prescriptive language from the 2023 Guidance that may unduly impede fintechs from entering partnerships with banking organizations.

The agencies invite comments on all aspects of the proposed guidance. Any finalized guidance would replace the 2023 Guidance and the Supplemental TPRM Resources.[5]

II. Regulatory Analysis

Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521) (PRA) states that no agency may conduct or sponsor, nor is the respondent required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number.

The guidance does not revise any existing, or create any new, information collections pursuant to the PRA. Rather, any reporting, recordkeeping, or disclosure activities mentioned in the guidance are usual and customary and should occur in the normal course of business as defined in the PRA.[6] Consequently, no submissions will be made to the OMB for review.

Executive Order 12866 (as Amended)

Executive Order 12866, titled ''Regulatory Planning and Review,'' as amended, requires the Office of Information and Regulatory Affairs (OIRA), OMB, to determine whether a proposed guidance is a ''significant regulatory action'' prior to the disclosure of the proposed guidance to the public. If OIRA finds the proposed guidance to be a ''significant regulatory action,'' Executive Order 12866 requires the relevant agency to conduct a cost-benefit analysis of the proposed guidance and for OIRA to conduct a review of the proposed guidance prior to publication in the **Federal Register**. Executive Order 12866 defines a ''significant regulatory action'' to mean a regulatory action that is likely to (1) have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; (2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in Executive Order 12866.

OIRA has determined that this proposed guidance is not a significant regulatory action under section 3(f) of Executive Order 12866 and, therefore, is not subject to review under Executive Order 12866.

Executive Order 14192

Executive Order 14192, titled ''Unleashing Prosperity Through Deregulation,'' requires that an agency, unless prohibited by law, identify at least 10 existing regulations to be

[3] As third-party risk management may at times involve multiple business functions within a banking organization (*e.g.,* cybersecurity, resilience, and data privacy, as well as various subject-matter experts), a failure to allocate and prioritize resources in a risk-based manner may also have unintended consequences on the effectiveness of risk management functions outside of the third-party risk management context.

[4] *See generally* E.O. 14405 ''Integrating Financial Technology Innovation into Regulatory Frameworks,'' 91 FR 30475 (May 19, 2026) (E.O. 14405).

[5] The agencies invite comments on whether any additional guidance documents, interpretive letters, or other resources relevant to third-party risk management should also be rescinded.

[6] 5 CFR 1320.3(b)(2).

repealed when the agency publicly proposes for notice and comment or otherwise promulgates a new regulation with total costs greater than zero. Executive Order 14192 further requires that new incremental costs associated with new regulations shall, to the extent permitted by law, be offset by the elimination of existing costs associated with at least 10 prior regulations. This proposed guidance, if finalized as proposed, is expected to be a deregulatory action under Executive Order 14192 because it would provide supervisory clarity that may result in greater efficiencies and streamlining in banking organizations' third-party risk management functions.

III. Text of Proposed Guidance

The text of the proposed guidance on third-party risk management is as follows:

Third-Party Risk Management Guidance

A. Overview
B. Risk Management Components
1. Risk Identification and Assessment
i. Third-Party Relationship Identification
ii. Risk Identification
iii. Risk Assessment
2. Risk Oversight
i. Due Diligence and Third Party Selection
ii. Contract Negotiation
iii. Ongoing Monitoring
iv. Termination
v. Cross-Cutting Oversight Topics
3. Residual Risk Acceptance
4. Governance

A. Overview

Banking organizations [7] routinely rely on third parties for a range of products, services, and other activities. These third-party relationships come in a variety of forms and involve services related to many aspects of a banking organization's business. The degree of discretion granted to a third party can vary significantly in different types of relationships.

Banking organizations of all sizes rely on third-party relationships to operate effectively and meet evolving customer expectations. Community and mid-size banking organizations, which play an outsized role in lending and are vital to the strength of the U.S. economy, may be particularly reliant on such relationships to remain competitive in a rapidly evolving marketplace. Third-party relationships benefit banking organizations by allowing access to or facilitating technological advances; strategic business innovations; new or improved products, services, and delivery channels and engagement with new or expanded markets; and operational efficiencies.

At the same time, use of third parties may introduce new risks or amplify existing risks to banking organizations and their customers.

A banking organization has ultimate responsibility to establish and maintain sound risk management practices and comply with applicable laws and regulations. A banking organization's use of third parties does not diminish its responsibility to meet these requirements to the same extent as if the activities were performed by the banking organization internally, including where the third-party relationship involves affiliates, service providers that are themselves highly-regulated entities, or subcontractors, or where elements of the banking organization's risk management practices are performed by a third party. The proposed guidance provides sound risk management principles to assist banking organizations in identifying, assessing, and managing risks associated with third-party relationships.[8]

Third-Party Relationships

For purposes of this guidance, a third-party relationship is a business arrangement between a banking organization and an entity or individual for the provision of one or more products, services, and other activities that support the banking organization.[9] The use of subcontractors alone does not typically create an independent third-party relationship or create a presumption of direct banking organization oversight of any subcontractors.

These third-party relationships vary widely in form and in the degree of operational functions outsourced to the third party. Some third parties provide services central to the banking organization's operations. These include core processing service providers that provide comprehensive back-end applications and infrastructure that support the operation and essential functions of one or more of a banking organization's business lines; firms that provide other services that support a banking organization's essential operating functions, such as cloud processing, cloud storage, and compliance tools; and fintechs that partner with banking organizations to provide access to financial services. Other third-party relationships involve varying levels of interaction with a banking organization's operations. These include third parties that provide assistance with business-line- or product-specific activities (*e.g.,* software or data providers); perform administrative or clerical tasks (*e.g.,* operators of call centers or recordkeeping services); offer professional support services (*e.g.,* auditors, lawyers, or consultants); and maintain office support services (*e.g.,* physical security providers).

Principles-Based Approach

Each banking organization is responsible for operating in a safe and sound manner and adopting risk management practices that are best suited to managing the specific risks that it faces, commensurate with the banking organization's size, complexity, and risk profile and with the nature of its third-party relationships (including the risk and complexity of those relationships and type of activities performed by the third party). Not all third-party relationships present the same level of risk, and a similar relationship at different banking organizations may present different risks. Accordingly, there is no one-size-fits-all approach to effective risk management. Banking organizations are experienced in determining, and are ultimately responsible for establishing, third-party risk management practices that are appropriate for the banking organization, consistent with safe and sound banking practices and in compliance with applicable laws and regulations. The agencies will give due consideration to a banking organization's reasonable decisions in matters of third-party risk management supervision.

Non-Enforceable Guidance

This proposed guidance does not set forth enforceable standards or

[7] For a description of the banking organizations supervised by each agency, refer to the definition of ''appropriate Federal banking agency'' in section 3(q) of the Federal Deposit Insurance Act (12 U.S.C. 1813(q)). For purposes of this proposed guidance, banking organizations also include insured credit unions as defined in the Federal Credit Union Act (12 U.S.C. 1752(7)). Use of this guidance may also be relevant to any other entity supervised by the agencies.

[8] Banking organizations' third-party relationships may raise additional consumer compliance considerations that may be relevant to, but that are not directly addressed in, this proposed guidance.

[9] The agencies have observed that third-party relationships typically involve written agreements. Where a banking organization lacks a written agreement with a third party, or where no clear consideration underlies an activity, that activity is unlikely to constitute a third-party relationship. What would be the advantages and disadvantages of a banking organization applying the proposed guidance only to third parties that are subject to a written agreement with the banking organization to which it provides services? Would this approach, or an alternative, help clarify the scope of the proposed guidance and, if so, how?

prescriptive requirements;[10] accordingly, non-compliance with this guidance will not result in supervisory action against a banking organization. Any supervisory criticism will be specific to a banking organization's operations, financial condition, or other relevant factors, consistent with the applicable legal standards. Deviation from or inconsistency with this proposed guidance or any examples herein, including where an examiner believes that deviation or inconsistency is contrary to best practices, will not alone be a basis for supervisory action. However, the agencies may take action for violations of laws or regulations, unsafe or unsound practices, or other material risks that result from insufficient management of third-party risk (consistent with applicable rules and guidance on agency enforcement and supervisory standards).

B. Risk Management Components

The proposed guidance presents four components that banking organizations may consider when managing third-party risk: (1) identifying and assessing applicable risks; (2) overseeing risks proportionate to their significance; (3) making informed decisions about residual risks and risk acceptance; and (4) establishing appropriate governance practices.

1. Risk Identification and Assessment

i. Third-Party Relationship Identification

Sound third-party risk management commonly begins with identifying and categorizing third-party relationships. Maintaining an inventory of third-party relationships may be useful for managing third-party risks. For example, a large or complex banking organization with multiple higher-risk third-party relationships may benefit from a periodically updated and detailed inventory that maps individual subcomponents of a third-party relationship to various banking organization business units, reporting lines, or other accountability mechanisms, while a community bank may benefit from a simpler or streamlined format that allows its management to quickly assess relevant third-party relationships at a higher level. Banking organizations may decide not to maintain extensive inventories of relationships posing limited risk, such as those related to administrative or clerical tasks, professional support services (including auditing and legal advice), or office support services (including physical security).

ii. Risk Identification

After identifying its prospective or existing third-party relationships, a banking organization generally identifies relevant risks. Risks presented by third-party relationships are varied and may change over time or may not be immediately apparent. For example, a core service provider, given the extent of its services, is likely to touch on many components of a banking organization's operational risk, in addition to other risks. A facilities maintenance third party, by contrast, may implicate only a relatively limited range of risks, such as physical access risk. A banking organization typically has the experience and relevant information for identifying the most salient risks, especially where relevant staff members, such as subject-matter experts, are included in the risk identification process. It is unlikely that a banking organization could identify all possible risks and it is not expected to do so; however, identifying the most relevant risks is generally part of effective third-party risk management.

iii. Risk Assessment

Not all third-party relationships present the same level of risk, and there is not only one way to properly conduct risk assessments. Risk assessments commonly take into account both the magnitude of harm the third-party relationship could cause the banking organization or its customers and the likelihood that the harm will occur. A banking organization's higher-risk third-party relationships could include those (1) that, if disrupted, subjected to attack, conducted in breach of the terms of any applicable contract, or otherwise performed in a manner in which non-business-as-usual circumstances prevail, could cause the banking organization to incur an actual non-trivial violation of law or regulation, pose material harm to the financial condition of the banking organization, or result in a significant disruption to the banking organization's operations or customers; and (2) where there is a material likelihood that such legal or regulatory violation, financial harm, or operational disruption may occur under current or reasonably foreseeable conditions.

While certain third-party relationships, such as core processing service provider relationships, are likely to be assessed by most banking organizations as higher risk,[11] other relationships may be assessed as higher risk by one banking organization but not by another.[12] Some banking organizations may conduct a risk assessment for an overall third-party relationship, considering all activities conducted by the third party, while other banking organizations may conduct the assessment on a per-activity basis.[13]

Certain third-party relationships may be less likely to be assessed as higher risk. For example, many banking organizations contract with affiliated entities that operate within an enterprise-wide risk management framework to perform various services. Use of such affiliate arrangements can help a banking organization and its related entities more efficiently organize operations and maximize efficiencies. Such services, when conducted within an organization-wide enterprise risk management framework with which the banking organization is familiar, may be lower-risk and can enable the banking organization to rely on alternative oversight mechanics such as staff overlaps.

Additionally, certain third parties may themselves be entities that are heavily regulated and supervised by one or more state or federal regulators. As such, in certain circumstances, a banking organization may consider a third party's regulatory status and regulatory obligations as part of its risk assessment. However, supervisory and regulatory schemes may differ materially between entity types and with regard to applicable legal requirements, regulatory or supervisory authority, the nature of the activity, or

[10] *See* 12 CFR Part 4, Subpart F, Appendix A (OCC); 12 CFR Part 262, Appendix A (Board); 12 CFR Part 302, Appendix A (FDIC); 12 CFR Part 791, Subpart D (NCUA).

[11] As risk assessments are typically tailored to an individual banking organization's circumstances, a banking organization may determine, for example, that a core bank processor that provides services for only a limited portion of the banking organization's business represents a relatively lower-risk relationship compared to a core bank processor that provides services for the majority of a banking organization's business, depending on the relevant factors.

[12] Relatedly, many third parties may connect to a banking organization's information technology systems and networks, including through application programming interfaces, vendor portals, or other means. These access points may be exploited; however, a third party with access to a banking organization's systems or networks that do not hold critical data and are appropriately segmented is not necessarily higher risk, and banking organizations may, for example, be able to manage any related risks primarily through safe and sound cybersecurity risk management rather than through extensive third-party risk management.

[13] The agencies have also observed, for example, that banking organizations will commonly take the overall third-party relationship into account in circumstances where the bank is exposed to concentration risk from a third party due to relying on the third party for extensive services.

other factors, and thus the mere presence of a regulatory scheme may not necessarily serve to mitigate risks relevant to a banking organization.[14] Further, even regulated entities could nevertheless operate in a less than satisfactory condition, which could increase the risk they pose to the banking organization.

A banking organization may obtain further information that warrants adjusting its initial risk assessment after it performs due diligence and engages in contractual negotiations. Additionally, changing circumstances, an expanded or a renegotiated contract, or a banking organization's experience overseeing a third-party relationship, among other factors, may be indicators that a third-party relationship's risk has changed since the banking organization's initial assessment and may benefit from being reassessed. The decision of whether and how frequently to re-assess a banking organization's risks related to a third-party relationship may take into account additional factors such as changes in reliance on the third party, any new or existing identified concerns with the third party, or a change in the level(s) and type(s) of services provided by the third party.

Banking organizations typically have extensive experience assessing risks as part of their business. As such, examiners will give due consideration to a banking organization's reasonable judgment regarding the banking organization's risk assessments.[15]

2. Risk Oversight

Effective risk management involves overseeing third-party relationships in a manner proportionate to the risks they present and consistent with the banking organization's risk appetite and tolerances. Banking organizations typically prioritize oversight of higher-risk third-party relationships and establish more rigorous oversight practices for such relationships. A banking organization may tailor its oversight in a manner commensurate with the banking organization's size, complexity, and risk profile, as well as with the nature of the third-party relationship. For example, the level of oversight appropriate for a banking organization with multiple business lines, operating subsidiaries, and a diversified customer base may not be appropriate for a banking organization with a less complex business model. Risk management practices that do not prioritize and tailor according to risk could increase the magnitude and likelihood of harm arising from higher-risk relationships due to inappropriate levels of attention and oversight.

The following discusses oversight at a high level. The examples provided are illustrative only, may not be relevant to all banking organizations or relationships, and are not comprehensive.

i. Due Diligence and Third Party Selection

Due diligence is the process by which a banking organization assesses a third party's ability to perform the activity as expected, adhere to the banking organization's policies, comply with applicable laws and regulations, and conduct the activity in a safe and sound manner. As with all third-party oversight, the amount of due diligence that is warranted depends on the risk presented by the third-party relationship and the banking organization's individual business needs. In the case of lower-risk third-party relationships, a banking organization may be more comfortable with relying either on less-detailed due diligence information or on public or alternative sources, as compared to its higher-risk relationships. Depending on the circumstances, this relatively less-detailed level of due diligence may be sufficient for the banking organization to determine that the third party is likely able to perform the services being contracted for (including, for example, that the third party has sufficient staffing and capabilities) and that further due diligence may not provide appreciable benefits to the banking organization.

Depending on the circumstances, due diligence may involve assessing a third party's financial condition; business experience and key personnel; staffing capabilities and qualifications, including training relevant to the banking organization's business; legal and regulatory compliance; insurance coverage; and information security and cybersecurity capabilities and track record, as applicable. Due diligence may also evaluate the effectiveness of the third party's relevant risk management practices and capabilities, including policies, procedures, and internal controls and whether there is an alignment with the banking organization's own applicable policies, procedures, controls, strategies, and expectations.

In some cases, a banking organization may not be able to obtain certain due diligence information from a third party. For example, a third party may not have a long operational history, may not permit on-site visits, or may not share (or is not permitted to share) information that the banking organization requests, but a banking organization may determine that other factors offset or compensate for those limitations. A banking organization may also have limited negotiating power with some third parties, which may amplify these difficulties. Even when unable to meet all of its due diligence objectives, a banking organization may still collect sufficient information, including from supplemental sources, to be able to determine that engaging with the third party is within the banking organization's risk appetite and tolerances. Outside information sources may be relied upon in certain contexts, including, for example, information or feedback obtained through banking organizations or trade groups, review of available public sources, or, in the case of a third party with a limited operational history, the overall qualifications and experience of management and employees of the third party in performing the services that would be provided. Similarly, external industry experts familiar with the third party, the relevant industry, or with market standard terms and practices may also supplement or help a banking organization conduct due diligence. However, where the third party is unable or unwilling to provide information or other cooperation reasonably necessary for the banking organization to conduct due diligence, ongoing monitoring and risk assessments, the alternative sources described above may not be sufficient to allow the banking organization to engage with the third party within its risk appetite and tolerances.

ii. Contract Negotiation

Effective third-party risk management generally involves negotiating contract provisions designed to facilitate effective risk management, oversight, and performance, in line both with the banking organization's risk identification and assessment and with the results of its due diligence, and that specify the expectations and obligations of both the banking organization and the third party.

There are no generally applicable expected contract terms for third-party relationships—even for higher-risk relationships—and banking

[14] No supervisory or regulatory agency is responsible for a banking organization's third-party risk management. Banking organizations should not rely on the existence of any agency supervision or regulation as a substitute for managing third-party risk or as a proxy for whether such third parties provide services in a safe and sound manner.

[15] To what extent would it be helpful for the guidance to include a list of characteristics that generally indicate that a third-party relationship is high risk, and if so, what characteristics should be included?

organizations typically tailor their contract negotiations and provisions to their individual needs and circumstances, commensurate with the banking organization's size, complexity, and risk profile and the nature of its third-party relationships. As such, the presence or absence of a specific contractual term that an examiner may believe to be contrary to best practices would not alone be a sufficient basis for an examiner to communicate an adverse finding related to a banking organization's third-party risk management practices.

Depending on the circumstances, the terms of the contract may allocate responsibility between the parties. A service level agreement can define performance measures, which can assist banking organizations in evaluating a third party's performance and compliance with applicable laws and regulations. Other items that may be relevant for a banking organization to consider during contract negotiations include, depending on the circumstances, confidentiality and information security, and, as discussed below, use of subcontractors, operational resilience plans, and termination provisions.

Third parties often offer standard contracts. Banking organizations can assess whether these standard terms adequately address their specific circumstances and risks. For example, banking organizations may determine that they need to request modifications, additional contract provisions, or activity-specific addenda to strengthen oversight for areas that pose higher risk to the banking organization. For lower-risk relationships, a banking organization may determine that standard form contracts are sufficient. Alternatively, a banking organization may focus negotiations on a narrow subset of contractual provisions most relevant to the risks presented by the third-party relationship and that could provide the banking organization sufficient comfort that the services provided through the third-party relationship will be conducted in a manner that meets its needs and that is within its risk appetite and tolerances.

When a banking organization has limited negotiating power relative to a third party, it may be unable to negotiate all of its desired contractual provisions. The banking organization may still reasonably proceed with the relationship if, for example, the banking organization has a reasonable understanding of the risks relevant to the third-party relationship and any residual risks are in line with the banking organization's risk appetite and tolerances, especially if there are limited alternative options. In certain circumstances, banking organizations may also be able to gain an advantage by negotiating contracts as a group with other organizations, as discussed below.

Maintaining an inventory of and periodically reviewing third party contracts may assist a banking organization in confirming that existing provisions continue to address pertinent risks. If new risks are identified, a banking organization may consider whether it is appropriate to renegotiate or terminate a third-party relationship.

iii. Ongoing Monitoring

Ongoing monitoring is the process by which banking organizations assess and monitor third-party performance and changes in the risks posed by third-party relationships. It also includes any associated reporting to the board and senior management, as appropriate, in line with the banking organization's size, complexity, and risk profile, as well as the nature of its third-party relationships. Ongoing monitoring may enable a banking organization to: (1) confirm the quality of a third party's controls and its ability to meet contractual obligations and perform as expected; (2) identify significant issues or concerns, such as material or repeat audit findings, deterioration in financial condition, security breaches, data loss, service interruptions, compliance issues, customer complaints, changes to insurance coverage, or other indicators of increased risk; and (3) respond to such significant issues or concerns when identified.

Examples of monitoring activities may include: (1) reviews of updates to information utilized in due diligence and reports or data regarding the third party's performance and the effectiveness of its controls, including audits conducted by the third party (or an independent entity hired by the third party);[16] (2) periodic visits and meetings with third-party representatives to discuss performance and operational issues; (3) periodic testing of the banking organization's controls that manage risks from its third-party relationships and, in certain circumstances, periodic testing of the third party's services to the banking organization to assess the third party's performance and effectiveness; (4) reviews of public filings or reports of examination arising from the agencies' standard supervisory processes for certain large third parties' provision of services, if applicable;[17] and (5) reviews of customer complaints.

Banking organizations may choose to conduct ongoing monitoring on a periodic or continuous basis based on the banking organization's assessment of the risk, complexity, and nature of the third-party relationship. For example, in the case of higher-risk third-party relationships, a banking organization may determine that effective risk oversight requires it to conduct more comprehensive or frequent monitoring. Higher-risk relationships may also involve additional staffing with the necessary expertise, authority, and accountability to perform a wide range of ongoing monitoring activities. For lower-risk relationships, a banking organization may determine that relatively less extensive, less detailed, or less frequent reporting, and commensurately reduced staffing needs, are necessary to support its risk oversight.

Banking organizations can tailor monitoring to their needs, abilities, risk determinations, and negotiating power, all of which can vary between larger or more complex banking organizations and community banks or among third-party relationships. For example, whether on-site visits to a third party or audits of a third party's control practices are practical may depend on the circumstances.

Because both the types and levels of risks a banking organization faces may change over the lifetime of a third-party relationship, a banking organization may later find it useful to adapt or alter its ongoing monitoring practices accordingly, including by expanding or contracting the scope, level of detail, or frequency of information collected or produced for monitoring.

iv. Termination

A banking organization may terminate a third-party relationship for various reasons, such as expiration or breach of contract; the third party's failure to comply with applicable laws or regulations; concerns regarding a third

[16] Banking organizations and bank service providers have incident notification obligations under the agencies' Computer Security Incident Notification Rule, which may also inform ongoing monitoring. *See* 12 CFR part 53 (OCC); 12 CFR 225, subpart N (Board); 12 CFR 304, subpart C (FDIC). *See also,* 12 CFR 748.1 for the NCUA's Cyber Incident Report Rule.

[17] *See* 12 U.S.C. 1464(d)(7)(D) and 1867(c)(1). These reports of examination are not tailored to any individual banking organization's circumstances or risk management needs and may be based on targeted rather than comprehensive examinations. These reports are the property of the agencies and are not intended as a proxy or substitute for any banking organization's responsibilities to undertake effective risk management and reliance on such reports without performing independent due diligence would be inconsistent with sound risk management principles.

party's performance of the activity more generally; or a desire to seek an alternate third party, bring the activity in-house, or discontinue the activity. When this occurs, management typically seeks to terminate relationships in an efficient manner, and management's ability to do so may depend on previously negotiated contract provisions. For example, a banking organization may determine that a lower-risk third-party relationship presents relatively few concerns, and it may be easy and cost-effective to seamlessly switch to an alternative third party, if necessary. As the complexity and materiality of a third-party relationship increases, a banking organization may benefit from advanced planning and ultimately determine that potential beneficial factors associated with a termination—*e.g.,* in-house or alternative third-party options with the potential for long-term cost reductions or improvements to the banking organization's products, services, and operations; better access to or control over data; or use of innovative technology—either do or do not outweigh the potential negative factors—*e.g.,* costs and fees associated with termination,[18] extended transition timespans, operational complications, the likelihood of service or data access disruptions, data retention and destruction issues, and handling of joint intellectual property.

In any case, a banking organization's assessment as to the preferability of terminating a contract with one third party and transitioning services to another typically draws on numerous factors relevant to the organization's business and strategy and the agencies will give due consideration to the organization's reasonable determinations that an alternative third party can provide the services as contracted for and within the banking organization's risk appetite and tolerances.

v. Cross-Cutting Oversight Topics

The preceding discussion provides a high-level overview of tailoring third-party relationship oversight to a banking organization's size, complexity, and risk profile and the nature and assessed risk levels of its third-party relationships. However, banking organizations may benefit from considering third-party risk management on a holistic, rather than a siloed, stage-by-stage basis, since effectively managing any given risk may be a multi-factored process. Understanding how risks and mitigating factors may cut across or implicate different oversight stages and where certain risk management strategies may be complementary or redundant may help banking organizations more effectively tailor and prioritize their risk management practices.

The following highlights certain examples that may help illuminate such an approach.

Subcontractors

While a banking organization typically does not have a direct business arrangement with a third party's subcontractors, their use may nonetheless heighten risks related to the third-party relationship as it may lessen the banking organization's control of activities. Since subcontractors may be considered in connection with the primary third-party relationship, the extent to which a banking organization exercises risk oversight related thereto may depend on the nature and risks of the third-party relationship. A banking organization may be able to exercise effective risk oversight related to a third party's use of subcontractors by, for example, negotiating and monitoring compliance with contractual terms governing the use and oversight of subcontractors (including specifying whether service level agreements apply to subcontractor activity) or by assessing, confirming, and monitoring the adequacy of its third party's own third-party risk management programs. The banking organization remains responsible for complying with applicable laws and regulations, and operating in a safe and sound manner, regardless of a third party's use of subcontractors.

Use of Co-Ventures, Consortia, Standard-Setting Organizations, Consultants, and Other Third Parties That Provide Risk Management Services

The agencies recognize that banking organizations can leverage new arrangements to manage third-party risk, including:

- Participating in a co-venture or consortium that collaborates on an aspect of third-party risk management, such as performing due diligence or developing standard contracts, or use of services from standard-setting and certification organizations that provide risk management and compliance standards for third parties engaging with banking organizations and issue certifications that assess that a third party meets the standards.
- Considering the results from services provided by consultants, auditors, or law firms for risk management and compliance purposes.

Such arrangements could, among other things, create new efficiencies, provide banking organizations additional leverage in conducting due diligence on, negotiating with, or monitoring third parties, and facilitate access to new technologies and strategic expertise.[19] The use of such arrangements could inform a banking organization's risk assessment and enhance a banking organization's ability to oversee its third-party relationships. For example, review of credible summaries of technical data or proprietary information, as well as certifications or results of assessments provided by such arrangements, may be adequate for a banking organization's due diligence needs, depending on facts and circumstances. However, it is important for effective risk management to be based on the banking organization's own specific circumstances and performance criteria for the activity.

In addition, effective third-party risk management may also involve relying on third-party technologies or processes to supplement or assist the banking organization's own risk oversight activities. This may allow community banks, in particular, to benefit from advanced technology and industry expertise otherwise unavailable. However, reliance on third parties for risk management purposes can itself involve risks, which a banking organization can address based on its individual circumstances.

Insurance, Indemnification, and Other Limitations on Liability

Depending on risk exposure, negotiating for credible indemnification provisions, limitations on banking organization liability, insurance, or guarantees from the third party's parent or other entity may serve to effectively mitigate risks arising from the third-party relationship, which may lower the risk associated with the relationship. Such a conclusion may be based upon, for example, due diligence regarding the ability of the relevant party to meet any obligations, negotiating terms of the coverage as relevant to the specific risks of the third-party relationship, maintaining the coverage and

[18] Termination cost considerations typically include whether alternative providers may be willing to buy out the remaining term of the contract or otherwise defer the banking organization's termination-related costs.

[19] Any collaborative activities among banking organizations must comply with antitrust laws. Refer to the Federal Trade Commission and U.S. Department of Justice's ''Antitrust Guidelines for Collaborations Among Competitors'' (Apr. 2000), available at *https://www.ftc.gov/sites/default/files/documents/public_events/joint-venture-hearings-antitrust-guidelines-collaboration-among-competitors/ftcdojguidelines-2.pdf.*

confirming its ongoing sufficiency, and considering whether the banking organization has the capacity to cover any costs associated with pursuing, filing, disputing, or litigating a claim.

Operational Resilience Planning

Effective risk oversight, particularly for higher-risk relationships, may include due diligence, contract negotiations, and ongoing monitoring sufficient to demonstrate resilience and assess assurances, including, for example, contractual obligations related to review of a third party's operational resilience plan, the existence of alternative back-up providers that can provide an easy transition of services, the practice of maintaining critical data backed up at a physically and logically separated site, or other relevant considerations. In certain circumstances, even if a higher-risk third party suffers a disruption event, cyberattack, or otherwise is unable to provide business-as-usual services, if a banking organization has sufficient demonstration of its own or of the third party's ability to quickly and effectively resume operations and preserve relevant data, the harms from any such event may be significantly mitigated. This may in turn inform the risk associated with the third-party relationship.

3. Residual Risk Acceptance

Residual risk is the risk remaining after the banking organization applies mitigating measures. The agencies do not expect banking organizations to eliminate third-party risk. Some residual risk is unavoidable, as discussed above. In some cases, the materiality of the risk does not justify the oversight required to significantly mitigate it. In other cases, a banking organization may lack the means to significantly mitigate a risk, such as when it lacks bargaining power to conduct sufficient due diligence, negotiate customized contract terms, or engage in in-depth ongoing monitoring, or where the banking organization has limited alternative options. Managing third-party risk includes determining when and to what extent elements of risk oversight may not be practicable and whether residual risks may be acceptable according to a banking organization's risk appetite and tolerances, while still conducting activities in a safe and sound manner, and when and to what extent a banking organization can make this determination based on limited information. Even in cases where the banking organization cannot significantly mitigate a risk, the third-party relationship may still be beneficial and necessary for the banking organization to operate effectively and competitively in a rapidly evolving marketplace. Risk acceptance is ultimately a fact- and circumstance-specific consideration, commensurate with a banking organization's size, complexity, and risk profile and with the nature of its third-party relationships.

4. Governance

In order to support its overall third-party risk management practices, banking organizations may consider adopting governance practices that: (1) establish clear roles and responsibilities, (2) establish an appropriate risk appetite and appropriate risk tolerances related to risks from third-party relationships, (3) help ensure that the banking organization is able to identify and assess its third-party relationship risks and prioritize risk management in relation to the assessed risk levels of such relationships and the banking organization's risk appetite and tolerances, (4) establish appropriate reporting to senior management and the board, (5) document key elements of risk management for third-party relationships, and (6) establish a process for conducting periodic independent reviews to assess the effectiveness of the banking organization's third-party risk management practices.

However, there is no one right way for a banking organization to structure such practices, and a banking organization's size, complexity, and risk profile and the nature of its third-party relationships will ultimately drive any relevant governance decisions. The agencies will give due consideration to a banking organization's reasonable governance considerations when reviewing those practices.

Jonathan V. Gould,

Comptroller of the Currency.

By order of the Board of Governors of the Federal Reserve System.

Benjamin W. McDonough,

Secretary of the Board.

Federal Deposit Insurance Corporation.

Dated at Washington, DC, on September 10, 2026.

Jennifer M. Jones,

Deputy Executive Secretary.

By the National Credit Union Administration Board on September 10, 2026.

Melane Conyers-Ausbrooks,

Secretary of the Board.

[FR Doc. 2026–18859 Filed 9–14–26; 8:45 am]

BILLING CODE 4810–33–P; 6210–01–P; 6714–01–P; 7535–01–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 September 10, 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 September 10, 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.

BILLING CODE 4810–AL–P

Individuals

1. AL ABADA, Khaldoon Naser Maryoosh (a.k.a. AL-ABADA, Khaldun Nasir Mariush; a.k.a. AL-'IBADA, Khaldun Nasir Mariyush), Iraq; DOB 04 Jan 1980; nationality Iraq; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Passport B23554644 (Iraq) expires 18 Jan 2033 (individual) [SDGT] (Linked To: AIN AL IRAQ FOR PROTECTION SYSTEMS TECHNOLOGY AND AUDIO, VISUAL, AND COMMUNICATIONS SOLUTIONS COMPANY LTD).

   Designated pursuant to section 1(a)(iii)(A) 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 being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, Ain Al-Iraq For Protecting Technology and Audio, Visual, and Communications Solutions Company Ltd, a person whose property and interests in property are blocked pursuant to E.O. 13224.

2. AL AMERI, Abdullah Nadhim Luaibi (a.k.a. AL AMIRI, Abdallah Nazim Luaybi), Iraq; DOB 29 Jul 1975; nationality Iraq; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Passport A19542583 (Iraq) expires 22 Mar 2030 (individual) [SDGT] (Linked To: AL-MAKSUSI, Sayyid Salah Mahdi Hantush).

   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, Saleh Mahdi Hantush al-Maksusi, a person whose property and interests in property are blocked pursuant to E.O. 13224.

3. AL-TAMEEMI, Abbas Jawad Kadhim (a.k.a. AL-TAMIMI, Abbas Jawad Kazim; a.k.a. "GOOGLE, Mahdi"), Iraq; DOB 14 Dec 1983; nationality Iraq; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Passport A14930282 (Iraq) expires 12 Jan 2027 (individual) [SDGT] (Linked To: AL-MAKSUSI, Sayyid Salah Mahdi Hantush).

   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, Saleh Mahdi Hantush al-Maksusi, a person whose property and interests in property are blocked pursuant to E.O. 13224.

4. AL-LAMI, Ali Hasan Farhan, Iraq; DOB 18 Dec 1983; nationality Iraq; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Passport A11690581 (Iraq) expires 06 Jan 2025 (individual) [SDGT] (Linked To: KATA'IB HIZBALLAH).

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, Kata'ib Hizballah, a person whose property and interests in property are blocked pursuant to E.O. 13224.

5. AL-SHAIKHLI, Mohamed Ameen Fadhil Ali, Iraq; DOB 03 Mar 1987; nationality Iraq; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Passport A5885383 (Iraq) expires 05 Jul 2019 (individual) [SDGT] (Linked To: KATA'IB HIZBALLAH).

   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, Kata'ib Hizballah, a person whose property and interests in property are blocked pursuant to E.O. 13224.

6. AL-HRAISHAWI, Karrar Mohammed Qasim, Iraq; DOB 11 Sep 2000; nationality Iraq; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Passport A19392691 (Iraq) expires 19 Dec 2029 (individual) [SDGT] (Linked To: KATA'IB HIZBALLAH).

   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, Kata'ib Hizballah, a person whose property and interests in property are blocked pursuant to E.O. 13224.

7. AL-DHUHAIBAWI, Hussein Ahmed Hussein, Iraq; DOB 15 Sep 1984; nationality Iraq; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Passport A14283389 (Iraq) expires 06 Oct 2026 (individual) [SDGT] (Linked To: KATA'IB HIZBALLAH).

   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, Kata'ib Hizballah, a person whose property and interests in property are blocked pursuant to E.O. 13224.

8. HAMIEH, Abdallah (a.k.a. HAMEYE, Abdallah; a.k.a. HAMIYAH, Abdallah), Shamstar, Baalbek and Hermel, Lebanon; DOB 27 Oct 1983; nationality Lebanon; Additional Sanctions Information - Subject to Secondary Sanctions Pursuant to the Hizballah Financial Sanctions Regulations; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Passport RL1347720 (Lebanon) expires 22 Jul 2013; National ID No. 000038207763 (Lebanon) (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. IBRAHIM, Hussein (Arabic: حسين ابراهيم), Baalbek-Hermel Province, Lebanon; DOB 08 May 1986; POB Nabi Chit, Lebanon; nationality Lebanon; Additional Sanctions Information - Subject to Secondary Sanctions Pursuant to the Hizballah Financial

Sanctions Regulations; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Passport LR3713545 (Lebanon) expires 27 Sep 2033; National ID No. 000033040500 (Lebanon) (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. WEHBE, Ghaith Hussein (a.k.a. WAHIBI, Ghayth Husayn; a.k.a. "WARTH"), Lebanon; DOB 17 Dec 1985; nationality Lebanon; Additional Sanctions Information - Subject to Secondary Sanctions Pursuant to the Hizballah Financial Sanctions Regulations; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; National ID No. 000025122133 (Lebanon) (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.

11. AL-MAKANSI, Amir (a.k.a. MAKANSI, Amir), Turkey; Syria; DOB 01 Jan 1984; POB Aleppo, Syria; nationality Syria; Additional Sanctions Information - Subject to Secondary Sanctions Pursuant to the Hizballah Financial Sanctions Regulations; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886 (individual) [SDGT] (Linked To: ZAHER EL DINE, Hamdi).

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, Hamdi Zaher El Dine, a person whose property and interests in property are blocked pursuant to E.O. 13224.

12. ZAHRELDINE, Mervat Jamil (Arabic: ميرفت جميل زهر الدين) (a.k.a. ZAHR EDDINE, Mirvat; a.k.a. ZAHREDDINE, Marwa Jamil; a.k.a. ZAHREDDINE, Mervat Jamil), Airport Road Karim Bldg. 7th Floor, Ghobeiry, Baabda, Lebanon; DOB 01 Jan 1991; nationality Lebanon; Additional Sanctions Information - Subject to Secondary Sanctions Pursuant to the Hizballah Financial Sanctions Regulations; Gender Female; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Passport RL2779753 (Lebanon) (individual) [SDGT] (Linked To: ZAHER EL DINE, Hamdi).

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, Hamdi Zaher El Dine, a person whose property and interests in property are blocked pursuant to E.O. 13224.

13. AL-MANDALAWI, Majid Ali Akbar Namdar (a.k.a. AL-KURDI, Majid 'Ali Akbar), Dubai, United Arab Emirates; DOB 20 Jul 1972; nationality Iraq; alt. nationality

Turkey; Gender Male; Passport U22423385 (Turkey) expires 04 Oct 2029; alt. Passport B08552683 (Iraq) expires 14 Feb 2032 (individual) [IRAN-EO13902] (Linked To: SHAMS AND BAHR TRADING COMPANY L.L.C.).

Designated pursuant to section 1(a)(iv) of E.O. 13902 of September 28, 2010, "Imposing Sanctions With Respect to Additional Sectors of Iran," 85 FR 2003, 3 CFR, 2020 Comp., p. 299 (E.O. 13902), for being owned or controlled by, or having acted or purported to act for or on behalf of, directly or indirectly, Shams and Bahr Trading Company L.L.C., a person whose property and interests in property are blocked pursuant to E.O. 13902.

14. AL-MANDALAWI, Majid Ali Akbar Namdar (a.k.a. AL-KURDI, Majid 'Ali Akbar), Dubai, United Arab Emirates; DOB 20 Jul 1972; nationality Iraq; alt. nationality Turkey; Gender Male; Passport U22423385 (Turkey) expires 04 Oct 2029; alt. Passport B08552683 (Iraq) expires 14 Feb 2032 (individual) [IRAN-EO13902] (Linked To: SHAMS AND BAHR TRADING COMPANY L.L.C.).

Designated pursuant to section 1(a)(iv) of E.O. 13902 for being owned or controlled by, or having acted or purported to act for or on behalf of, directly or indirectly, Shams and Bahr Trading Company L.L.C., a person whose property and interests in property are blocked pursuant to E.O. 13902.

Entities

1. AIN AL IRAQ FOR PROTECTION SYSTEMS TECHNOLOGY AND AUDIO, VISUAL, AND COMMUNICATIONS SOLUTIONS COMPANY LTD (Arabic: شركة عين العراق لتكنولوجيا انظمة الحماية وحلول الصوت والصورة والاتصالات المحدودة) (a.k.a. AYN AL-IRAQ COMPANY; a.k.a. EIN AL-IRAQ COMPANY; a.k.a. EYE OF IRAQ COMPANY), Baghdad, Iraq; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Organization Established Date Apr 2010; Company Number 48457 (Iraq); Registration Number 75493 (Iraq) 12 [SDGT] (Linked To: AL-MAKSUSI, Sayyid Salah Mahdi Hantush).

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, Saleh Mahdi Hantush al-Maksusi, a person whose property and interests in property are blocked pursuant to E.O. 13224.

2. AL BROUJ FOR GENERAL CONTRACTING COMPANY (Arabic: شركة البروج للمقاولات العامة محدود المسؤولية) (a.k.a. AL-BROJ COMPANY FOR CONTRACTING, GENERAL TRADING, TRANSPORTATION LTD), Baghdad, Iraq; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Company Number 3219747 (Iraq) [SDGT] (Linked To: AL AMERI, Abdullah Nadhim Luaibi).

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, Abdullah Nadhim Luaibi Al Ameri, a person whose property and interests in property are blocked pursuant to E.O. 13224.

3. GOLD PRO SARL, Zaher El Din Property, Downtown Port, Beirut, Lebanon; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Organization Type: Other financial service activities, except insurance and pension funding activities, n.e.c.; Identification Number 45432 (Lebanon) [SDGT] (Linked To: ZAHER EL DINE, Hamdi).

   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, Hamdi Zaher El Dine, a person whose property and interests in property are blocked pursuant to E.O. 13224.

4. YOUSEF IBRAHIM MANSOUR AND PARTNER FOR EXCHANGE (Arabic: شركة يوسف ابراهيم منصور وشريكه للصيرفة) (a.k.a. YOUSSEF IBRAHIM MANSOUR AND CO. FOR EXCHANGE; a.k.a. YOUSSEF IBRAHIM MANSOUR FOR EXCHANGE; a.k.a. "YIM EXCHANGE"), Shtaura, Bekaa, Lebanon; Zahle, Lebanon; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Organization Established Date 08 May 2006; Organization Type: Other monetary intermediation; Commercial Registry Number 4000751 (Lebanon) [SDGT] (Linked To: ZAHER EL DINE, Hamdi).

   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, Hamdi Zaher El Dine, a person whose property and interests in property are blocked pursuant to E.O. 13224.

5. SHAMS AND BAHR TRADING COMPANY L.L.C. (Arabic: شركة شمس وبحر للتجارة ذ م م) (a.k.a. SHAMS & BAHR TRADING COMPANY L.L.C.; a.k.a. SHAMS AND BAHIR; a.k.a. SHAMS WA BAHR; a.k.a. SUN & SEA GENERAL TRADING CO LLC; a.k.a. SUN SEA GENERAL TRADING LLC; a.k.a. "SON AND SEA , COMPANY"), PO Box 81033, Al Riqa Street, 3, Dubai, United Arab Emirates; 69 , Al Rigga Rd, Al Muraqqabat, Deira, Dubai, United Arab Emirates; Exhibition No 3 Al Muraqqabat, Deira, Dubai, United Arab Emirates; Website www.shamsandbahr.ae; alt. Website www.shamsbahr.com; Organization Established Date 19 Mar 2001; Organization Type: Other monetary intermediation; Commercial Registry Number 56218 (United Arab Emirates); Business Registration Number .(United Arab Emirates) [IRAN-EO13902] 524921

   Designated pursuant to sections 1(a)(i) and 1(a)(ii) of E.O. 13902 for operating in the financial sector of the Iranian economy and having knowingly engaged, on or after January 10, 2020, in a significant transaction for the sale, supply, or transfer to or from Iran of significant goods or services used in connection with the financial sector of the Iranian economy.

(Authorities: E.O. 13224, as amended; E.O. 13902)

Bradley T. Smith,

Director, Office of Foreign Assets Control.

[FR Doc. 2026–18876 Filed 9–14–26; 8:45 am]

BILLING CODE 4810–AL–C

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 September 8, 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 September 8, 2026, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following persons are blocked under the relevant sanctions authorities listed below.

BILLING CODE 4810–AL–P

Individual

1. MAHRAN, Ibrahim Ali Mohamed Mohamed (a.k.a. IBRAHIM, Mahran), United Arab Emirates; DOB 01 Mar 1986; POB Menia, Egypt; nationality Egypt; Gender Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Passport A28699752 (Egypt) expires 15 Aug 2028 (individual) [SDGT] [IFSR] (Linked To: ECT AVIATION SUPPORT LLC).

   Designated pursuant to section 1(a)(iii)(F)(1) of Executive Order 13224 of September 23, 2001, "Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism," (E.O. 13224), 66 FR 49079, 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 being a leader or official of ECT AVIATION SUPPORT LLC, an entity whose property and interests in property are blocked pursuant to E.O. 13224, as amended.

Entities

1. AEROBRAVO AIRPLANE MANAGEMENT AND OPERATION LLC, Dubai, United Arab Emirates; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Organization Established Date 22 Nov 2022; Commercial Registry Number 1879178 (United Arab Emirates); License 1108996 (United Arab Emirates); Chamber of Commerce Number 430703 (United Arab Emirates) [SDGT] [IFSR] (Linked To: ECT AVIATION SUPPORT LLC).

   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, ECT AVIATION SUPPORT LLC, a person whose property and interests in property are blocked pursuant to E.O. 13224, as amended.

2. ECT AVIATION SUPPORT LLC (Arabic: إي سي تي أفييشن سابورت ذ م م), Sharjah, United Arab Emirates; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Organization Established Date 30 May 2019; License 1906247 (United Arab Emirates); Registration Number 11599882 (United Arab Emirates) [SDGT] [IFSR] (Linked To: MAHAN AIR).

   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, MAHAN AIR, a person whose property and interests in property are blocked pursuant to E.O. 13224.

3. ECT AVIATION SUPPORT LTD, 115 London Road, Morden, London SM4 5HP, United Kingdom; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Organization Established Date 21

Feb 2024; Company Number 15510916 (United Kingdom) [SDGT] [IFSR] (Linked To: MAHRAN, Ibrahim Ali Mohamed Mohamed).

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, MAHRAN, Ibrahim Ali Mohamed Mohamed, a person whose property and interests in property are blocked pursuant to E.O. 13224, as amended.

4. ICARGO SDN BHD (a.k.a. SCHEDULE FEEDERS SDN BHD), 9-7 Level 7, Jalan USJ 9/5Q, Subang Business Centre, Subang Jaya, Selangor 47620, Malaysia; Lot 202-3, 2nd Floor, Customer Services Centre, Klas Cargo Complex, Kuala Lumpur International Airport, Kampung Kota Klias, Selangor 64000, Malaysia; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Organization Established Date 04 Mar 2011; Registration Number 201101006881 (Malaysia) [SDGT] [IFSR] (Linked To: MAHAN AIR).

   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, MAHAN AIR, a person whose property and interests in property are blocked pursuant to E.O. 13224.

5. MES CARGO TRANSPORTATION TOURISM AND FOREIGN TRADE LIMITED COMPANY (Latin: MES KARGO TAŞIMACILIK TURİZM VE DIŞ TİCARET LİMİTED ŞİRKETİ) (a.k.a. MEHMET SARP CARGO; a.k.a. MES KARGO TASIMACILIK TURIZM VE DIS TICARET LIMITED SIRKETI), Hera Clup A Blok K:3, Ozdemir Sokak No:45-46, Ataturk Mahallesi, Esenyurt, Istanbul 34522, Turkey; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Organization Established Date 25 Aug 2003; Chamber of Commerce Number 503896 (Turkey); Central Registration System Number 0619038513700014 (Turkey) [SDGT] [IFSR] (Linked To: MAHAN AIR).

   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, MAHAN AIR, a person whose property and interests in property are blocked pursuant to E.O. 13224.

6. S SISTEM LOJISTIK HIZMETLER ANONIM SIRKETI (Latin: S SİSTEM LOJİSTİK HİZMETLERİ ANONİM ŞİRKETİ) (a.k.a. S SISTEM LOGISTICS SERVICES JOINT STOCK COMPANY), Nuri Demirag Caddesi No 49, Yenikoy Mahallesi, Turkoba, Istanbul 34277, Turkey; Website https://www.ssistem.com; alt. Website www.ssistem.com.tr; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Organization Established Date 1984; Tax ID No. 7730026303 (Turkey); Registration Number 203409-0 (Turkey) [SDGT] [IFSR] (Linked To: MAHAN AIR).

   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, MAHAN AIR, a person whose property and interests in property are blocked pursuant to E.O. 13224.

7. SKY PHOENIX HAVA YOLLARI TASIMACILIGI TICARET LIMITED SIRKETI (Latin: SKY PHOENIX HAVA YOLLARI TAŞIMACILIĞI TİCARET LİMİTED ŞİRKETİ) (a.k.a. SKY PHOENIX AIRWAYS TRANSPORTATION TRADING COMPANY LIMITED), Izmir, Izmir, Turkey; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Organization Established Date 29 Jul 2024; Tax ID No. 7721674192 (Turkey); Business Registration Number 257494 (Turkey); Registration Number 2307531 (Turkey) [SDGT] [IFSR] (Linked To: MAHAN AIR).

   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, MAHAN AIR, a person whose property and interests in property are blocked pursuant to E.O. 13224.

8. TOUR INVEST LLC (a.k.a. LIMITED LIABILITY COMPANY TOUR INVEST; a.k.a. TOUR INVEST TOO; a.k.a. TUR INVEST TOO), 128, Kv. 1, Ulitsa Makataeva, Almaty, Almaty, Kazakhstan; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Organization Established Date 18 Mar 2014; Government Gazette Number 52557574 (Kazakhstan); Business Number 140340016400 (Kazakhstan) [SDGT] [IFSR] (Linked To: MAHAN AIR).

   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, MAHAN AIR, a person whose property and interests in property are blocked pursuant to E.O. 13224.

9. AIR SHIRAZ, Shiraz, Iran; Website https://airshiraz.com/; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 2025; Organization Type: Passenger air transport [IFSR] [IRAN-EO13902].

   Designated pursuant to section 1(a)(i) of Executive Order 13902 of January 10, 2020, "Imposing Sanctions With Respect to Additional Sectors of Iran," 85 FR 2003, 3 CFR, 2020 Comp., p. 299 (E.O. 13902), for operating in the aviation sector of the Iranian economy.

10. ASA JET AIRLINE, Tehran, Iran; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 2022; Organization Type: Passenger air transport [IFSR] [IRAN-EO13902].

    Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

11. ATA AIRLINES COMPANY, No. 8, Corner of Yas Alley, Shahid Nafisi Boulevard, Ekbatan, Shahrak, Tehran, Iran; Armin Building, Uphill from Negin Park, Golpark Square, North Tavanir Street, Tabriz, Iran; Website www.ataair.ir; Additional Sanctions Information - Subject to Secondary Sanctions; Organization

Established Date 17 Dec 2008; Organization Type: Passenger air transport; National ID No. 10200336102 (Iran); Registration Number 25533 (Iran) [IFSR] [IRAN-EO13902].

Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

12. ATLAS AVIATION GROUP (a.k.a. ATLAS AIR PLUS), Kish, Iran; Website atlasairplus.com; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 1995; Organization Type: Passenger air transport [IFSR] [IRAN-EO13902].

Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

13. AVA AIRLINES, Tehran, Iran; Website https://avaair.ir; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 2024; Organization Type: Passenger air transport [IFSR] [IRAN-EO13902].

Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

14. CHABAHAR AIRLINES COMPANY (a.k.a. CHABAHAR AIR; a.k.a. CHABAHAR AIRLINES; a.k.a. CHABAHAR AVIATION COMPANY), Tis Complex Booth 214, Vahdat Street, North Vahdt Street, Azad Zone Neighborhood, Chabahar 9971766162, Iran; Website www.chabaharairlines.com; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 1999; Organization Type: Passenger air transport; Registration Number 478 (Iran) [IFSR] [IRAN-EO13902].

Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

15. ERWAN AIRLINE COMPANY (a.k.a. AIR1AIR COMPANY; a.k.a. ARVAN AIRLINES; a.k.a. ERWAN AIRLINES; a.k.a. "AIR1"), Shahid Lashkari Highway Bypass, Meraj Building, Azadi Square, Special Road, Shahid Filasfi, Tehran, Iran; Website www.air1air.com; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 2018; Organization Type: Passenger air transport; Registration Number 48074 (Iran) [IFSR] [IRAN-EO13902].

Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

16. FLY KISH AIRLINES, Iran; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 2024; Organization Type: Passenger air transport [IFSR] [IRAN-EO13902].

Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

17. FLY PERSIA AIRLINES (a.k.a. FLY PERSIA; a.k.a. FLY PERSIA PRIVATE DANA AIRLINES; a.k.a. FLY PERSIA PRIVATE JOINT STOCK COMPANY), Shahid Sattari Expressway, Flypersia Building No. 2, South Parvaneh Street, West Ferdows Boulevard, Tehran, Iran; Website www.flypersia.aero; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 2018; Organization Type: Passenger air transport; Registration Number 47349 (Iran) [IFSR] [IRAN-EO13902].

    Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

18. IRAN AIR TOUR (a.k.a. IRAN AIR TOURS COMPANY; a.k.a. IRAN AIRTOUR AIRLINE; a.k.a. IRAN AIRTOUR AIRLINES), Tehran, Iran; Mashhad, Iran; Tabriz, Iran; Website www.iranairtour.ir; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 1972; Organization Type: Passenger air transport; National ID No. 10100596646 (Iran); Registration Number 16691 (Iran) [IFSR] [IRAN-EO13902].

    Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

19. IRAN ASEMAN AIRLINES (a.k.a. ASEMAN AIR SERVICES), Ground Floor, No. 0, Airport Road, Amir Sarlashghar Shahid Hossein Lashgari Highway, Airport, Central District, Tehran, Tehran 1387833731, Iran; Website www.iaa.ir; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 10 Apr 1980; Organization Type: Passenger air transport; National ID No. 10100871720 (Iran); Registration ID 41798 (Iran) [IFSR] [IRAN-EO13902].

    Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

20. JSKY AIRLINES (a.k.a. "J SKY"), Tehran, Iran; Isfahan, Iran; Website jskyair.com; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 2019; Organization Type: Passenger air transport [IFSR] [IRAN-EO13902].

    Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

21. KARUN AIRLINES COMPANY (a.k.a. KAROON AIRLINES), Shahid Nafisi Boulevard, No. 11, Shahrak, Ekbatan Phase 1, Tehran, Iran; Unit 1, First Floor, No. 11, Abdolrahman Nafisi Street, Second Alley, Bimeh, Tehran 1393784181, Iran; Website www.karunair.ir; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 14 Mar 1993; Organization Type: Passenger air transport; National ID No. 10101402182 (Iran); Registration ID 96157 (Iran) [IFSR] [IRAN-EO13902].

    Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

22. KISH AIRLINES (a.k.a. KISH AIR), Kish Air Central Building, First Floor, Ekbatan Town, Phase I, Shahid Nafisi Boulevard, Tehran 1393853113, Iran; Kish Island, Hormozgan, Iran; Website www.kishairlines.ir; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 1989; Organization Type: Passenger air transport; National ID No. 10861524973 (Iran); Registration Number 854 (Iran) [IFSR] [IRAN-EO13902].

    Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

23. LAD AIRWAYS (a.k.a. LAD AIRLINE SERVICES), Iran; Website ladairways.ir; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 2024; Organization Type: Passenger air transport [IFSR] [IRAN-EO13902].

    Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

24. MEHR AIRWAYS, Tehran, Iran; Website mehrairways.com; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 2025; Organization Type: Passenger air transport [IFSR] [IRAN-EO13902].

    Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

25. NASIM AIR, Esfahan, Iran; Website nasimairlines.ir; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 2015; Organization Type: Passenger air transport [IFSR] [IRAN-EO13902].

    Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

26. PARS OGHYANOUS KISH COMPANY (a.k.a. PARS AIR; a.k.a. PARS AIRLINES), Meraj Education Center Building, Azadi Square, Karaj Special Road, Corner of Philosophical Street, Tehran 557111397, Iran; Website www.parsair.ir; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 2017; Organization Type: Passenger air transport; Registration Number 12386 (Iran) [IFSR] [IRAN-EO13902].

    Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

27. QESHM AIR (a.k.a. QESHM AIR AIRLINE; a.k.a. QESHM AIRLINES; a.k.a. "QESHM AVIATION COMPANY"), No. 12 Riahi Avenue, Shahid Lashkari Highway, Tehran 1245659878, Iran; Website www.qeshm-air.com; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 1993; Organization Type: Passenger air transport; National ID No. 10800049144 (Iran); Registration Number 494 (Iran) [IFSR] [IRAN-EO13902].

    Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

28. RAIMON AIRWAYS, Tehran, Iran; Website raimonair.com; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 2025; Organization Type: Passenger air transport [IFSR] [IRAN-EO13902].

    Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

29. SAHA AIRLINES (a.k.a. ARMED FORCES AIR TRANSPORT SERVICE; a.k.a. SAHA AIRLINES PJSC; a.k.a. SERVICE ERTEBAATAAT-E HAVAAEE ARTESH), Tehran, Iran; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 01 Jan 1989; Organization Type: Passenger air transport; alt. Organization Type: Freight air transport; Registration Number 6327 (Iran) [IFSR] [IRAN-EO13902].

    Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

30. SEPEHRAN AIRLINES (Arabic: شركت هواپيمائى سپهران) (a.k.a. FLYSEPEHRAN), Shiraz, Iran; No. 71, Corner of Shahid Khadem Alley, Nafisi Blvd, Ekbatan, Tehran, Iran; Website www.sepehranairlines.com; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 2015; Organization Type: Passenger air transport; National ID No. 10320623230 (Iran) [IFSR] [IRAN-EO13902].

    Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

31. SOROUSH AIR, Tehran, Iran; Website soroushair.com; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 2025; Organization Type: Passenger air transport [IFSR] [IRAN-EO13902].

    Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

32. TABAN AIRLINES, Tehran, Iran; Website taban.aero; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 2005; Organization Type: Passenger air transport [IFSR] [IRAN-EO13902].

    Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

33. TOOS AIRLINES (Arabic: هواپيمايى طوس) (a.k.a. TOOS AIRLINE; a.k.a. TOOS PARSIAN KISH AIRLINES COMPANY (Arabic: شركت هواپيمايى طوس پارسيان كيش)), Mashhad, Iran; Kish, Iran; Tehran, Iran; Website toosairline.com; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 2020; Organization Type: Passenger air transport [IFSR] [IRAN-EO13902].

Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

34. VARESH AIRLINES, Sari, Iran; Tehran, Iran; Website vareshairline.com; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 2018; Organization Type: Passenger air transport [IFSR] [IRAN-EO13902].

Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

35. ZAGROS AIRLINES (a.k.a. ZAGROS AIRLINE CO), No. 1, Zagros Airlines Building, Third Alley, Riahi St, Karaj Special Road, Tehran 1391713415, Iran; Abadan, Iran; Website www.zagrosairlines.com; Additional Sanctions Information - Subject to Secondary Sanctions; Organization Established Date 28 Aug 2005; Organization Type: Passenger air transport; National ID No. 10861921581 (Iran); Registration Number 1008 (Iran) [IFSR] [IRAN-EO13902].

Designated pursuant to section 1(a)(i) of E.O. 13902 for operating in the aviation sector of the Iranian economy.

(Authorities: E.O. 13224, as amended, E.O. 13902.)

Bradley T. Smith,

Director, Office of Foreign Assets Control.

[FR Doc. 2026–18909 Filed 9–14–26; 8:45 am]

BILLING CODE 4810–AL–C

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 September 4, 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 September 4, 2026, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following persons are blocked under the relevant sanctions authorities listed below.

Entities

1. GOLDEN GLOBAL PORTFOY YONETIMI ANONIM SIRKETI (Latin: GOLDEN GLOBAL PORTFÖY YÖNETİMİ ANONİM ŞİRKETİ), Astoria D:21, N: 127A Esentepe Mahallesi, Buyukdere Caddesi, Sisli, Istanbul, Turkey; website *https://goldenglobalportfoy.com.tr/;* Organization Established Date 15 Jan 2025; Organization Type: Financial and Insurance Activities; Tax ID No. 3961688364 (Turkey); Legal Entity Number 789000J1YGZ3PLCXMQ38; Registration Number 1063899 (Turkey) [IRAN–EO13902] (Linked To: GOLDEN GLOBAL YATIRIM BANKASI ANONIM SIRKETI).

Designated pursuant to section 1(a)(iv) of E.O. 13902 of September 28, 2010, ''Imposing Sanctions With Respect to Additional Sectors of Iran,'' 85 FR 2003, 3 CFR, 2020 Comp., p. 299 (E.O. 13902), for being owned or controlled by, or having acted or purported to act for or on behalf of, directly or indirectly, GOLDEN GLOBAL YATIRIM BANKASI ANONIM SIRKETI, a person whose property and interests in property are blocked pursuant to E.O. 13902.

2. GOLDEN GLOBAL VARLIK KIRALAMA ANONIM SIRKETI (Latin: GOLDEN GLOBAL VARLIK KİRALAMA ANONİM ŞİRKETİ), Astoria Blok IC Kapi No 17, N: 127 B–17 Esentepe Mahallesi, Buyukdere Caddesi, Sisli, Istanbul, Turkey; website *https://goldenglobalvks.com.tr/;* Organization Established Date 01 Aug 2022; Organization Type: Financial and Insurance Activities; Tax ID No. 3961486674 (Turkey); Legal Entity Number 789000S50A0J8E8FKE55; Registration Number 396200 (Turkey) [IRAN–EO13902] (Linked To: GOLDEN GLOBAL YATIRIM BANKASI ANONIM SIRKETI).

Designated pursuant to section 1(a)(iv) of E.O. 13902 for being owned or controlled by, or having acted or purported to act for or on behalf of, directly or indirectly, GOLDEN GLOBAL YATIRIM BANKASI ANONIM SIRKETI, a person whose property and interests in property are blocked pursuant to E.O. 13902.

3. GOLDEN GLOBAL YATIRIM BANKASI ANONIM SIRKETI (Latin:

GOLDEN GLOBAL YATIRIM BANKASI ANONİM ŞİRKETİ) (a.k.a. GOLDEN GLOBAL INVESTMENT BANK), N:127 B–17 Esentepe Mahallesi, Buyukdere Caddesi, Sisli, Istanbul 34394, Turkey; SWIFT/BIC GOGYTRIS; website *www.goldenglobalbank.com.tr;* Organization Established Date 15 Oct 2019; Target Type Financial Institution; Tax ID No. 3961233191 (Turkey); Legal Entity Number 789000LV7F75LALJ3F52; Registration Number 213202 (Turkey) [IRAN–EO13902].

Designated pursuant to sections 1(a)(i) and 1(a)(ii) of E.O. 13902 for operating in the financial sector of the Iranian economy and having knowingly engaged, on or after January 10, 2020, in a significant transaction for the sale, supply, or transfer to or from Iran of significant goods or services used in connection with the financial sector of the Iranian economy.

(Authority: E.O. 13902)

Bradley T. Smith,

Director, Office of Foreign Assets Control.

[FR Doc. 2026–18840 Filed 9–14–26; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF VETERANS AFFAIRS

[Docket No. VA–2026–VACO–0001]

Recognition of Organizations and Individuals To Assist Veterans, Family Members, and Caregivers Navigating Programs and Services of Veterans Health Administration

AGENCY: Department of Veterans Affairs.

ACTION: Notice; request for comments and information.

SUMMARY: The Department of Veterans Affairs (VA) is requesting comments and information to assist VA in implementing the requirements of section 129 of the Senator Elizabeth Dole 21st Century Veterans Healthcare and Benefits Improvement Act (Dole Act). Section 129 of the Dole Act requires VA to establish a process to recognize organizations and individuals to assist veterans, their family members, or their caregivers in navigating Veterans Health Administration (VHA) programs and services. We invite comments concerning the proposed process outlined herein for VA to recognize organizations and individuals, including how such organizations and individuals can certify to VA that no fee or compensation will be charged to any individual for services rendered in providing assistance.

DATES: Comments are due by October 15, 2026.

ADDRESSES: You may submit comments through *www.regulations.gov* under Docket VA–2026–VACO–0001. Instructions for accessing agency documents, submitting comments, and viewing the docket are available on *www.regulations.gov* under ''FAQ.''

FOR FURTHER INFORMATION CONTACT: Christine Eickhoff, National Center for Healthcare Advancement and Partnerships, Veterans Health Administration, (202) 461–5751 or *VHA_Partnerships@va.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Section 129(a) of the Dole Act (Pub. L. 118–210) requires VA to establish a process through which VA may recognize organizations and individuals to assist veterans, their family members, or their caregivers (as defined in 38 U.S.C. 1720G(d)) in navigating VHA programs and services. Section 129(b) requires VA to solicit feedback and recommendations in the creation of this process from such organizations as VA may consider relevant. Section 129(c) prohibits VA from recognizing an organization or individual pursuant to this process unless the organization or individual has certified to VA that no fee or compensation of any nature will be charged to any individual for services rendered in providing assistance in navigating VHA programs and services pursuant to section 129(a) of the Dole Act.

Currently, there is no established process for VA to recognize organizations and individuals that assist veterans, their family members, or their caregivers in navigating VHA programs and services. Under 38 U.S.C. 5901–5904, VA may recognize organizations and individuals for the purpose of preparing, presenting, and prosecuting veterans' benefits claims. Pursuant to these authorities, VA has established a robust accreditation, oversight, and fees program. Through this program, VA accredits Veterans Service Organizations (VSO) and their representatives (see 38 U.S.C. 5902 and 38 CFR 14.628 and 14.629(a)), as well as attorneys and claims agents in their individual capacity (38 U.S.C. 5904 and 38 CFR 14.629(b)), to ensure that VA claimants receive competent and qualified representation when pursuing their VA benefit claims. Additionally, VA may use special authorization to recognize individuals who certify that no fees will be charged to the claimant, allowing them to assist with a single claim without accreditation, and in rare circumstances, assist on multiple claims without accreditation. 38 CFR 14.630(a)–(b). Similar to the health care navigation services that will be provided by organizations and individuals recognized under section 129 of the Dole Act, the claims services provided by VA-accredited VSO representatives and specially authorized individuals are always free to the individuals using those services. However, recognition under section 129 of the Dole Act would be distinct from the recognition process and requirements of 38 U.S.C. 5901–5904. This notice requests information related specifically to section 129 of the Dole Act. Any comments not related to section 129 of the Dole Act will not be considered within the scope of this notice.

II. Consultation With Interested Parties

Section 129(b) of the Dole Act requires VA to solicit feedback and recommendations in the creation of the process from organizations that VA may consider relevant. The proposed process outlined below was developed with feedback from initial listening sessions with the Elizabeth Dole Foundation, the Independence Fund, the National Resource Directory, Operation Homefront, Paralyzed Veterans of America, the Red Cross Military Veteran Caregiver Network, and the Wounded Warrior Project. The feedback and recommendations obtained during these sessions provided a baseline for the draft implementation framework outlined below. Initial feedback from organizations included the types of offerings organizations provide and how they provide resources that assist veterans and their families, caregivers, and survivors with navigating VHA programs and services. Through this request for comments and information, VA is soliciting additional feedback and recommendations from organizations and individuals to help inform VA's recognition process under section 129 of the Dole Act.

III. Assistance in Navigating VHA Programs and Services

VA notes that assistance in navigating programs and services in a health care context is not defined for purposes of section 129 of the Dole Act. However, VA believes there are common factors for what could constitute assistance in navigating in this area. Assistance in navigating VA health programs and services could include guidance offered to potential and existing beneficiaries such as overcoming barriers and facilitating timely, high-quality, patient-

centered care.[1] Providing support in navigating a health care system could also include logistical and emotional support needed to engage in the services and resources the system provides.[2] Organizations and individuals who assist in navigating may serve as ''brokers who help individuals or families confront complex systems'' and ''offer possible solutions to program access challenges because they coordinate services, increase knowledge via education, and even promote systems change efforts that reduce barriers to access and make service delivery more welcoming to targeted populations''.[3] Similar feedback from listening sessions included ''making it easy to understand what you are eligible to receive'' and ''navigating the system at large.'' Additional feedback from organizations also identified ''connecting beneficiaries to the services available,'' ''a warm hand-off to a specific program the veteran wants,'' ''education about resources,'' ''training to community partners about new VA programs,'' and leveraging ''the peer-to-peer connection'' as activities that they would consider to be assistance with navigating VHA programs and services.

Assistance in navigating VHA programs and services could also encompass coordination of the type described in 38 U.S.C. 523(b), which requires VA to seek to achieve the effective coordination of the provision, under laws administered by VA, of benefits and services (and information about such benefits and services) with appropriate programs (and information about such programs) conducted by State and local governmental agencies and by private entities at the State and local level. Such assistance could also encompass the services described in 38 U.S.C. 2034(a) and carried out through VA's Homeless Programs to assist certain veterans with navigating resources provided by the Federal government and State, local, and Tribal governments.

Expanding on the input provided by organizations in the listening sessions, VA believes that assistance in navigating VHA programs and services could include:

- Identifying and describing programs, services, and resources VHA provides.
- Understanding and navigating eligibility for different VHA benefits and services, including where to find eligibility information and how to apply for VHA benefits.
- Discussing the impact of utilizing VHA services on eligibility for other VA or community services or resources.
- Addressing questions about completing applications for and otherwise requesting VA health benefits, including benefits under the Program of Comprehensive Assistance for Family Caregivers and the Program of General Caregiver Support Services.
- Providing VA points of contact for VA health benefits, questions, and support.

IV. Framework for Recognition and Certification

VA proposes to establish the following framework for recognition of and certification by organizations or individuals under section 129 of the Dole Act.

A. Application for Recognition

VA proposes to establish an online platform for organizations and individuals to submit a recognition application. VA plans to begin accepting applications in 2026 once necessary processes are in place and only after VA has reviewed and considered comments received in response to this Notice. Organizations and individuals interested in being recognized under section 129 of the Dole Act would submit their request through the online platform. Organizations or individuals seeking recognition by VA would have to provide information, as applicable, including:

- For organizations, a brief description of the organization's mission and purpose.
- What services or programs the organization or the individual offers to veterans, their families, or caregivers.
- How the organization or individual provides their services (for example, in-person, online).
- How the services offered assist veterans, their families, or their caregivers in navigating VHA programs and services.

B. VA Reviews the Application

Upon receipt of an application, VA would review the application to ensure that the organization or individual could meet the statutory requirements in section 129 of the Dole Act, specifically that: (1) the organization or individual will assist veterans, their families, or their caregivers in navigating VHA programs and services; and (2) the organization or individual will certify to VA that no fee or compensation of any nature will be charged to any individual for services rendered in providing such assistance. To meet the first criterion, the organization or individual must demonstrate that their services directly assist veterans, their families, or their caregivers with navigating VHA programs and services. While there is no specific definition for ''navigating [VHA] programs and services'' for purposes of section 129 of the Dole Act, VA would consider activities like those discussed in the section III above to meet this criterion. VA would also consider the information provided by the organization or individual in response to the application for recognition as discussed in section IV.A above. To meet the second criterion, the organization or individual would need to provide a signed document upon agreeing to the terms, as further described in section IV.D below, certifying to VA that no cost, fee, or compensation of any nature will be charged to any individual for services rendered in navigating VHA programs and services.

C. VA Notifies Organization or Individual of Decision

Following review, VA would notify, in writing, organizations and individuals of VA's decision on whether VA could recognize the organization or individual. This would not constitute formal recognition, but it would inform the applicant of VA's findings and preliminary conclusions and, if applicable, the next steps for recognition of the organization or individual. VA received feedback from the listening sessions that recommended using written notification to applicants. This notice would standardize communications between VA and those seeking recognition and help manage expectations and responsibilities. As applicable, the written notification would specify, at minimum, the purpose of the recognition, responsibilities, expectations of the organization or individual, duration of the recognition under section 129 of the Dole Act, any limitations, the terms of renewal and termination, and VA contact information for the organization or individual recognized; the organization or individual would need to provide its contact information as well. The notification would include the appeal rights for organizations and

[1] Freund, K.M., Battaglia, T.A., Calhoun, E., Dudley, D.J., Fiscella, K., Paskett, E., Raich, P.C., and Roetzheim, R.G. (2008), National Cancer Institute Patient Navigation Research Program. Cancer, 113: 3391–3399. *https://doi.org/10.1002/cncr.23960.*

[2] Id.

[3] Manhattan Strategy Group, Di Biase, C., & Mochel, M. (2021). Navigators in Social Service Delivery Settings: A Review of the Literature with Relevance to Workforce Development Programs. In D. Martierrez, Senior Evaluation Specialist, *U.S. Department of Labor. https://www.dol.gov/sites/dolgov/files/ETA/publications/ETAOP_2021-37_NavigatorLitReview_20211203_508.pdf.*

individuals, including those who have not been selected for recognition. The notification would also explain, as applicable, that VA reserves the right to propose modifications to or terminate the recognition under section 129 of the Dole Act if the organization or individual fails to comply with the terms or fails to meet the recognition criteria. As applicable, the notification would include a document setting forth the terms and conditions of recognition with a signature line for the organization or individual.

D. Organization or Individual Agrees to Terms

Upon receipt of the written notification, the organization or individual would have to sign this document agreeing to the terms and conditions associated with recognition in order to be recognized. To ensure agreement with these requirements at the outset, organizations or individuals would have to:

- Certify that the organization or individual provides their services directly for no fee or compensation of any nature from the individual(s) assisted.
- Certify that the organization or individual is responsible for ensuring that any contractors, sub-contractors, or third parties do not charge a fee, cost, or compensation to individuals for services rendered in providing assistance under section 129 of the Dole Act.
- Affirm that the organization or individual recognized offers two-way real time interactive communication with a person to assist veterans, their families, or their caregivers with navigating VHA services and programs.
- Affirm that the organization or individual does not have a history of controversies, unethical or illegal business or financial practices, leadership issues, or other negative optics that, if the organization or individual were recognized under section 129 of the Dole Act, would put veterans, VA staff, or the Department at increased legal, safety, or ethical risk. ''Negative optics'' would refer to any ongoing or previous activity that includes controversy, legal judgments, scams, alleged illegal or unethical activities, conflicts of interest, or lawsuits. VA would determine compliance with these requirements consistent with how VA makes such determinations for public-private partnerships in accordance with existing VA policy (specifically, VA Directive 0008, Developing Non-Monetary Public-Private Partnerships with, and Accepting Gifts to VA from Non-Governmental Organizations, available online at: *https://www.my.sites.va.gov/policy/*).
- Affirm that the organization has been registered as a legally operating entity with at least one State for at minimum 24 months (note, this requirement would not apply to individuals). To be registered as a legally operating entity, the organization must have a certificate of incorporation or similar legal document from a State government office (for example, Secretary of State Business Services). This is typically the State where the organization files for taxes. The minimum 24-months' time frame ensures the relevant filing systems reflect currently operating organizations. For purposes of this notice, State means each of the several States, Territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.
- Affirm that the organization has an active listing on the National Resource Directory led by the Department of Defense (note, this requirement would not apply to individuals).
- Affirm that the information available about the organization supports the details they provided in their recognition request (note, this requirement would not apply to individuals). VA would determine compliance with these requirements consistent with how VA makes such determinations for public-private partnerships in accordance with existing VA policy (specifically, VA Directive 0008, Developing Non-Monetary Public-Private Partnerships with, and Accepting Gifts to VA from, Non-Governmental Organizations).

By signing the document, the organization or individual would agree to these terms and conditions, and the organization or individual would certify that no fee or compensation of any nature will be charged to any individual for services rendered by the organization or individual in providing assistance with navigating VHA programs and services. This document would have to be returned to VA before VA can publicly recognize the organization or individual.

E. VA Publicly Recognizes the Organization or Individual

Upon receipt of the signed document, and verification that applicable requirements have been met, VA would issue a notice in writing to the organization or individual that recognizes the organization or individual for purposes of section 129 of the Dole Act and sets forth applicable training requirements for the organization or individual. VA would maintain a list of recognized organizations and individuals on a public-facing website on the *va.gov* domain so that veterans, their families, their caregivers, and VA staff may easily identify those organizations and individuals that have been recognized as a resource to assist with navigating VHA programs and services.

V. Request for Comments and Information

This request for comments and information will assist VA in formalizing the process for recognition of organizations and individuals to assist veterans, their families, or their caregivers in navigating VHA programs and services. Comments not related to the process for recognition required under section 129 of the Dole Act, such as comments on specific VHA programs and services, health care delivery, VSO accreditation, contracts, acquisition, grants, or other types of monetary relationships, are not within the scope of this request for comments and information. VA notes that feedback received is intended to inform the process, and not all feedback will necessarily be incorporated in the process. Comments received that are applicable to the recognition process will be considered by VA. Currently, VA plans to implement section 129 of the Dole Act without rulemaking. However, if VA decides to promulgate regulations under section 129, comments received in response to this request could inform future rulemaking.

Commenters are encouraged to provide complete, but concise, responses to the questions outlined below. Commenters do not need to address every question below and are encouraged to focus on those that relate to their expertise or perspectives. In addition to the questions below, VA may accept input on topics related to each question, as applicable. Please ensure to clearly indicate which topics and issues you address in your response. VA requests feedback and recommendations on the following topics.

A. Recognition Eligibility and Criteria

1. What qualifications should organizations or individuals possess to be eligible for recognition under section 129 of the Dole Act? Please provide justification and any recommendations for or against a qualification for an organization or individual that may seek recognition.

2. What feedback do you have on the proposed steps for VA receiving

recognition requests and recognizing an individual or organization as outlined in section IV ''Framework for Recognition and Certification?''

3. Are there any criteria for recognition identified in section IV ''Framework for Recognition and Certification'' of this notice that should be modified? Please provide clear justification and any recommendations for any proposed modifications to criteria listed above and include language for any proposed revision.

4. What are examples of publicly available vetting tools (*e.g.*, background checks, websites, directories, organizational profiles, etc.) that should be leveraged to assist in validating the eligibility of organizations or individuals?

5. VA is planning to recognize organizations and individuals for an initial one-year timeframe, and to allow for annual renewal for up to three total years, provided the organization or individual continues to meet the recognition criteria. After the maximum recognition timeframe, an organization or individual would need to complete a new recognition application to renew their recognition, and the process outlined above would repeat. This would help ensure their information is current and the organization or individual still meets the requirements of section 129 of the Dole Act. Please provide a justification for any feedback you may have on these proposed timeframes.

6. What are examples of supporting documents or evidence organizations or individuals should provide as part of their recognition request to help demonstrate how they meet section 129 of the Dole Act and the proposed criteria for recognition?

B. Assistance in Navigating VHA Programs and Services

1. What are examples of documents an organization or individual should provide as evidence to detail each specific type of assistance or support they provide to veterans, their family members, or their caregivers in navigating VHA programs and services?

2. What are examples of assistance veterans, their families, or their caregivers may need in navigating VHA programs and services?

3. What are examples of assistance that organizations or individuals may provide in navigating VHA programs and services?

4. What activities or training should an organization or individual engage in to ensure they have the critical skills and expertise to assist with navigating VHA programs and services?

C. ''No Fee or Compensation'' Certification to VA

1. What are examples of documents, attestations, etc., an organization should provide to certify to VA that no fee or compensation of any nature will be charged to any individual for services rendered in providing assistance?

2. What are examples of documents, attestations, etc., an individual should provide to certify to VA that no fee or compensation of any nature will be charged for services rendered in providing assistance?

3. What are examples of publicly available tools, websites, directories, profiles, etc. that could be leveraged to assist in certifying that no fee or compensation of any nature will be charged for services rendered in providing assistance?

4. In the case that a recognized organization or individual charges a fee or requires compensation for services rendered in providing assistance in navigating VHA programs or services, VA would take action to revoke their recognition. Should any other consequences or penalties apply in these circumstances (for example, with respect to future recognition of the organization or individual)?

5. Should organizations or individuals that offer both free and paid services other than those for navigating VHA programs and services be eligible for recognition under section 129 of the Dole Act, or should organizations or individuals that only provide free services be eligible? Please provide clear justification on your recommendation.

D. Oversight

1. What are examples of existing platforms that could be leveraged to allow veterans, their families, or caregivers to provide feedback to VA about recognized organizations and individuals and the assistance they provide in navigating VHA programs or services?

2. In the case that a recognized organization or individual does not provide the assistance they claimed to, or fails to meet the recognition criteria under section 129 of the Dole Act, VA would take action to revoke their recognition. Should any other consequences or penalties apply in these circumstances (for example, with respect to future recognition of the organization or individual)?

Signing Authority

Douglas A. Collins, Secretary of Veterans Affairs, approved this document on September 8, 2026 and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs.

Jacquelyn Collins,

Alternate Federal Register Liaison Officer, Department of Veterans Affairs.

[FR Doc. 2026–18904 Filed 9–14–26; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0652]

Agency Information Collection Activity Under OMB Review: Request for Nursing Home Information in Connection With Claim for Aid and Attendance

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden, and it includes the actual data collection instrument.

DATES: Comments and recommendations for the proposed information collection should be sent by October 15, 2026.

ADDRESSES: To submit comments and recommendations for the proposed information collection, please type the following link into your browser: *www.reginfo.gov/public/do/PRAMain,* select ''Currently under Review—Open for Public Comments'', then search the list for the information collection by Title or ''OMB Control No. 2900–0652.''

FOR FURTHER INFORMATION CONTACT: *VA PRA information:* Dorothy Glasgow, 202–461–1084, *VAPRA@va.gov.*

SUPPLEMENTARY INFORMATION:

Title: Request for Nursing Home Information in Connection with Claim for Aid and Attendance (VA Form 21–0779).

OMB Control Number: 2900–0652. *https://www.reginfo.gov/public/do/PRASearch.*

Type of Review: Revision of a currently approved collection.

Abstract: VA Form 21–0779 is used to gather the necessary information to

determine eligibility for pension and aid and attendance benefits based on nursing home status. It also requests information regarding Medicaid status and nursing home care charges, so VA can determine the proper rate of payment. Without this information, determination of entitlement would not be possible. The respondent burden decreased since the previous approval due to the decline of the estimated number of receivables averaged over the past year.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published at insert citation date: 91 FR 39723, June 30, 2026.

Affected Public: Private Sector.

Estimated Annual Burden: 2,141 hours.

Estimated Average Burden per Respondent: 10 minutes.

Frequency of Response: example: One time.

Estimated Number of Respondents: 12,847 per year.

Authority: 44 U.S.C. 3501 *et seq.*

Shunda Willis,

Alternate, VA PRA Clearance Officer, Office of Information and Technology/Office of Data Governance and Analytics, Department of Veterans Affairs.

[FR Doc. 2026–18831 Filed 9–14–26; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[Docket No. VA–2025–VACO–0001]

Privacy Act of 1974; System of Records

AGENCY: Department of Veterans Affairs.

ACTION: Notice of a modified system of records.

SUMMARY: Pursuant to the Privacy Act of 1974, notice is hereby given that the Department of Veterans Affairs (VA) is modifying the system of records titled ''Automated Safety Incident Surveillance and Tracking System (ASISTS)-VA'' (99VA13). This system is used to identify specific cases of work-related injuries and illnesses, track and evaluate medical care of and services provided to injured or ill workers, and determine emerging causes, clusters of incidents, and outbreaks.

DATES: Comments on this modified system of records must be received no later than 30 days after the date of publication in the **Federal Register**. If no public comment is received during the period allowed for comment or unless otherwise published in the **Federal Register** by VA, the modified system of records will become effective a minimum of 30 days after date of publication in the **Federal Register**. If VA receives public comments, VA shall review the comments to determine whether any changes to the notice are necessary.

ADDRESSES: Comments may be submitted through *www.regulations.gov* under docket number VA–2025–VACO–0001 or mailed to VA Privacy Service (005X6F), 810 Vermont Avenue NW, Washington, DC 20420. Comments should indicate that they are submitted in response to ''Automated Safety Incident Surveillance and Tracking System (ASISTS)–VA'' (99VA13). Instructions for accessing agency documents, submitting comments, and viewing the docket are available on *www.regulations.gov* under ''FAQ.''

FOR FURTHER INFORMATION CONTACT: Stephania Griffin, Veterans Health Administration, *Stephania.Griffin@va.gov* or 704–245–2492.

SUPPLEMENTARY INFORMATION: VA is modifying the system by revising the System Name; System Number; System Location; System Manager; Authority for Maintenance of the System; Purpose; Categories of Records in the System; Records Source Categories; Routine Uses of Records Maintained in the System; Policies and Practices for Storage of Records; Policies and Practices for Retrieval of Records; Policies and Practices for Retention and Disposal of Records; Administrative, Technical and Physical Safeguards; Record Access Procedures; Contesting Record Procedures; and Notification Procedure.

The System Name will be changed from ''Automated Safety Incident Surveillance and Tracking System (ASISTS)–VA'' to ''Performance Logic-Employee Safety Incident Investigation Platform (ESIIP) Records–VA.''

The System Number will be changed from 99VA13 to 99VA10 to reflect the current VHA organizational routing symbol.

The System Location is being updated to replace the current language with: ''Records are maintained electronically or on paper at Department of Veterans Affairs (VA) Medical Centers (address locations are listed in VA Appendix 1 of the biennial Privacy Act Issuance publication), Veterans Integrated Service Networks (VISN), and VA Data Processing Centers. Information from these records or copies of these records may be maintained by Performance Logic and the Veterans Health Administration (VHA) Central Office at 811 Vermont Avenue NW, Washington, DC 20571. Records are also located at the VA Enterprise Cloud at participating servers in the United States.''

The System Manager is being updated to replace ''Office of Public Health and Environmental Hazards (13), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, Officials maintaining the system: Director at the facility where the employee was associated'' with ''Director, VHA Office of Occupational Safety and Health, *vhaoccsafetyandhealthaction@va.gov,* 811 Vermont Avenue NW, Washington, DC 20571.''

The Authority for Maintenance of the System is being updated to include 29 CFR 1960; 29 CFR 1904; and 29 CFR 1910.1030.

The Purpose is being updated to remove references to Workers' Compensation as the updated system has no function for submitting Workers' Compensation claims. This section is being rewritten to state, ''The records and information may be used for managing work-related injuries and illnesses by identifying, characterizing, and tracking occupational injuries and illnesses and the progress of injured or ill current and former employees, trainees, contractors, subcontractors, volunteers, and other individuals working with or performing services for VHA.

With respect to occupational safety, information regarding a workplace injury or illness, including the description of the incident, any correction action taken, results of any investigation, and recommendations for employees' safety and health, is entered into ESIIP by the supervisor of an injured or ill employee and/or the health and safety personnel of the facility. These records are used to identify specific incidents of work-related injuries and illnesses; track and evaluate services and medical care of injured or ill workers; and determine emerging causes, clusters of incidents, and outbreaks. In addition, VHA uses the information to identify system-wide problems and opportunities for focused education; evaluate through statistical analysis the effectiveness health and safety systems; develop and manage the planning, distribution, and utilization of resources; and support further research in the area of occupational medicine. Some of these data are then compiled for reporting to the Occupational Safety and Health Administration (OSHA) of

the Department of (DoL), in accordance with 29 CFR part 1960. Further, the records may be used by institutional members of an accident review board or an incident review board, a multidisciplinary group of health and safety professionals and representatives from human resources, safety, occupational health, and unions/labor representatives and infection control to determine root causes of injuries and illnesses; and by VA hospitals and regional offices, VA Central Office, and the VA Office of the Inspector General for audits, reviews, and investigations of such events.

The records will be used to identify specific cases of work-related injuries and illnesses; track and evaluate medical care of and services provided to injured or ill workers, and determine emerging causes, clusters of incidents, and outbreaks. The records will also be used to identify system-wide problems and opportunities for focused education and intervention; evaluate the effectiveness of health and safety systems performance, especially after interventions, through statistical analysis; to develop and manage the planning, distribution, and utilization of resources; and support further research in the area of occupational medicine. The data may also be used for the review of root causes of injuries, for audits, reviews, and investigations of incidents involving workplace injuries and illnesses.

Data may be accessed locally, at the VISN level and Program Office level through Performance Logic directly. Nationally, data may be accessed through the rolled-up master file and data use agreements with the System Manager.

ESIIP users are at the facility, VISN and national level. At the facility level: safety and occupational health staff and safe patient handling and mobility coordinators, VHA supervisory, and VHA management staff. At the VISN level: VISN safety staff. At the national level: VHA Occupational Safety and Health.''

The Categories of Records in the System section is being updated to remove Social Security number from #1. Being added to #2 is employee, contractor, volunteer, trainee. ''Health officer'' is added to #5 and ''medical treatment beyond first aid'' is added to #7. ''8. Information required for filing a workers' compensation claim with the DoL Office of Workers' Compensation Programs (OWCP) under the Federal Employee Compensation Act (FECA), 5 U.S.C. 8101 *et seq.* ASISTS does not contain, in whole or in part, workers' compensation claim forms filed under the FECA, any duplicates or copies of such documents, or any information that is derived from claim records'' is being removed from #8 and replaced with ''8. Forms attached to emails include information for the OSHA 301 form, OSHA 300 Log and VA Form 2162''. Being added is #9, Information required for annual occupational injury and illness data submission to the Bureau of Labor statistics including employee name, occupation, date of birth, date of hire, sex, and incident details.

The Records Source Categories section will clarify that these are VA employees. This section is being updated to include ''Information can also be provided by the ASISTS legacy system (previous system); ESIIP has replaced ASISTS.''

Routine Uses of Records Maintained in the System section is being updated to clarify Routine Use #13 to state Federal Agencies, for Fraud and Abuse Preventing and Detecting: To other Federal agencies, such as CMS or USPS, to assist such agencies in preventing and detecting possible fraud or abuse by individuals in their operations and programs, such as detecting duplicate payments for care, or mail fraud related to delivery of VA medications

The following Routines Uses are being added:

Routine Use #14, ''Data Breach Response and Remediation, for Another Federal Agency: To another Federal agency or Federal entity, when VA 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.''

Routine Use #15, ''Former Employee or Contractor, Representative, for Litigation Involving Individual: To a former VA employee or contractor, as well as the authorized representative of a current or former employee or contractor of VA, in pending or reasonably anticipated litigation against the individual regarding health care provided during the period of their employment or contract with VA.''

The Policies and Practices for Storage of Records section is being updated to remove and replace, ''Records are maintained magnetic tape, disk, or laser optical media with copies of back-up computer files maintained at off-site locations in most cases'' with ''Records are maintained on paper and stored into the VA Azure cloud.''

The Policies and Practices for Retrieval of Records section is being updated to remove the Social Security number.

The Policies and Practices for Retention and Disposal of Records section is being updated to remove, ''At the current time, VA does not have records disposition authority for these records that has been approved by the Archivist of the United States. The System Manager has initiated action to seek and obtain such disposition authority in accordance with VA Handbook 6300.1, Records Management Procedures. The records will not be destroyed until VA obtains a National Archives and Records Administration (NARA) approved records disposition authority. Once VA has obtained NARA-approved records disposition authority, the agency will amend this notice to reflect that authority, and any destruction of electronic records will occur when no longer needed for administrative, legal, audit, or other operational purposes.'' This section is being updated to include ''General Records Schedule 2.7, item 020'' at the end of the sentence ''Records in this system are retained and disposed of in accordance with the schedule approved by the Archivist of the United States''.

The Administrative, Technical and Physical Safeguards section is being updated to include #4. VA Enterprise Cloud data storage conforms to security protocols as stipulated in VA Directives 6500 and 6517 as a service cloud computing environment that has been authorized at the high-impact level under the Federal Risk and Authorization Management Program. Access control standards are stipulated in specific agreements with cloud vendors to restrict and monitor access. The secure site-to-site encrypted network connection is limited to access via the VA trusted internet connection.

The Record Access Procedures section is being amended to state, ''Individuals seeking information on the existence and content of records in this system pertaining to them should contact the system manager in writing as indicated above or may write or visit the VA medical facility location where they normally receive their care. A request for access to records must contain the requester's full name, address, telephone number, be signed by the requester, and describe the records sought in sufficient detail to enable VA personnel to locate them with a reasonable amount of effort.''

The Contesting Record Procedures section is being amended to state,

''Individuals seeking to contest or amend records in this system pertaining to them should contact the system manager in writing as indicated above or may write or visit the VA medical facility location where they normally receive their care. A request to contest or amend records must state clearly and concisely what record is being contested, the reasons for contesting it, and the proposed amendment to the record.''

The Notification Procedure section is being amended to state, ''Generalized notice is provided by the publication of this notice. For specific notice, see Record Access Procedure, above.''

The Report of Intent to Amend a System of Records Notice and an advance copy of the system notice have been sent to the appropriate Congressional committees and to the Director of the Office of Management and Budget (OMB) as required by 5 U.S.C. 552a(c) (Privacy Act) and guidelines issued by OMB (65 FR 77677), December 12, 2000.

Signing Authority

The Senior Agency Official for Privacy, or designee, approved this document and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs. Eddie Pool, Assistant Secretary for Information and Technology and Chief Information Officer, Department of Veterans Affairs approved this document on September 12, 2025 for publication.

Dated: September 11, 2026.

Stephanie Hotchkiss,

Government Information Specialist, VA Privacy Service, Office of Information and Technology, Department of Veterans Affairs.

SYSTEM NAME AND NUMBER:

''Performance Logic-Employee Safety Incident Investigation Platform (ESIIP) Records-VA'' (99VA10)

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Records are maintained electronically or on paper at Department of Veterans Affairs (VA) Medical Centers (address locations are listed in VA Appendix 1 of the biennial Privacy Act Issuance publication), Veterans Integrated Service Networks (VISN), and VA Data Processing Centers. Information from these records or copies of these records may be maintained by Performance Logic and the Veterans Health Administration (VHA) Central Office at 811 Vermont Avenue NW, Washington, DC 20571. Records are also located at the VA Enterprise Cloud at participating servers in the United States.

SYSTEM MANAGER(S):

Official responsible for policies and procedures: Director, VHA Office of Occupational Safety and Health, *vhaoccsafetyandhealthaction@va.gov,* 811 Vermont Avenue NW, Washington, DC 20571.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. Chapters 11, 31, 33, 43, 61, 63, and 83; 38 U.S.C. 501; 38 U.S.C. Chapter 74; 29 CFR 1960; 29 CFR 1904; and 29 CFR 1910.1030.

PURPOSE(S) OF THE SYSTEM:

The records and information may be used for managing work-related injuries and illnesses by identifying, characterizing, and tracking occupational injuries and illnesses and the progress of injured or ill current and former employees, trainees, contractors, subcontractors, volunteers, and other individuals working with or performing services for VHA.

With respect to occupational safety, information regarding a workplace injury or illness, including the description of the incident, any correction action taken, results of any investigation, and recommendations for employees' safety and health, is entered into ESIIP by the supervisor of an injured or ill employee and/or the health and safety personnel of the facility. These records are used to identify specific incidents of work-related injuries and illnesses; track and evaluate services and medical care of injured or ill workers; and determine emerging causes, clusters of incidents, and outbreaks. In addition, VHA uses the information to identify system-wide problems and opportunities for focused education; evaluate through statistical analysis the effectiveness of health and safety systems; develop and manage the planning, distribution, and utilization of resources; and support further research in the area of occupational medicine. Some of these data are then compiled for reporting to the Occupational Safety and Health Administration (OSHA) of the Department of (DoL), in accordance with 29 CFR part 1960. Further, the records may be used by institutional members of an accident review board or an incident review board, a multidisciplinary group of health and safety professionals and representatives from human resources, safety, occupational health, and unions/labor representatives and infection control to determine root causes of injuries and illnesses; and by VA hospitals and regional offices, VA Central Office, and the VA Office of the Inspector General for audits, reviews, and investigations of such events.

The records will be used to identify specific cases of work-related injuries and illnesses; track and evaluate medical care of and services provided to injured or ill workers, and determine emerging causes, clusters of incidents, and outbreaks. The records will also be used to identify system-wide problems and opportunities for focused education and intervention; evaluate the effectiveness of health and safety systems performance, especially after interventions, through statistical analysis; to develop and manage the planning, distribution, and utilization of resources; and support further research in the area of occupational medicine. The data may also be used for the review of root causes of injuries, for audits, reviews, and investigations of incidents involving workplace injuries and illnesses.

Data may be accessed locally, at the VISN level and Program Office level through Performance Logic directly. Nationally, data may be accessed through the rolled-up master file and data use agreements with the System Manager.

ESIIP users are at the facility, VISN and national level. At the facility level: safety and occupational health staff and safe patient handling and mobility coordinators, VHA supervisory, and VHA management staff. At the VISN level: VISN safety staff. At the national level: VHA Occupational Safety and Health.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

The records include information concerning current and former employees, trainees, contractors, subcontractors, volunteers, and other individuals working with or performing services for VA. For the purpose of this system of records, these individuals are characterized collectively as employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

The records in this system include:

1. Personal identifiers, including the injured or ill employee's name, date of birth, age, and sex;

2. Residential and professional contact data, including home and/or mailing address, home telephone number, emergency contact information, personnel status (*i.e.,* employee, contractor, volunteer, trainee), and duty station;

3. Employment information, including personnel status, occupation,

grade and step, date of hire, and station number;

4. Information about injuries and illnesses attributed to work, including the location of injury, cause, severity, type of injury, body parts affected, risk, and contributing factors;

5. Information from reviews and investigation of incidents conducted by the employee's supervisor and the safety personnel of that facility, including any corrective actions taken by the supervisor and the findings of the health officer;

6. Abstract information, including environmental and epidemiological registries, studies of effectiveness of health and safety systems, and further research in the area of occupational medicine;

7. Information required for reporting to OSHA of DoL, including the name of the treating physician or other health care professional, hospitalization, medical treatment beyond first aid, safety device;

8. Forms attached to emails include information for the OSHA 301 form, OSHA 300 Log and VA Form 2162; and

9. Information required for annual occupational injury and illness data submission to the Bureau of Labor Statistics, including employee name, occupation, date of birth, date of hire, sex, and incident details.

RECORD SOURCE CATEGORIES:

Information in this system of records is provided by VA employees, trainees, contractors, subcontractors, volunteers, and other affected individuals; supervisors; health and safety professionals at facilities; clinical personnel; workers' compensation personnel; and human resources staff. Information can also be provided by the ASISTS legacy system (previous system); ESIIP has replaced ASISTS.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

1. Law Enforcement, for Reporting Violations of Law: To a Federal, state, local, territorial, tribal, or foreign law enforcement authority or other appropriate entity charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing such law, provided that the disclosure is limited to information that, either alone or in conjunction with other information, indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature. The disclosure of the names and addresses of Veterans and their dependents from VA records under this routine use must also comply with the provisions of 38 U.S.C. 5701(f).

2. Congress: 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.

3. National Archives and Records Administration (NARA): To NARA in records management inspections conducted under 44 U.S.C. 2904 and 2906, or other functions authorized by laws and policies governing NARA operations and VA records management responsibilities.

4. Department of Justice (DoJ) for Litigation or Administrative Proceeding: To the DoJ, or in a proceeding before a court, adjudicative body, or other administrative body before which VA is authorized to appear, when any of the following is a party to such

proceedings or has an interest in such proceedings, and VA determines that use of such records is relevant and necessary to the proceedings:

(a) VA or any component thereof;

(b) Any VA employee in his or her official capacity;

(c) Any VA employee in his or her official capacity where DoJ has agreed to represent the employee; or

(d) The United States, where VA determines that litigation is likely to affect the agency or any of its components.

5. The Joint Commission, for Accreditation: To survey teams of the Joint Commission, College of American Pathologists, American Association of Blood Banks, and similar national accreditation agencies or boards with which VA has a contract or agreement to conduct such reviews, as relevant and necessary for the purpose of program review or the seeking of accreditation or certification.

6. Merit Systems Protection Board (MSPB): To the MSPB in connection with appeals, special studies of the civil service and other merit systems, review of rules and regulations, investigation of alleged or possible prohibited personnel practices, and such other functions promulgated in 5 U.S.C. 1205 and 1206, or as authorized by law.

7. Equal Employment Opportunity Commission (EEOC): To the EEOC in connection with investigations of alleged or possible discriminatory practices, examination of Federal affirmative employment programs, or other functions of the Commission as authorized by law.

8. Federal Labor Relations Authority (FLRA): To the FLRA in connection with the investigation and resolution of allegations of unfair labor practices, the resolution of exceptions to arbitration awards when a question of material fact is raised; matters before the Federal Service Impasses Panel; and the investigation of representation petitions and the conduct or supervision of representation elections.

9. Contractors: To contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for VA, when reasonably necessary to accomplish an agency function related to the records.

10. Unions: To labor unions operating at the facility level as members of institutional review boards, also known as accident review boards, to review root causes of injuries.

11. Department of Labor (DoL): To the DoL for the electronic filing of workers compensation claims, as provided by 5 U.S.C. 8121.

12. Data Breach Response and Remediation, for VA: To appropriate agencies, entities, and persons when (1) VA suspects or has confirmed that there has been a breach of the system of records; (2) VA has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, VA (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, or persons is reasonably necessary to assist in connection with VA efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

13. Federal Agencies, for Preventing and Detecting Fraud and Abuse: To other Federal agencies, such as CMS or USPS, to assist such agencies in preventing and detecting possible fraud or abuse by individuals in their operations and programs, such as detecting duplicate payments for care, or mail fraud related to delivery of VA medications.

14. Data Breach Response and Remediation, for Another Federal Agency: To another Federal agency or Federal entity, when VA 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.

15. Former Employee or Contractor, Representative, for Litigation Involving Individual: To a former VA employee or contractor, as well as the authorized representative of a current or former employee or contractor of VA, in pending or reasonably anticipated litigation against the individual regarding health care provided during the period of their employment or contract with VA.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Records are maintained on paper and electronically. The records and backup records are stored in the VA Azure Cloud.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records are retrieved by name or other assigned identifiers of the individuals on whom they are maintained.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records in this system are retained and disposed of in accordance with the schedule approved by the Archivist of the United States, General Records Schedule 2.7, item 020.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

1. Access to VA working space and record storage areas is restricted to VA employees on a ''need-to-know'' basis. Generally, VA file areas are locked after normal duty hours and are protected from outside access by the Federal Protective Service. Strict control measures are enforced to ensure that disclosure is limited to a ''need to know'' basis.

2. Access to records maintained at facilities, VA Headquarters, and VISN offices is restricted to VA employees who have a need for the information in the performance of their official duties. Access to information stored on automated storage media is controlled by individually unique passwords/codes that must be changed periodically by the employee. Authorized VA employees at remote locations including VA health care facilities may access information stored in the computer. Access is controlled by individually unique passwords/codes. Records are maintained in manned rooms during nonworking hours. The facilities are protected from outside access during working hours by security personnel.

3. Access to information that populates workers' compensation claim forms submitted to DOL is accessible to only the employee filing the claim, his or her supervisor, and the workers' compensation personnel of the facility.

4. VA Enterprise Cloud data storage conforms to security protocols as stipulated in VA Directives 6500 and 6517 as a service cloud computing environment that has been authorized at the high-impact level under the Federal Risk and Authorization Management Program. Access control standards are stipulated in specific agreements with cloud vendors to restrict and monitor access. The secure site-to-site encrypted network connection is limited to access via the VA trusted internet connection.

RECORD ACCESS PROCEDURES:

Individuals seeking information on the existence and content of records in this system pertaining to them should contact the System Manager in writing as indicated above or write or visit the VA facility location where they normally receive their care. A request for access to records must contain the requester's full name, address, and telephone number, be signed by the requester, and describe the records sought in sufficient detail to enable VA personnel to locate them with a reasonable amount of effort.

CONTESTING RECORD PROCEDURES:

Individuals seeking to contest or amend records in this system pertaining to them should contact the System Manager in writing as indicated above or may write or visit the VA facility location where they normally receive their care. A request to contest or amend records must state clearly and concisely what record is being contested, the reasons for contesting it, and the proposed amendment to the record.

NOTIFICATION PROCEDURES:

Individuals who wish to be notified if a record in this system of records pertains to them should submit the request following the procedures described in ''Record Access Procedures,'' above.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

74 FR 14613 (March 31, 2009).

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FEDERAL REGISTER

Vol. 91 Tuesday,
No. 177 September 15, 2026

Part II

The President

Proclamation 11066—Patriot Day 2026, the 25th Anniversary of the September 11 Terrorist Attacks

Federal Register
Vol. 91, No. 177
Tuesday, September 15, 2026

Presidential Documents

Title 3—

The President

Proclamation 11066 of September 9, 2026

Patriot Day 2026, the 25th Anniversary of the September 11 Terrorist Attacks

By the President of the United States of America

A Proclamation

A quarter of a century has passed since the terrible day of September 11, 2001, and an entire generation of Americans has now come of age with no living memory of that fateful day. The passage of time must never dim what will forever burn bright in the conscience of our Nation. Amid the ashes of Ground Zero, we made a solemn vow to Never Forget—a vow that must be renewed in every American heart, taught in every classroom, and honored in every community across our land.

Twenty-five years ago, beneath a clear September sky, the peace of our Nation was shattered when radical Islamic terrorists hijacked four commercial jet planes and converted them into weapons of mass murder.

At 8:46 a.m. American Airlines Flight 11 was deliberately flown into the North Tower of the World Trade Center in New York City. Shadowing closely behind was United Airlines Flight 175 and within a span of 17 minutes, the South Tower was struck. At that moment, it became clear that our Nation was under attack. Before the morning had passed, both soaring towers—the premier symbols of American economic strength and prosperity—had collapsed into the city below, claiming thousands of innocent lives and leaving behind unfathomable destruction. The time was 10:28 a.m.

Just 34 minutes later, at the edge of our Nation's capital in Arlington, Virginia, American Airlines Flight 77 was flown into the Pentagon, the fortress of American military might, striking down members of our Armed Forces and dedicated civil servants. Amid smoke and flames, survivors turned back into the burning building to carry survivors to safety.

But the horror of that morning was not over. Aboard United Airlines Flight 93, passengers learned through frantic cellphone calls of the terror already unfolding in New York and Virginia. Knowing that their plane was being used as a weapon, they resolved to fight back. Among them was Todd Beamer, a devoted husband, father, and man of deep faith, who calmly led his fellow passengers in a recitation of the Lord's Prayer before speaking his last, immortal words: ''Are you ready? Okay. Let's roll.'' With those immortal words, the heroes of Flight 93 mounted a daring assault on the hijackers and forced the aircraft down in a field outside of Shanksville, Pennsylvania, just 20 minutes flying time from their intended target of our Nation's capital. In laying down their lives, those 40 patriots transformed a quiet field into hallowed ground—leaving behind an everlasting testament to the unbreakable will of the American people.

In just a little over two hours on Tuesday, September 11, 2001, 2,977 innocent souls perished in the most despicable act of terror in the history of our country. Yet amid the wreckage and carnage of that day, the world witnessed the courage, valor, and patriotism of America. Members of the New York City Police Department, the Fire Department of the City of New York, the Port Authority of New York and New Jersey, worked around the clock beside almost 100 emergency and first responder agencies to

save those still trapped in the rubble and ensure the safe evacuation of untold thousands of New York City residents. Rescue workers, medical personnel, and thousands of volunteers answered the call, risking their own lives and giving everything they had to help fellow Americans.

In the hours and days that followed September 11, 2001, our Nation came together with a unity and purpose that is distinctively American. We mourned as one people. We prayed as one Nation. We resolved, with iron will, that those who attacked us would feel the full measure of American strength. The terrorists sought to break our spirit—they failed. They sought to divide us—they could not. They sought to make us afraid—instead, they awakened the mightiest force for justice the world has ever known.

In the days, months, and years that followed, thousands of American patriots stepped forward to wear the uniform of the United States Armed Forces. They left behind their families and communities, crossed oceans, and carried the fight to our enemies in distant battlefields so the horrors of that September morning would never again reach our shores. For nearly a quarter century, an entire generation of warriors served, fought, and sacrificed in defense of our freedom. Many gave their last full measure of devotion, and countless others returned home bearing the seen and unseen wounds of war. Our Nation owes them a debt that can never be repaid.

That September morning changed our country forever, teaching us that oceans alone could no longer shield our homeland from the forces of evil, that liberty must always be guarded by a free and vigilant people, and that the strength of our Republic will always prevail. As President, I have no higher duty than to ensure the safety and well-being of the American People, and from the very first day I returned to office, my Administration has been unwavering in its commitment to ensure that our Nation is defended by the strongest and most lethal military the world has ever known. I will never hesitate to protect our country by enforcing a foreign policy of peace through strength, bringing swift justice to our enemies wherever they hide, and vigorously defending our national security interests at home and abroad.

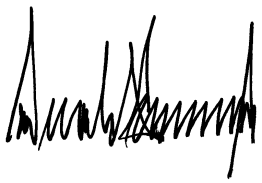
Today, the hatred that struck us on September 11 still exists, and the lessons of that day remain as urgent as ever. We must defend our sovereignty, our values, and our sacred birthright to life, liberty, and the pursuit of happiness. We must protect our treasured way of life against all those who seek our destruction—whether they threaten us from foreign lands or from among us within our borders. Most of all, we must ensure that the memory of September 11 never fades into history, but remains a living inheritance passed from one generation of Americans to the next.

For millions of Americans, the memories of September 11, 2001, remain as vivid today as they were 25 years ago. We will never forget the 2,977 precious lives taken from us, we will always cherish their memories, and we will forever hold their families in the enduring embrace of our Nation. We stand in unending gratitude to the first responders who answered the call of duty, including the thousands who continue to suffer from serious health conditions caused by their service. We honor the warriors of our Armed Forces who have defended the sacred cause of freedom in the quarter century since. Above all, we ask Almighty God to keep our Republic forever safe, forever united, and forever free.

By a joint resolution approved December 18, 2001 (Public Law 107–89), the Congress designated September 11 of each year as ''Patriot Day.''

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, do hereby proclaim September 11, 2026, as Patriot Day, 2026. I call upon all departments, agencies, and instrumentalities of the United States to display the Flag of the United States at half-staff in honor of the 2,977 victims of the attacks of September 11, 2001. I also invite the Governors of the United States and its Territories, and interested organizations and individuals, to join in this observance.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of September, in the year of our Lord two thousand twenty-six, and of the Independence of the United States of America the two hundred and fifty-first.



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The text of laws is not published in the **Federal Register** but may be ordered in ''slip law'' (individual pamphlet) form from the Superintendent of Documents, U.S. Government Publishing Office, Washington, DC 20402 (phone, 202–512–1808). The text is available at *https://www.govinfo.gov/app/collection/plaw*. Some laws may not yet be available.

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