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FEDERAL REGISTER

Vol. 91 Monday,
No. 219 November 16, 2026

Pages 73427–73646

OFFICE OF THE FEDERAL REGISTER

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

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

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Part 701

RIN 3133–AF85

Nondiscrimination Requirements

AGENCY: National Credit Union Administration (NCUA).

ACTION: Final rule.

SUMMARY: The NCUA Board (Board) is publishing this final rule to remove a redundant and outdated regulation regarding nondiscrimination in lending. The regulation was intended to summarize the Fair Housing Act (FHA) prohibitions on discrimination related to real estate related loans, appraisals, and advertising. The Board's last substantive amendment to the regulation was finalized in 2001. Thus, the regulation does not reflect all case law or regulatory developments under the FHA, a statute that primarily falls under the jurisdiction of the Department of Housing and Urban Development (HUD) and continues to apply to federal credit unions (FCUs) regardless of this regulation. For these reasons, the Board is removing the regulation in its entirety.

DATES: This final rule is effective on December 16, 2026.

FOR FURTHER INFORMATION CONTACT: *Office of General Counsel:* Gira Bose, Senior Staff Attorney, at (703) 518–6540 or at 1775 Duke Street, Alexandria, VA 22314.

SUPPLEMENTARY INFORMATION:

I. Introduction

A. Background

Section 701.31 was first promulgated in 1972, and its purpose was to centralize and summarize the lending discrimination requirements applicable to FCUs.[1] The regulation includes nondiscrimination requirements for loans and appraisals; advertising, notices, and logos related to nondiscrimination; and guidelines for compliance with the FHA.[2] While § 701.31 has been updated periodically, it has not kept pace with regulatory and case law changes regarding lending discrimination or fair housing. In addition, § 701.31 is duplicative of other, more comprehensive, federal laws—principally the FHA and the Equal Credit Opportunity Act (ECOA)—and their implementing regulations, such as the Consumer Financial Protection Bureau's Regulation B. Some changes were made to § 701.31 in the 1980s and again in 2001; however, in the intervening years, the regulation has not kept pace with current law.

B. Legal Authority

The Board is issuing this final rule pursuant to its authority under the FCU Act. Under the FCU Act, NCUA is the chartering and supervisory authority for FCUs and the federal supervisory authority for federally insured credit unions (FICUs).[3] The FCU Act grants NCUA a broad mandate to issue regulations governing both FCUs and all FICUs. Section 120 of the FCU Act is a general grant of regulatory authority and authorizes the Board to prescribe rules and regulations for the administration of the FCU Act.[4] Section 207 of the FCU Act is a specific grant of authority over share insurance coverage, conservatorships, and liquidations.[5] Section 209 of the FCU Act is a plenary grant of regulatory authority to issue rules and regulations necessary or appropriate to carry out its role as share insurer for all FICUs.[6] Accordingly, the FCU Act grants the Board broad rulemaking authority to ensure that the federally insured credit union industry and the Share Insurance Fund remain safe and sound.

While the FCU Act authorizes the Board to adopt such regulations as it deems appropriate to administer the Act, it does not require the agency to promulgate regulations to assist credit unions in their compliance with the FHA or ECOA. Neither the FHA nor ECOA require any such NCUA rulemaking. Thus, the Board has determined that § 701.31 should be rescinded.

II. Final Rule

A. Overview

This final rule follows publication of the proposed rule and takes into consideration the comments received on the proposal. By the close of the public comment period on March 16, 2026, the Board received 16 public comments. Comments were submitted by three credit unions, seven state and regional credit union leagues, two national credit union trade associations, three individuals who did not disclose a group affiliation, and one think tank. After careful consideration of the issues raised by the commenters, the Board has decided to adopt the proposal without change.

B. Discussion of Public Comments

This section of the preamble discusses the significant issues raised by the commenters, and the Board's responses to the comments.

Twelve commenters expressed support for the proposal. Nine of these commenters supported the proposal without any conditions. The other three commenters expressed support but noted the importance of ensuring that eliminating this provision does not unintentionally reduce clarity regarding fair lending obligations. One commenter requested four clarifications in the event that NCUA removes the regulation: (1) that the preamble to the final rule confirm that removal of § 701.31 does not alter or weaken existing fair lending and nondiscrimination obligations, and that examiners will continue to evaluate compliance directly against FHA, ECOA, and Regulation B standards; (2) clarification that credit unions may update internal policies, procedures, and control documentation that reference § 701.31 through their normal governance and policy refresh cycles; (3) that the final rule preamble clearly state that fair housing poster and notice requirements established under HUD regulations remain fully applicable to FCUs; and (4) confirmation that nondiscrimination expectations related to appraisals remain fully governed by existing FHA and ECOA standards after removal of § 701.31 as clarification that

[1] This provision does not apply to federally insured, state-chartered credit unions.

[2] Title VIII of the Civil Rights Act of 1968; 42 U.S.C. 3601–3619.

[3] 12 U.S.C. 1752–1775.

[4] 12 U.S.C. 1766(a).

[5] 12 U.S.C. 1787.

[6] 12 U.S.C. 1789.

the change is structural rather than substantive.

Two commenters opposed the proposal, one interpreting revocation of the rule to mean the agency supports discrimination in lending and the other commenter stating that revocation will lead to an increase in discrimination in lending. Finally, two commenters stated that, rather than just eliminating the rule, the agency should: (1) provide cross-references to Fair Housing Act regulations if § 701.31 is removed; (2) issue updated supervisory guidance explaining fair-lending expectations; and (3) clarify in the final rule that removal of § 701.31 does not alter credit unions' substantive obligations under federal nondiscrimination laws.

To be clear, this final rule is designed only to remove an outdated and redundant regulation that has not kept pace with current law. It does not reflect any reduction in NCUA's estimation of the importance of FCUs adhering to fair lending and nondiscrimination laws. And it does not in any way alter FCUs' legal obligations under the FHA, ECOA, or regulations promulgated by HUD or CFPB pursuant to those statutes. Those laws have applied, and continue to apply, to FCUs regardless of § 701.31. FHA's fair housing poster and notice requirements remain fully applicable to FCUs.[7] In order to accomplish this change without undue burden, when removing references to § 701.31, FCUs may rely on the methods and timeframes they typically use to update their systems. It is the Board's understanding that FCUs have not generally relied on § 701.31 to meet their obligations under FHA and ECOA. Therefore, the Board does not deem it necessary to issue cross-references to those statutes or issue updated supervisory expectations at this time. NCUA's website already hosts a Fair Lending Guide, which includes information and resources for compliance with FHA and ECOA.[8]

III. Regulatory Procedures

A. Executive Orders 12866, 13563, and 14192

Pursuant to Executive Order 12866 (''Regulatory Planning and Review''), a determination must be made whether a regulatory action is significant and therefore subject to review by the Office of Information and Regulatory Affairs (OIRA), within the Office of Management and Budget (OMB) in accordance with the requirements of the Executive Order.[9] Executive Order 13563 (''Improving Regulation and Regulatory Review'') supplements and reaffirms the principles, structures, and definitions governing contemporary regulatory review established in Executive Order 12866.[10] This final rule was drafted and reviewed in accordance with Executive Order 12866 and Executive Order 13563. OIRA has determined that this final rule is not a ''significant regulatory action'' as defined by section 3(f) of Executive Order 12866.

Executive Order 14192 (''Unleashing Prosperity Through Deregulation'') requires that any new incremental costs associated with new regulations shall, to the extent permitted by law, be offset by the elimination of existing costs associated with at least 10 prior regulations.[11] This final rule is not an Executive Order 14192 regulatory action because this rule is not significant under Executive Order 12866. This final rule is considered an Executive Order 14192 deregulatory action.

B. Regulatory Flexibility Act

The Regulatory Flexibility Act [12] generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements, unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. If the agency makes such a certification, it shall publish the certification at the time of publication of either the proposed rule or the final rule, along with a statement providing the factual basis for such certification.[13] For purposes of this analysis, NCUA considers small credit unions to be those having under $100 million in assets.[14] The Board fully considered the potential economic impacts of the regulatory amendments on small credit unions.

This final rule does not substantively alter credit unions' regulatory obligations. It is expected that removing § 701.31 will simplify FCU compliance with fair lending and nondiscrimination requirements because it is eliminating an outdated regulation and a potential source of confusion. Accordingly, NCUA certifies the final rule will not have a significant economic impact on a substantial number of small credit unions.

C. Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (PRA) generally provides that an agency may not conduct or sponsor, and not withstanding any other provision of law, a person is not required to respond to, a collection of information, unless it displays a currently valid OMB control number. The PRA applies to rulemaking in which an agency creates a new or amends existing information collection requirements. For purposes of the PRA, an information collection requirement may take the form of a reporting, recordkeeping, or a third-party disclosure requirement. NCUA has determined that the changes in the final rule do not create a new information collection or revise an existing information collection as defined by the PRA.

D. Executive Order 13132 on Federalism

Executive Order 13132 encourages independent regulatory agencies to consider the impact of their actions on state and local interests.[15] NCUA, an agency as defined in 44 U.S.C. 3502(5), voluntarily complies with the executive order to adhere to fundamental federalism principles. Section 701.31 applies to FCUs and not state-chartered credit unions. Therefore, this rulemaking will not have a direct effect on the states, the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government.

E. Assessment of Federal Regulations and Policies on Families

The removal of § 701.31 from NCUA's regulations does not constitute a substantive change. Nondiscrimination and fair lending laws continue to apply to FCUs regardless of § 701.31. Therefore, NCUA has determined that this final rule will not affect family well-being within the meaning of Section 654 of the Treasury and General Government Appropriations Act, 1999.[16]

F. Congressional Review Act

Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996, also known as the Congressional Review Act (CRA), generally provides for congressional review of agency rules.[17] NCUA must submit a report to Congress and the Comptroller General when it issues a final rule, as defined by the CRA.[18] An agency rule, in addition

[7] 24 CFR part 110.

[8] NCUA Fair Lending Guide (December 2025), *available at https://ncua.gov/files/publications/regulations/fair-lending-guide.pdf.*

[9] 58 FR 51735 (Oct. 4, 1993).

[10] 76 FR 3821 (Jan. 21, 2011).

[11] 90 FR 9065 (Feb. 6, 2025).

[12] 5 U.S.C. 601 *et seq.*

[13] 5 U.S.C. 605(b).

[14] 80 FR 57512 (Sept. 24, 2015).

[15] 64 FR 43255 (Aug. 4, 1999).

[16] Public Law 105–277, 112 Stat. 2681 (1998).

[17] 5 U.S.C. 801–808.

[18] 5 U.S.C. 804(3).

to being subject to congressional oversight, may also be subject to a delayed effective date if the rule is a ''major rule.'' OIRA has determined that this rule is not a ''major rule'' within the meaning of the relevant sections of the CRA. NCUA will also file appropriate reports with Congress and the Comptroller General so this rule may be reviewed.

List of Subjects in 12 CFR Part 701

Advertising, Aged, Civil rights, Credit, Credit unions, Fair housing, Individuals with disabilities, Insurance, Marital status discrimination, Mortgages, Religious discrimination, Reporting and recordkeeping requirements, Sex discrimination, Signs and symbols, Surety bonds.

By the National Credit Union Administration Board, this 12th day of November, 2026.

Melane Conyers-Ausbrooks,

Secretary of the Board.

For the reasons stated in the preamble, the NCUA Board amends 12 CFR part 701 as follows:

PART 701—ORGANIZATION AND OPERATION OF FEDERAL CREDIT UNIONS

■ 1. Revise the authority citation for part 701 to read as follows:

Authority: 12 U.S.C. 1752(5), 1755, 1756, 1757, 1758, 1759, 1761, 1761a, 1761b, 1766, 1767, 1782, 1784, 1785, 1786, 1787, 1788, 1789. Section 701.6 is also authorized by 15 U.S.C. 3717. Section 701.35 is also authorized by 12 U.S.C. 4311–4312.

§ 701.31 [Removed and Reserved]

■ 2. Remove and reserve § 701.31.

[FR Doc. 2026–23281 Filed 11–13–26; 8:45 am]

BILLING CODE 7535–01–P

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Part 716

RIN 3133–AG13

Privacy of Consumer Financial Information

AGENCY: National Credit Union Administration (NCUA).

ACTION: Final rule.

SUMMARY: The NCUA Board (Board) is issuing a final rule to make technical corrections to provisions of the NCUA's regulations. The technical amendments improve clarity by removing obsolete references to the privacy of consumer financial information regulation, which the NCUA no longer administers.

DATES: The final rule is effective on November 16, 2026.

FOR FURTHER INFORMATION CONTACT: John H. Brolin, Senior Staff Attorney, Division of Regulations and Legislation, Office of General Counsel, at (703) 518–6540 or at 1775 Duke Street, Alexandria, VA 22314.

SUPPLEMENTARY INFORMATION:

I. Introduction

A. Background

Historically the NCUA, along with the Office of the Comptroller of the Currency, Treasury; Board of Governors of the Federal Reserve System; Federal Deposit Insurance Corporation; Office of Thrift Supervision, Treasury; and Farm Credit Administration (collectively, the Agencies) maintained regulations [1] implementing the privacy provisions of subtitle A of title V of the Gramm-Leach-Bliley Act (GLB Act). These rules required financial institutions to provide initial and annual privacy notices to their customers under section 728 of the Financial Services Regulatory Relief Act of 2006.

The Dodd-Frank Act was signed into law in 2010.[2] The Dodd-Frank Act substantially changed the federal legal framework for consumer financial protection regulation. Among the many changes, title X of the Dodd-Frank Act transferred the NCUA's GLB Act rulemaking authority to the Consumer Financial Protection Bureau (CFPB).[3] As a result, the NCUA rescinded its rule governing consumer financial information privacy, 12 CFR part 716.[4] CFPB republished consumer financial protection requirements as interim final rules at 12 CFR part 1016.[5]

To assist federally insured credit unions during the transition, the NCUA retained part 716 under its original heading and amended it to replace the requirements with a cross-citation to the CFPB's interim final rules as described above.[6]

The Board periodically issues rules as technical amendments to remove outdated information. Consistent with the treatment of other consumer financial protection laws, this final rule removes obsolete cross-citations to the CFPB's regulations governing the privacy of consumer financial information because NCUA no longer has rulemaking authority in this area. Because these changes are technical in nature, the Board adopts these amendments as final rules without the opportunity for notice and comment typically required by the Administrative Procedure Act (APA).[7] This final rule makes technical amendments that do not require affected parties to adjust their behavior before the final rule takes effect.[8] Therefore, the Board is issuing this final rule to address the types of matters described in this paragraph with an immediate effective date and without notice and comment.

B. Legal Authority

The Board has the legal authority to issue this final rule pursuant to its plenary rulemaking authority under the Federal Credit Union Act and its specific rulemaking authority under the various acts the Board administers.[9]

II. Final Rule

The final rule amends current part 716 to remove the cross-citation to the CFPB's regulations governing the privacy of consumer financial information. The section currently provides that the NCUA's rule, formerly published at 12 CFR part 716, has been republished by the CFPB at 12 CFR part 1016, ''Privacy of Consumer Financial Information (Regulation P).'' As explained in the Background of this preamble, this part merely cross-references the applicable consumer financial protection regulation, which is maintained by the CFPB. Because this part, as amended in 2011, was intended only to assist credit unions with the 2011 transfer of NCUA's rules to the CFPB, this part is no longer necessary. Accordingly, this final rule removes current part 716 in its entirety and reserves the part.

III. Regulatory Procedures

A. Executive Orders 12866, 13563, 14192

Pursuant to Executive Order 12866 (''Regulatory Planning and Review''), a determination must be made whether a regulatory action is significant and therefore subject to review by the Office of Information and Regulatory Affairs (OIRA), within the Office of Management and Budget (OMB) in accordance with the requirements of the Executive Order.[10] Executive Order 13563 (''Improving Regulation and Regulatory Review'') supplements and reaffirms the principles, structures, and definitions governing contemporary regulatory review established in

[1] See, *e.g.,* 74 FR 62890 (Dec. 1, 2009).

[2] Public Law 111–203, 124 Stat. 1376, 1955–2113 (2010).

[3] 12 U.S.C. 5101 *et seq.*

[4] 78 FR 32541 (May 31, 2013).

[5] *See* 76 FR 79028 (Dec. 21, 2011).

[6] 78 FR 32541.

[7] 5 U.S.C. 553(b)(A), (B).

[8] 5 U.S.C. 553(d)(3).

[9] 12 U.S.C. 1766, 1789.

[10] 58 FR 51735 (Oct. 4, 1993).

Executive Order 12866.[11] This final rule was drafted and reviewed in accordance with Executive Order 12866 and Executive Order 13563. OIRA has determined that this final rule is not a ''significant regulatory action'' as defined by section 3(f) of Executive Order 12866.

Executive Order 14192 (''Unleashing Prosperity Through Deregulation'') requires that any new incremental costs associated with new regulations shall, to the extent permitted by law, be offset by the elimination of existing costs associated with at least 10 prior regulations.[12] This final rule is not an Executive Order 14192 regulatory action because this rule is not significant under Executive Order 12866. This final rule is considered an Executive Order 14192 deregulatory action.

B. The Regulatory Flexibility Act

The Regulatory Flexibility Act requires the Board to prepare an analysis of any significant economic impact a regulation may have on a substantial number of small entities.[13] The Board has designated federally insured credit unions with less than $100 million in assets as small entities for this purpose.[14] As discussed previously, consistent with the APA,[15] the Board has determined for good cause that general notice and opportunity for public comment is unnecessary, and therefore the Board is not issuing a notice of proposed rulemaking. Rules for which notice and comment procedures are not required are not subject to the Regulatory Flexibility Act's requirements, including conducting a regulatory flexibility analysis. Accordingly, the Board has concluded that the Regulatory Flexibility Act's requirements relating to initial and final regulatory flexibility analyses do not apply.

Nevertheless, if these requirements applied, the Board would determine that the final rule does not have a significant economic impact on a substantial number of small entities because it does not impose or alter any rights or obligations on non-agency parties. The final rule simply removes certain obsolete regulations.

C. The Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (PRA) generally provides that an agency may not conduct or sponsor, and not withstanding any other provision of law, a person is not required to respond to, a collection of information, unless it displays a currently valid Office of Management and Budget control number. The PRA applies to rulemakings in which an agency creates a new or amends existing information collection requirements. For purposes of the PRA, an information-collection requirement may take the form of a reporting, recordkeeping, or a third-party disclosure requirement. The NCUA has determined that the changes addressed in this notice do not create a new information collection or revise an existing information collection as defined by the PRA.

D. Executive Order 13132 on Federalism

Executive Order 13132 encourages certain agencies to consider the impact of their actions on state and local interests.[16] The NCUA, an agency as defined in 44 U.S.C. 3502(5), voluntarily complies with the executive order to adhere to fundamental federalism principles. The final rule does not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. The final rule does not create or alter existing rights or requirements that apply to federally insured, state-chartered credit unions or affect the ability of state regulatory agencies to examine, supervise, or regulate such credit unions. The NCUA has therefore determined that this final rule does not constitute a policy that has federalism implications for purposes of the executive order.

E. Assessment of Federal Regulations and Policies on Families

The NCUA has determined that this rule will not affect family well-being within the meaning of section 654 of the Treasury and General Government Appropriations Act.[17]

F. Congressional Review Act

Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996 (also known as the Congressional Review Act or CRA) generally provides for congressional review of agency rules.[18] NCUA must submit a report to Congress and the Comptroller General when it issues a final rule, as defined by the CRA.[19] An agency rule, in addition to being subject to congressional oversight, may also be subject to a delayed effective date if the rule is a ''major rule.'' OIRA has determined that this final rule is not a major rule as defined by the CRA.[20] The delayed effective date required by the CRA does not apply to any rule for which an agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.[21] For the same reasons noted above with respect to forgoing notice and comment in adopting this final rule, NCUA is adopting the final rule without the delayed effective date generally prescribed under the CRA.

List of Subjects in 12 CFR Part 716

Consumer protection, Credit unions, Privacy, Reporting and recordkeeping requirements.

By the National Credit Union Administration Board, this 12th day of November, 2026.

Melane Conyers-Ausbrooks,

Secretary of the Board.

PART 716 [REMOVED AND RESERVED]

■ For the reasons discussed in the preamble, and under the authority of 15 U.S.C. 6801 *et seq.* and 12 U.S.C. 1751 *et seq.,* the Board removes and reserves 12 CFR Part 716, which consists of § 716.1.

[FR Doc. 2026–23286 Filed 11–13–26; 8:45 am]

BILLING CODE 7535–01–P

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Part 740

RIN 3133–AF75

Accuracy of Advertising and Notice of Insured Status

AGENCY: National Credit Union Administration (NCUA).

ACTION: Final rule.

SUMMARY: The NCUA Board (Board) is issuing this final rule to streamline its regulations governing advertising and the notice of insured status. This final

[11] 76 FR 3821 (Jan. 21, 2011).

[12] 90 FR 9065 (Feb. 6, 2025).

[13] 5 U.S.C. 601–612.

[14] NCUA Interpretive Ruling and Policy Statement 15–1, 80 FR 57512 (Sept. 24, 2015), *available at https://ncua.gov/regulation-supervision/rules-regulations/interpretive-rulings-policy-statements.*

[15] 5 U.S.C. 553(b)(3)(B).

[16] ''Federalism,'' E.O. 13,132 (Aug. 10, 1999).

[17] Public Law 105–277, sec. 654, 112 Stat. 2681, 2681–528 (1998).

[18] 5 U.S.C. 801–808.

[19] 5 U.S.C. 804(3).

[20] 5 U.S.C. 804(2).

[21] 5 U.S.C. 808.

rule eliminates provisions concerning the official advertising statement. This action is undertaken to reduce regulatory complexity, and the intended effect is to reduce the administrative burden and costs for federally insured credit unions (FICUs) and provide them with greater flexibility in their advertising activities. The final rule does not amend requirements related to displaying the official sign.

DATES: This final rule is effective on December 16, 2026.

FOR FURTHER INFORMATION CONTACT: *Office of General Counsel:* Rachel Ackmann, Senior Attorney, Office of General Counsel, at (703) 518–6540 or at 1775 Duke Street, Alexandria, VA 22314.

SUPPLEMENTARY INFORMATION:

I. Introduction

A. Background

The Board comprehensively revised and streamlined part 740 in a 2003 final rule.[1] The primary purpose of the 2003 revision was to modernize the regulation for clarity, address the growing use of the internet for member transactions, and clarify the use of trade names in advertising. The NCUA's goal was to ensure members were adequately informed of their federal share insurance coverage while imposing a minimal regulatory burden.

Over the subsequent years, the NCUA amended these regulations several times. In the 2006 final rule, the NCUA revised the official sign to reflect statutory changes from the Federal Deposit Insurance Reform Act of 2005,[2] which included adding a statement in the official NCUA sign that insured accounts are backed by the full faith and credit of the United States Government. The Federal Deposit Insurance Reform Act of 2005 also removed a requirement for FICUs to include a statement in their advertisements that their member accounts are insured by the NCUA. The 2006 final rule did make any changes to part 740 to reflect this statutory change.

A subsequent 2008 final rule provided credit unions with additional flexibility by permitting the use of a shortened advertising statement, ''Federally insured by NCUA,'' or the official sign itself in advertisements.[3] In a 2011 final rule, the Board made the advertising rules more stringent.[4] This amendment, among other changes, reduced the time exemption for radio and television advertisements from 30 seconds to 15 seconds. It also introduced the requirement to include the official advertising statement in annual reports and statements of condition, clarified that the statement's font size in print must be no smaller than the smallest font used for other consumer information, and defined the term ''advertisement'' for the first time.

However, in a 2018 final rule, the NCUA reversed the 2011 change to the broadcast advertisement exemption to provide regulatory relief and restore parity with regulations for banks insured by the Federal Deposit Insurance Corporation (FDIC).[5] The 2018 rule expanded the radio and television exemption back to 30 seconds and introduced a shorter advertising statement option: ''Insured by NCUA.'' Most recently, a 2020 final rule made technical corrections to improve clarity.[6]

On December 29, 2025, the Board published a proposed rule to streamline its regulations governing advertising and the notice of insured status by removing the requirement for an official advertising statement.[7] The proposed rule applied to all FICUs.

B. Legal Authority

Section 205(a) of the Federal Credit Union Act (FCU Act) (12 U.S.C. 1785(a)) requires each FICU to display a sign relating to the insurance of its share accounts.[8] The NCUA implements this requirement in part 740 of its rules (part 740).[9] Part 740 also requires that each FICU include an official advertising statement related to share insurance in all advertisements.[10] This requirement originated from a historic statutory provision in section 1785(a). Before 2005, section 1785(a) required every FICU to include a statement in all advertisements reiterating that its member accounts are insured by NCUA. Section 1785(a) also provided that NCUA may exempt advertisements from this requirement if the advertisements do not relate to member accounts or when it is impractical to include such a statement.

The 2005 statutory amendment retained the requirement for FICUs to post official signs but removed the requirement to include official advertising statements. The Board issued a final rule implementing changes associated with the 2005 statutory amendments in 2006 but did not remove the portions of part 740 that implemented the historical requirement to include an official advertising statement.[11] Part 740 currently includes both the requirements for an official sign and advertising statement.[12]

II. Final Rule

A. Overview

This final rule follows publication of the proposed rule and takes into consideration the comments received on the proposal. By the close of the public comment period on February 27, 2026, the Board had received 19 public comments. Comments were submitted by individuals, FICUs, state credit union leagues, a national association of state credit union supervisors, a national banking trade organization, and national credit union trade associations. After careful consideration of the issues raised by the commenters, the Board has decided to adopt the proposal without change.

B. Discussion of Public Comments

This section of the preamble discusses the significant issues raised by the commenters, and the Board's responses to the comments.

Commenters were mixed in whether they supported the proposed rule. Several commenters objected to the proposal and raised concerns related to consumer confusion on insured status and parity with the FDIC. Other commenters supported the proposal and discussed the enhanced efficiency the proposal would achieve without compromising consumer protection. However, a few commenters who supported the proposed rule also raised the importance of consumer confidence in share insurance and offered additional suggestions.

Two individual commenters and a banking trade organization were opposed to the proposed amendments. These commenters expressed concern

[1] 68 FR 23382 (May 2, 2003).

[2] Public Law 109–173 (Feb. 15, 2006).

[3] 73 FR 56935 (Oct. 1, 2008).

[4] 76 FR 30521 (May 26, 2011).

[5] 83 FR 17910 (Apr. 25, 2018).

[6] 85 FR 62207 (Oct. 2, 2020).

[7] 90 FR 60588 (Dec. 29, 2025).

[8] 12 U.S.C. 1785(a).

[9] 12 CFR pt. 740.

[10] 12 CFR 740.5.

[11] 71 FR 36719 (2006). The Board notes that the FCU Act grants the NCUA a broad mandate to issue regulations governing both federal and state-chartered credit unions. Section 120 of the FCU Act is a general grant of regulatory authority, and it authorizes the Board to prescribe rules and regulations for the administration of the FCU Act. 12 U.S.C. 1766(a). Section 209 of the FCU Act is a plenary grant of regulatory authority to the NCUA to issue rules and regulations necessary or appropriate to carry out its role as share insurer for all FICUs. 12 U.S.C. 1789. Additionally, Section 204 of the FCU Act authorizes the Board, through its examiners, ''to examine any [FICU] . . . to determine the condition of any such credit union for insurance purposes.'' 12 U.S.C. 1784.

[12] The NCUA has updated part 740 several times since 2006 but has not discussed the change in statutory authority, and it does not appear commenters have raised concerns either. *See,* 73 FR 56935 (Oct. 1, 2008); 76 FR 30521 (May 26, 2011), and 83 FR 17910 (Apr. 25, 2018).

that removing the advertising statement might result in consumer confusion between federally insured and non-insured entities. In particular, one commenter noted that the rule would remove safeguards at a time when fraud in digital financial markets continues to rise, along with the prevalence of non-insured platforms that closely resemble traditional credit union services. The commenter noted that a CFPB study concluded that it is not always clear to consumers when they are dealing directly with a bank or a nonbank. The Board understands that there is a potential for additional consumer confusion. However, the Board believes that ensuring members are aware of their federal insurance coverage is more adequately achieved through other, more direct means. Specifically, the requirements in § 740.4, which are not being amended by this rule, mandate the display of the official NCUA sign at each station or window where insured account funds or deposits are normally received in a FICU's principal place of business and in all its branches. Each FICU must also display the official sign on its internet page, if any, where it accepts deposits or open accounts [13] Additionally, all insured credit unions must provide notice to members concerning NCUA insurance coverage, which may be accomplished in a variety of ways.[14] These existing requirements ensure that members receive prominent notice of their insured status at the key points of transaction and interaction.

Additionally, the requirements in § 740.2 mandate that FICU advertising be accurate and not deceptive. This provision helps to ensure that, if a FICU references its federal share insurance in advertisements, it does so accurately. For example, if a FICU states it is NCUA-insured in an advertisement that includes noninsured products, the advertisement should be clear that the product is not insured. The additional requirement in current § 740.5 to include a specific statement in all advertisements on share insurance may contribute to some consumers' understanding of federal share insurance, but the Board does not believe it materially enhances member protection in a way that justifies the associated compliance costs.

One banking trade association commenter stated that due to concerns around consumer confusion from non-insured entities in the financial marketplace, the FDIC recently updated its signage rules to make clear what is and is not insured across digital and traditional banking spaces. The commenter included several specific suggestions, including coordinating with the FDIC on insured status-communication principles. The Board acknowledges that parity with the FDIC's signage rules had previously been one of its stated goals.[15] Additionally, the Board is aware that the FDIC recently amended its signage rules, in part, to reflect that consumers are increasingly relying on internet and mobile banking channels to access banking services, which may make it more difficult for consumers to understand when they are conducting business with an insured institution.[16] However, the FDIC's amended signage rules primarily related to insured institutions' official signs and ensuring consumer awareness when accessing online and mobile banking accounts. These amendments were generally unrelated to the mandated advertising statement. Additionally, part 740 addresses these primary concerns related to online and mobile access and requires each FICU to display the official sign on its internet page, if any, where it accepts deposits or open accounts, including mobile banking pages.[17]

Most commenters supported eliminating the requirement to include an official advertising statement. Many commenters expressed frustration that the current rules have become increasingly difficult to apply consistently across diverse digital channels. Commenters noted that modern advertising often involves character limits, responsive layouts, and automated placements, making compliance burdensome and unclear. Commenters appreciated that the proposal would allow for more creative and targeted marketing efforts without the constraints of mandatory disclosures in every advertisement. The Board agrees that the highly prescriptive nature of the rule, with its specific textual requirements and complex list of exceptions for items ranging from radio spots to promotional pens, forces FICUs to dedicate administrative resources to compliance. This approach is inflexible and poorly suited to the modern, fast-paced advertising landscape, particularly in the context of digital and social media, where space is often limited and communication must be concise. Additionally, many commenters stated that additional flexibility can be achieved while maintaining meaningful disclosure through existing signage, including that the insured status be clearly displayed on the credit union's website and in branches, and truth-in-advertising standards. Commenters stated that the requirement to display the official NCUA sign under § 740.4, and the general accuracy requirement in § 740.2, are not changed by the proposal. The Board agrees that these provisions continue to help ensure that members receive clear notice of federal share insurance and that any reference to insurance in advertising is accurate and not deceptive, thereby helping to ensure adequate consumer protection.

A few commenters also discussed the importance of federal insurance awareness. One commenter in favor of the proposal stated that the removal of a standardized advertising reference may, over time, reduce insurance awareness. Commenters included various suggestions related to public awareness of federal share insurance, including encouraging NCUA to continue proactive public education efforts regarding federal share insurance coverage and to remain attentive to the confidence-building role that federal share insurance messaging plays during periods of economic uncertainty. One commenter recommended that the Board provide additional guidance on best practices for communicating insured status in digital format, and another commenter encouraged NCUA to make a digital sign comparable to the FDIC's available for online and mobile platforms. This could be a voluntary tool; or NCUA could consider developing a smaller, digital seal that FICUs could use on social media profiles. The Board notes that NCUA's website includes downloaded graphics currently that can be used on FICU web pages and mobile apps.[18] The Board does not believe it is necessary to include additional guidance or consumer-education material at this time but may do so in the future. The Board intends to closely monitor implementation to ensure that the final rule does not result in consumer confusion regarding share insurance or whether members are engaging with an FICU or a non-insured third-party. The Board also notes that FICUs may continue to include the official

[13] The Board notes that it treats mobile banking applications similar to internet pages and the official sign is required on the main page and the log-on screen where members identify themselves to conduct transactions online. The official sign is also required on a membership application page. Displaying the official sign there will provide adequate notice of federal share insurance to the member.

[14] 12 CFR 745.13.

[15] 83 FR 17910 (April 25, 2018).

[16] 91 FR 3801 (Jan. 29, 2026) and 89 FR 3504 (Jan. 18, 2024).

[17] 12 CFR 740.4(a).

[18] *https://ncua.gov/news/downloadable-graphics.*

advertising statement, provided the inclusion is not inaccurate or deceptive, and believes many FICUs will do so on a voluntary basis as part of their advertising strategy.

Finally, a national trade association recommended that NCUA consolidate all NCUA-related insurance requirements into a single, modern comprehensive publication. This suggestion is beyond the scope of this rulemaking, but the Board is committed to providing regulatory clarity and will take this recommendation under advisement.

III. Regulatory Procedures

A. Executive Orders 12866, 13563, and 14192

Pursuant to Executive Order 12866 (''Regulatory Planning and Review''), a determination must be made whether a regulatory action is significant and therefore subject to review by the Office of Information and Regulatory Affairs (OIRA), within the Office of Management and Budget (OMB) in accordance with the requirements of the Executive Order.[19] Executive Order 13563 (''Improving Regulation and Regulatory Review'') supplements and reaffirms the principles, structures, and definitions governing contemporary regulatory review established in Executive Order 12866.[20] This final rule was drafted and reviewed in accordance with Executive Order 12866 and Executive Order 13563. OIRA has determined that this final rule is not a ''significant regulatory action'' as defined by section 3(f) of Executive Order 12866.

Executive Order 14192 (''Unleashing Prosperity Through Deregulation'') requires that any new incremental costs associated with new regulations shall, to the extent permitted by law, be offset by the elimination of existing costs associated with at least 10 prior regulations.[21] This final rule is not an Executive Order 14192 regulatory action because this rule is not significant under Executive Order 12866. This final rule is considered an Executive Order 14192 deregulatory action.

B. Regulatory Flexibility Act

The Regulatory Flexibility Act [22] generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements, unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. If the agency makes such a certification, it shall publish the certification at the time of publication of either the proposed rule or the final rule, along with a statement providing the factual basis for such certification.[23] For purposes of this analysis, NCUA considers small credit unions to be those having under $100 million in assets.[24] The Board fully considered the potential economic impacts of the regulatory amendments on small credit unions.

This rule is narrow in scope and purely deregulatory. Further, FICUs may voluntarily continue to include the official advertising statement in their advertisements and may choose not to change their current practices. Accordingly, NCUA certifies the final rule will not have a significant economic impact on a substantial number of small credit unions.

C. Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (PRA) generally provides that an agency may not conduct or sponsor, and not withstanding any other provision of law, a person is not required to respond to, a collection of information, unless it displays a currently valid OMB control number. The PRA applies to rulemaking in which an agency creates new or amends existing information collection requirements. For purposes of the PRA, an information collection requirement may take the form of a reporting, recordkeeping, or third-party disclosure requirement. The NCUA has determined that the changes described in this final rule do not create a new information collection or revise an existing information collection as defined by the PRA.

D. Executive Order 13132 on Federalism

Executive Order 13132 encourages independent regulatory agencies to consider the impact of their actions on state and local interests.[25] NCUA, an agency as defined in 44 U.S.C. 3502(5), voluntarily complies with the executive order to adhere to fundamental federalism principles. This final rule applies to all FICUs, including state-chartered credit unions. The Board expects that any effect on states or on the distribution of power and responsibilities among the various levels of government will be minor. The changes remove an existing requirement on state-chartered credit unions and do not affect the division of responsibilities between the NCUA and state regulatory authorities with oversight of federally insured, state-chartered credit unions. These changes relate to the NCUA's insurance of member accounts, which is a distinct federal function. The rulemaking therefore does not have a direct effect on the states, the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government.

E. Assessment of Federal Regulations and Policies on Families

NCUA has determined that this final rule will not affect family well-being within the meaning of Section 654 of the Treasury and General Government Appropriations Act, 1999.[26] The rule relates to FICUs' advertisements, but the Board does not believe it will cause member confusion regarding share insurance coverage. Therefore, any effect on family well-being is expected to be indirect.

F. Congressional Review Act

Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996, also known as the Congressional Review Act (CRA), generally provides for congressional review of agency rules.[27] NCUA must submit a report to Congress and the Comptroller General when it issues a final rule, as defined by the CRA.[28] An agency rule, in addition to being subject to congressional oversight, may also be subject to a delayed effective date if the rule is a ''major rule.'' OIRA has determined that this rule is not a ''major rule'' within the meaning of the relevant sections of the CRA. NCUA will also file appropriate reports with Congress and the Comptroller General so this rule may be reviewed.

List of Subjects in 12 CFR Part 740

Bank deposit insurance, Credit unions, Reporting and recordkeeping requirements, Signs and symbols.

By the National Credit Union Administration Board, this 12th day of November, 2026.

Melane Conyers-Ausbrooks,

Secretary of the Board.

For the reasons set forth in the preamble, the Board amends 12 CFR part 740 to read as follows:

[19] 58 FR 51735 (Oct. 4, 1993).

[20] 76 FR 3821 (Jan. 21, 2011).

[21] 90 FR 9065 (Feb. 6, 2025).

[22] 5 U.S.C. 601 *et seq.*

[23] 5 U.S.C. 605(b).

[24] 80 FR 57512 (Sept. 24, 2015).

[25] 64 FR 43255 (Aug. 4, 1999).

[26] Public Law 105–277, 112 Stat. 2681 (1998).

[27] 5 U.S.C. 801–808.

[28] 5 U.S.C. 804(3).

PART 740—ACCURACY OF ADVERTISING AND NOTICE OF INSURED STATUS

■ 1. The authority citation for part 740 continues to read as follows:

Authority: 12 U.S.C. 1766, 1781, 1785, and 1789.

■ 2. Revise § 740.0 to read as follows:

§ 740.0 Scope.

This part applies to all federally insured credit unions. It prescribes the requirements for the official sign insured credit unions must display. It requires that all other kinds of advertisements be accurate. It also establishes requirements for advertisements of excess insurance.

§ 740.5 [Removed]

■ 3. Remove § 740.5.

[FR Doc. 2026–23288 Filed 11–13–26; 8:45 am]

BILLING CODE 7535–01–P

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Parts 741 and 761

RIN 3133–AG14

Registration of Mortgage Loan Originators

AGENCY: National Credit Union Administration (NCUA).

ACTION: Final rule.

SUMMARY: The NCUA Board (Board) is issuing a final rule to make technical corrections to provisions of the NCUA's regulations. The technical amendments in this final rule improve clarity by removing obsolete references to the registration of mortgage loan originators.

DATES: The final rule is effective on November 16, 2026.

FOR FURTHER INFORMATION CONTACT: John H. Brolin, Senior Staff Attorney, Office of General Counsel, by telephone at (703) 518–6540 or at 1775 Duke Street, Alexandria, VA 22314.

SUPPLEMENTARY INFORMATION:

I. Introduction

A. Background

In July of 2010, the NCUA, in conjunction with the Office of the Comptroller of the Currency, Board of Governors of the Federal Reserve System, Federal Deposit Insurance Corporation, Office of Thrift Supervision, and Farm Credit Administration (FCA) (collectively, the Agencies), adopted final rules [1] to implement the Secure and Fair Enforcement for Mortgage Licensing Act (the SAFE Act).[2] The SAFE Act requires an employee of a bank, savings association, credit union or Farm Credit System institution and certain of their subsidiaries that are regulated by a federal banking agency or the FCA (collectively, Agency-regulated institutions) who acts as a residential mortgage loan originator to register with the Nationwide Mortgage Licensing System and Registry, obtain a unique identifier, and maintain this registration.[3] The final rule further provided that Agency-regulated institutions must:

- Require that their employees who act as residential mortgage loan originators comply with the SAFE Act's requirements to register and obtain a unique identifier; and
- Adopt and follow written policies and procedures designed to assure compliance with these requirements.

The NCUA codified its SAFE Act regulations under 12 CFR part 761.

The Dodd-Frank Act was signed into law in 2010.[4] The Dodd-Frank Act substantially changed the federal legal framework with respect to consumer financial protection regulation. Among the many changes, title X of the Dodd-Frank Act transferred the NCUA's rulemaking authority under the SAFE Act to the Consumer Financial Protection Bureau (CFPB).[5] As a result, the NCUA rescinded its regulation at part 761, which established the requirements described previously for registration of residential mortgage loan originators.[6] The CFPB republished these requirements as interim final at 12 CFR part 1007.[7]

To assist federally insured credit unions during the transition, the rescinded parts of the NCUA's regulations were retained under their original heading and were amended to include a cross-citation to the CFPB's republished version of the regulation.[8]

The Board periodically issues technical amendments rules to remove outdated information. Consistent with the treatment of other consumer financial protection laws, this final rule removes obsolete cross-citations to the CFPB's regulations governing the registration of residential mortgage loan originators. As explained previously, rulemaking authority for these regulations no longer rests with the NCUA, so the Board is removing historic cross-citations to the CFPB's regulations. Because these changes are technical in nature, the Board adopts these amendments as final rules without the opportunity for notice and comment typically required by the Administrative Procedure Act (APA).[9] This final rule makes technical amendments that do not require affected parties to adjust their behavior before the final rule takes effect.[10] Therefore, the Board is issuing this final rule to address the types of matters described in this paragraph with an immediate effective date and without notice and comment.

B. Legal Authority

The Board has the legal authority to issue this final rule pursuant to its plenary rulemaking authority under the Federal Credit Union Act and its specific rulemaking authority under the various acts the Board administers.[11]

II. Final Rule

A. Section 741.223 Registration of Residential Mortgage Loan Originators

The final rule amends current § 741.223 to remove the cross-citation to the CFPB's regulations governing the registration of residential mortgage loan originators. The section currently provides that any credit union that is insured pursuant to title II of the Federal Credit Union Act must adhere to the requirements stated in part 1007 of title 12 (Regulation G). As explained in the Background part of this preamble, this section merely cross-references the applicable consumer financial protection regulation, which is maintained by the CFPB. Because this section was intended only to assist federally insured, state-chartered credit unions, given the transfer of the NCUA's 2013 regulations to the CFPB—which occurred more than 13 years ago—the cross-citation is no longer necessary to remedy any confusion about where to find the applicable regulations. Accordingly, the final rule removes current § 741.223 and reserves the section.

B. Part 761 Registration of Residential Mortgage Loan Originators

The final rule amends current part 761 to remove the cross-citation to the CFPB's regulations governing the

[1] 75 FR 44656 (Jul. 28, 2010).

[2] The S.A.F.E. Act was enacted as part of the Housing and Economic Recovery Act of 2008, Public Law 110–289, Division A, Title V, sections 1501–1517, 122 Stat. 2654, 2810–2824 (July 30, 2008), *codified at* 12 U.S.C. 5101–5116.

[3] *Id.*

[4] Public Law 111–203, 124 Stat. 1376, 1955–2113 (2010).

[5] 12 U.S.C. 5101 *et seq.*

[6] 78 FR 32541 (May 31, 2013).

[7] 76 FR 78483 (Dec. 19, 2011).

[8] 78 FR 32541.

[9] 5 U.S.C. 553(b)(A), (B).

[10] 5 U.S.C. 553(d)(3).

[11] 12 U.S.C. 1766, 1789.

registration of residential mortgage loan originators. The section currently provides that the rules formerly at 12 CFR part 761 have been republished by the CFPB at 12 CFR part 1007, ''S.A.F.E. Mortgage Licensing Act—Federal Registration of Residential Mortgage Loan Originators (Regulation G)''. As explained in the Background of this preamble, this part merely cross-references the applicable consumer financial protection regulation, which is maintained by the CFPB. Because this part was intended only to assist credit unions given the transfer of the NCUA's 2013 regulations to the CFPB—which occurred more than 12 years ago—the part is no longer necessary to remedy any confusion about where to find the applicable regulations. Accordingly, the final rule removes current part 761 in its entirety and reserves the part.

III. Regulatory Procedures

A. Executive Orders 12866, 13563, 14192

Pursuant to Executive Order 12866 (''Regulatory Planning and Review''), a determination must be made whether a regulatory action is significant and therefore subject to review by the Office of Information and Regulatory Affairs (OIRA), within the Office of Management and Budget (OMB) in accordance with the requirements of the Executive Order.[12] Executive Order 13563 (''Improving Regulation and Regulatory Review'') supplements and reaffirms the principles, structures, and definitions governing contemporary regulatory review established in Executive Order 12866.[13] This final rule was drafted and reviewed in accordance with Executive Order 12866 and Executive Order 13563. OIRA has determined that this final rule is not a ''significant regulatory action'' as defined by section 3(f) of Executive Order 12866.

Executive Order 14192 (''Unleashing Prosperity Through Deregulation'') requires that any new incremental costs associated with new regulations shall, to the extent permitted by law, be offset by the elimination of existing costs associated with at least 10 prior regulations.[14] This final rule is not an Executive Order 14192 regulatory action because this rule is not significant under Executive Order 12866. This final rule is considered an Executive Order 14192 deregulatory action.

[12] 58 FR 51735 (Oct. 4, 1993).

[13] 76 FR 3821 (Jan. 21, 2011).

[14] 90 FR 9065 (Feb. 6, 2025).

B. The Regulatory Flexibility Act

The Regulatory Flexibility Act requires the Board to prepare an analysis of any significant economic impact a regulation may have on a substantial number of small entities.[15] The Board has designated federally insured credit unions with less than $100 million in assets as small entities for this purpose.[16] As discussed previously, consistent with the APA,[17] the Board has determined for good cause that general notice and opportunity for public comment is unnecessary, and therefore the Board is not issuing a notice of proposed rulemaking. Rules for which notice and comment procedures are not required are not subject to the Regulatory Flexibility Act's requirements, including conducting a regulatory flexibility analysis. Accordingly, the Board has concluded that the Regulatory Flexibility Act's requirements relating to initial and final regulatory flexibility analyses do not apply.

Nevertheless, if these requirements applied, the Board would determine that the final rule does not have a significant economic impact on a substantial number of small entities because it does not impose or alter any rights or obligations on non-agency parties. The final rule simply removes certain obsolete regulations.

C. The Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (PRA) generally provides that an agency may not conduct or sponsor, and not withstanding any other provision of law, a person is not required to respond to, a collection of information, unless it displays a currently valid Office of Management and Budget control number. The PRA applies to rulemakings in which an agency creates a new or amends existing information collection requirements. For purposes of the PRA, an information-collection requirement may take the form of a reporting, recordkeeping, or a third-party disclosure requirement. The NCUA has determined that the changes in the final rule do not create a new information collection or revise an existing information collection as defined by the PRA.

D. Executive Order 13132 on Federalism

Executive Order 13132 encourages certain agencies to consider the impact of their actions on state and local interests.[18] The NCUA, an agency as defined in 44 U.S.C. 3502(5), voluntarily complies with the executive order to adhere to fundamental federalism principles. The final rule does not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. The final rule does not create or alter existing rights or requirements that apply to federally insured, state-chartered credit unions or affect the ability of state regulatory agencies to examine, supervise, or regulate such credit unions. The NCUA has therefore determined that this final rule does not constitute a policy that has federalism implications for purposes of the executive order.

E. Assessment of Federal Regulations and Policies on Families

The NCUA has determined that this rule will not affect family well-being within the meaning of § 654 of the Treasury and General Government Appropriations Act.[19]

F. Congressional Review Act

Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996 (also known as the Congressional Review Act or CRA) generally provides for congressional review of agency rules.[20] NCUA must submit a report to Congress and the Comptroller General when it issues a final rule, as defined by the CRA.[21] An agency rule, in addition to being subject to congressional oversight, may also be subject to a delayed effective date if the rule is a ''major rule.'' OIRA has determined that this final rule is not a major rule as defined by the CRA.[22] The delayed effective date required by the CRA does not apply to any rule for which an agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.[23] For the same reasons noted above with respect to forgoing notice and comment in adopting this final rule, NCUA is adopting the final rule without the delayed effective date generally prescribed under the CRA.

[15] 5 U.S.C. 601–612.

[16] NCUA Interpretive Ruling and Policy Statement 15–1, 80 FR 57512 (Sept. 24, 2015), *available at https://ncua.gov/regulation-supervision/rules-regulations/interpretive-rulings-policy-statements.*

[17] 5 U.S.C. 553(b)(3)(B).

[18] ''Federalism,'' E.O. 13,132 (Aug. 10, 1999).

[19] Public Law 105–277, sec. 654, 112 Stat. 2681, 2681–528 (1998).

[20] 5 U.S.C. 801–808.

[21] 5 U.S.C. 804(3).

[22] 5 U.S.C. 804(2).

[23] 5 U.S.C. 808.

List of Subjects

12 CFR Part 741

Bank Deposit Insurance, Credit, Credit Unions, Reporting and recordkeeping requirements.

12 CFR Part 761

Consumer Protection, Credit Unions, Reporting and Recordkeeping Requirements.

By the National Credit Union Administration Board, this 12th day of November, 2026.

Melane Conyers-Ausbrooks,

Secretary of the Board.

For the reasons discussed in the preamble, the Board is amending 12 CFR parts 741 and 761 as follows:

PART 741—REQUIREMENTS FOR INSURANCE

■ 1. The authority citation for part 741 continues to read as follows:

Authority: 12 U.S.C. 1757, 1766(a), 1781–1790, and 1790d; 31 U.S.C. 3717.

§ 741.223 [Removed and Reserved]

■ 2. Remove and reserve § 741.223.

PART 761—[Removed and Reserved]

■ 3. The authority citation for part 761 continues to read as follows:

Authority: 12 U.S.C. 1751 *et seq.* and 5101 *et seq.*

■ 4. Remove and reserve part 761, consisting of § 761.1.

[FR Doc. 2026–23280 Filed 11–13–26; 8:45 am]

BILLING CODE 7535–01–P

SMALL BUSINESS ADMINISTRATION

13 CFR Part 115

RIN 3245–AI06

Surety Bond Guarantee Program: Streamlining and Modernizing

AGENCY: U.S. Small Business Administration.

ACTION: Final rule.

SUMMARY: This final rule makes several changes to the U.S. Small Business Administration (SBA) Surety Bond Guarantee (SBG) program regulations. The rule reduces the burden on participating surety companies for submission and retention of documents. The rule also corrects conflicting provisions, as well as revising the obsolete Preferred Surety admissions requirements and the Quarterly Contract Completion Report.

DATES: This rule is effective January 15, 2027.

FOR FURTHER INFORMATION CONTACT: Kevin Valdes, Office of Surety Guarantees, U.S. Small Business Administration at (202) 816–0137 or *kevin.valdes@sba.gov.* The phone number above may also be reached by individuals who are deaf or hard of hearing, or who have speech disabilities, through the Federal Communications Commission's TTY-Based Telecommunications Relay Service teletype service at 711.

SUPPLEMENTARY INFORMATION:

I. Background Information

SBA is amending several regulations applicable to its Surety Bond Guarantee (SBG) program. SBA guarantees bid, payment, and performance bonds for small and emerging contractors who cannot obtain surety bonds through regular commercial channels. SBA's guarantee, authorized pursuant to part B of title IV of the Small Business Investment Act of 1958, 15 U.S.C. 694a *et seq.,* gives Sureties an incentive to provide bonding for small businesses and thereby assists small businesses in obtaining greater access to contracting opportunities. SBA's guarantee is an agreement between a Surety and SBA that SBA will assume a certain percentage of the Surety's loss should a contractor default on the underlying contract.

As part of its ongoing responsibility to ensure that the rules it issues align with surety industry practices and do not have an adverse economic impact on those affected by those rules, SBA held a series of listening sessions with Surety professionals for input about their experiences using the SBG program. Findings of the listening sessions and additional impact studies resulted in the decision to change and clarify several procedures and regulations to improve customer experience and better enable modernization efforts within the SBG program. SBA published a Notice of Proposed Rulemaking in the **Federal Register** on November 19, 2024 (89 FR 91284).

II. Summary of Comments Received

On January 21, 2025, the notice of proposed rulemaking comment period ended. SBA received 18 comments to the notice of proposed rulemaking, of which 2 were beyond the scope of the notice for proposed rulemaking (NPRM) and 1 strictly addressed a grammatical concern. Of the 15 unique comments received, 2 were national trade associations, 3 were surety companies and agencies, 5 were individual surety professionals, and 5 were anonymous individuals. The 2 comments beyond the scope of the NPRM were from anonymous individuals, as well as the 1 grammatical comment.

Public comments received regarding the proposed changes will be addressed in the Section-by-Section Analysis. Of the 15 comments received in direct response to the proposals, 12 entirely supported, 2 partially supported, and 1 opposed the changes set forth in the notice of proposed rulemaking. In addition to comments on these regulations, there were also comments requesting that SBA implement policies and procedures on the guarantee percentage to women-owned small businesses (WOSBs), expansion of the Quick Bond application, support for concessionaire bonds, and expansion of SBA's role in the surety's underwriting of applications to improve opportunity and efficiencies across the Surety Bond Guarantee program.

III. Section-by-Section Analysis and Response to Comments

A. Prior Approval Agreement: § 115.11, § 115.30(b) and (d)

Sections 115.11, 115.30(b), and 115.30(d) address application submission parameters and signature requirements in the Prior Approval program. Current SBA regulation 13 CFR 115.11 requires prospective Surety Partners to submit partnership applications by mail. Current SBA regulation 13 CFR 115.30(b) requires signature on the approval of all Prior Approval program applications. Current SBA regulation 13 CFR 115.30(d) outlines requirements for application submission to SBA in the Prior Approval program.

This final rule adds the option to email Surety Partner application packages. Additionally, the rule adds a requirement for a Prior Approval Agreement between SBA and the Prior Approval Surety Partner that will contain a master certification for all the applications to follow and changes language from ''signed'' documents to ''executed'' documents. The agreement's certification effectively removes the need for each application to be individually signed and certified by both parties. SBA estimates the new agreements will reduce application annual time burden on program participants and SBA by 692 hours, or $32,773 according to fiscal year 2024 program activity. These changes will modernize program regulations to align with current business practices and improve the customer experience of the program in alignment with agency priority goals.

In a survey, all Prior Approval participants surveyed agreed that having

a Surety Partner participation agreement for the Prior Approval program would greatly benefit program participants by removing SBA's requirement to individually sign and certify every application submission. Four commenters on the proposed rule expressed support for this change. One of the supporting commenters expressed concern about whether the change will impact SBA's responsibility of first-time applicant review and underwriting to establish bonding parameters. To clarify, the rule change does not change the responsibility of the Surety to review and underwrite all small business bond needs prior to SBG program submission. It also does not remove responsibility of the Surety to verify information submitted by the Principal is true, correct, and complete to the best of their knowledge. The rule change does not change SBA's review and underwriting of Prior Approval applications for eligibility and suitability in the program; however, SBA does not currently, and will not, set the Surety's bonding parameters for the small business. Sureties participating in the Prior Approval program currently, and will continue to, certify that an applicant's information is true, correct, and complete to the best of their knowledge, and that the applicant appears to have the financial management and technical abilities to successfully complete the subject contract but falls below normal underwriting standards of the Surety. All applications in the program must be submitted after the Surety's bond approval conditioned on SBA's support. No other commenters expressed concern or opposition.

B. Streamline Fee Collection Process: § 115.19(g), § 115.32(b) and (d), § 115.66, § 115.67, and § 115.14(a)(5)

Sections 115.19(g), 115.32(b), 115.32(d), 115.66 and 115.67 address fee collection requirements, while section 115.14(a)(5) addresses the consequence to the Principal if their fee is not paid. Current SBA regulation 13 CFR 115.19(g) establishes SBA's right to deny liability when a Surety does not remit the Principal's fee payment or Surety's fee payment within the timeliness requirements set by SBA. Current SBA regulation 13 CFR 115.32(b) requires the Principal's fee payment be submitted with the application, establishing that the fee must be received by SBA prior to SBA's final approval of the application. Current SBA regulation 13 CFR 115.32(d) requires a Prior Approval Surety remit payment of the Principal's guarantee fee at the time of submission for an increase to an existing SBA guaranteed bond when it meets both SBA's increase threshold of 25% or $500,000 (whichever is less) and SBA's fee threshold ($250) for fee remittance. Current SBA regulation 13 CFR 115.66 requires the Principal's fee payment be submitted with the application, establishing that the fee must be received by SBA at the time of the Surety's guarantee submission to SBA. Current SBA regulation 13 CFR 115.67 requires a PSB Surety remit payment of the Principal's guarantee fee at the time of submission for an increase to an existing SBA guaranteed bond when it meets both SBA's increase threshold of 25% or $500,000 (whichever is less) and SBA's fee threshold ($250) for fee remittance. Lastly, current SBA regulation 13 CFR 115.14(a)(5) addresses the failure of the Principal to pay their required fee and the loss of eligibility for further SBA bond guarantees.

This final rule changes the timeliness requirement of all fees to 60 calendar days, in alignment with current surety fee collection timeliness requirements. The final rule also simplifies regulatory language to clarify the current responsibility of Sureties to ensure all fees payments, including Principal fee payments, are successfully received by SBA. By making these changes, SBA better streamlines the final bond application approval process by not stalling approvals for fee payments. Additionally, the changes enable SBA to accept bulk payments of Principal fees from Sureties. The changes allow Sureties to develop their own fee collection and remittance procedures, reducing burden and better integrating program workflows with their non-SBA processes. SBA estimates the new agreements will reduce application annual time burden on program participants and SBA by 993 hours, or $39,012 according to fiscal year 2024 program activity.

In a survey, several surety professional participants stated SBA's contractor fee collection process is incongruent with surety industry practice for premium (industry fee) collection. Instead of small businesses directly paying surety bond companies for each individual premium due, surety bond companies typically bill premiums (fees) due to surety bond agencies (intermediaries) representing applicant businesses via monthly billing statements. Collection is directly from these agencies, net their commission. The agencies independently manage premium collection from applicant businesses and are responsible for payment to surety bond companies. The industry almost always issues bonds before receiving premium. Prior Approval survey participants all stated SBA's current contractor fee collection requirements delay the bonding process since payment cannot be made prior to an initial intent-to-approve from SBA and the surety bond cannot be issued until payment is made by the small business. Two participants noted a small business can sometimes take days to pay SBA's fee, which further delays the bonding process.

Seven commenters on the proposed rule expressed support for this change. Six of these commenters stated the change will save the industry time and money through reduced procedural burdens. One of these commenters stated having the option to provide subsequent SBA fee billing aligns the program with industry standards. One commenter stated the change allows small businesses to receive bond costs reimbursement from project owners prior to payment of the fee, reducing cash reserve impacts to the small business. Three commenters on the proposed rule expressed opposition to this change. All three commenters opposed the change on the basis that SBA requiring Sureties to collect fees instead of SBA could adversely impact the program by increasing the program's bad debt, confusing small businesses on who ultimately receives the payment, and reducing program participation by the surety industry due to concern for responsibility of the fees. SBA acknowledges these concerns and corrected language to reflect that this change is not requiring Sureties to directly collect the Principal's fee. The rule revisions only change the timeliness requirement of Principal fees from at the time of SBA submission to within 60 calendar days from approval in SBA's online system and clarify existing responsibility language in the regulations. The responsibility of Sureties to the federal government to ensure the timely remittance of Principal fee payments is a current requirement of participation in the SBG program. Per the current Section 115.19(g) mentioned above, failure of Principal fee remittance by the Surety is already grounds for denial of liability by SBA. Methods of ensuring successful Principal fee remittance currently used by Sureties partnered with the SBG program include direct oversight of successful payment by the small business, direct payment by the Surety, and indirect oversight (by surety agencies) of successful payment by the small business. However, the current responsibility of ensuring fee payment

ultimately remains with the Surety. Language simplifications on this subject do not make any changes to the current responsibility of Sureties participating in the program. The change to timeliness requirements of fee remittance enables Sureties greater flexibility in management of this responsibility. In enabling SBA to allow bulk payments in addition to the current method of individual payments through U.S. Treasury's *pay.gov* website, Sureties participating in the program will have expanded options for compliance with fee remittance requirements. SBA is not requiring direct Principal fee collection by Sureties. A Surety's procedure for compliance with ensuring successful Principal fee remittance is a program management concern outside SBA and is not restricted by this rule change beyond remittance timeliness. One commenter provided a neutral response, identifying a grammatical error in the proposed rule. The grammatical error was accepted and is corrected in this final rule.

C. Quarterly Contract Completion Report: § 115.22

Section 115.22 requires Sureties with active SBA bond guarantees to submit a quarterly contract completion report (QCCR) detailing all contracts for guaranteed bonds that were completed during the most recently completed quarter. Current SBA regulation 13 CFR 115.22 requires the QCCR report be submitted within 45 calendar days of each fiscal year quarter's end and outlines the information to be provided in the report. This final rule moves the reporting parameters and timing from regulation to a standard operating procedure (SOP). SBA managing procedures for reporting in an SOP will provide greater flexibility for bond guarantee closeout management in the program and procedural streamlining. SBA estimates the new agreements will reduce program management annual time burden on program participants and SBA by 26 hours, or $2,463 according to fiscal year 2024 program activity.

At the time the QCCR was originally implemented, the surety industry commented on the proposed rule that the report creates an administrative burden on Surety Partners. During SBA's recent survey, participants stated the industry typically considers contracts up to $250,000 complete upon the estimated completion date on file without verification. In fiscal year 2024, nearly 45% of guaranteed bonds for awarded contracts were within this range. Surety Partners for the program have stated reporting details, such as the contract completion date, can require additional work when contracts are within this range. Two commenters on the proposed rule expressed support for this change. None expressed opposition or concern.

D. Surety Bonding Line: § 115.19(f)(1)(i), § 115.33(b)(1)

Sections 115.19(f)(1)(i) and 115.33(b)(1) address SBA bond guarantees in relation to bond execution and bonding line parameters. Current SBA regulation 13 CFR 115.33(b)(1) allows Sureties participating in SBA's Prior Approval program to submit applications up to 15 days after bond execution under an SBA-approved bonding line. However, current SBA regulation 13 CFR 115.19(f)(1)(i) requires bonds be approved by SBA prior to execution.

This final rule reconciles the conflicting language between these two regulations to allow SBA acceptance of executed bonds under an SBA bonding line. The rule also clarifies that a bonding line expires at the end of the fiscal year in which it was approved. These changes will resolve conflicts in regulatory language and clarify that SBA bonding lines cannot extend past the originated fiscal year per allocated funding restrictions of the program. Two commenters on the proposed rule expressed support for this change. None expressed opposition or concern.

E. Revisions To Underwriting and the Preferred Surety Bond (PSB) Program: § 115.11, § 115.60, § 115.65(b)

Sections 115.11, 115.60, and 115.65(b) address requirements to participate in SBA's PSB program. Current SBA regulation 13 CFR 115.60 requires PSB-partnered Sureties maintain an underwriting limitation of $6.5 million with the U.S. Treasury Department's Circular 570 list, its premium income from federally-guaranteed contract bonds not exceed one quarter of its total contract bond premium income, and its underwriting authority of SBA-guaranteed bonds only be vested in its employees. Current SBA regulation 13 CFR 115.65(b) requires PSB-partnered Sureties handle SBA guaranteed bonds in the same manner and with the same staff as the Surety's activity outside the PSB program.

This final rule revises SBA's selection and admission regulations for Sureties participating in the PSB program by moving the regulatory requirements for a minimum underwriting limit on U.S. Treasury's 570 Circular and the initial participation limits to an SOP. It also removes the premium income limitation of the program and expands vesting of underwriting for SBA-guaranteed bonds to a Surety's employees, its affiliates, or its PSB-authorized agencies. These changes enable SBA to approve participation in the PSB program for the size-limited Affiliates of larger Sureties and small regional Sureties, and exercise more flexibility when assessing the portfolio management structure of Sureties applying to the program. Some surety bond companies utilize Affiliates with low T-listing limits to support small specialty before moving them to surety Affiliates with higher T-listing amounts. Overall, SBA expects this to increase the number of surety partners and bond opportunities for small businesses.

Seven commenters on the proposed rule expressed support for this change. Five of these commenters stated the change will streamline program participation and decrease program burden by allowing PSB-authorized agencies to underwrite SBA-guaranteed bonds in the PSB program. No commenters expressed concern or opposition. During listening sessions, meetings, and other engagements with the surety bond industry, SBA found it is common practice in the industry to delegate bond writing authority to staff of an affiliated surety and vetted surety bond agencies. The agents in vetted surety bond agencies are vetted for their underwriting knowledge and performance in the industry in relation to their portfolio with the surety bond company delegating such authority. Agencies with this authority are referred to as ''Managing General Agencies'' (MGAs) and ''Managing General Underwriters'' (MGUs). With this authority, these entities act on behalf of the surety by performing the underwriting of a bond application and issuing the surety bond. Oftentimes, MGAs and MGUs handle large portfolios of business that normal underwriting practices make too cumbersome or time-consuming for surety bond companies to manage.

The Prior Approval program does not have staff restrictions on underwriting by participating surety bond companies. In FY2024, a comparative review of program performance for fiscal years 2014–2021 by known MGAs and MGUs in the Prior Approval program showed performance by these entities has been on par with the rest of the program during the same period. SBA will refer to MGAs and MGUs delegated by SBA-partnered surety bond companies as PSB-authorized agencies.

F. Revisions to the Quick Bond Agreement: § 115.30(d)(2)

Section 115.30(d)(2) outlines requirements for SBA's Quick Bond agreement (Quick Bond). Current SBA regulation 13 CFR 115.30(d)(2) limits contract size to no more than $500,000 on Quick Bonds and excludes applications with previous contract defaults, commencement of work, contract duration over 12 months, liquidated damages over $2,500 per day, work scope involving several types of work, and bonds that can be issued under a bonding line. This final rule moves these requirements to an SOP. The change enables SBA to more dynamically support small business through Quick Bonds and more flexibility to align with industry fast-track program practices and better support small businesses.

Nine commenters on the proposed rule expressed support for this change. Seven of these commenters stated SBA should increase the limit on contract size. Two of these commenters stated SBA should increase the limit on liquidated damages. While SBA acknowledges these recommendations and is taking them into consideration in review of current Quick Bond parameters, the comments are out of scope of the proposed rule changes. The final rule change improves SBA's ability to reduce its historical lag behind changes to industry standards for programs similar to Quick Bonds, but the final rule does not change the specific requirements. Upon the effective date of this final rule, any change to requirements by SBA will be issued to the public in the form of a Policy Notice by SBA. One of these commenters stated the program should support concessionaire bonds for airport contracts. While SBA acknowledges the recommendation, the comment is out of scope of the proposed rule changes. No commenters expressed concern or opposition.

IV. Technical Corrections: § 115.10, § 115.11, § 115.12(f), § 115.18(c), § 115.30(b) and (c), § 115.31(d), § 115.32(c) and § 115.35.

SBA is making several technical corrections to clarify and correct current regulations. In 13 CFR 115.10, SBA is adding as a definition ''SBA Surety Bond Guarantee Program Requirements,'' revising the definitions of ''Prior Approval Surety'' and ''PSB Agreement,'' and removing the definition ''Prior Approval Agreement.'' Current SBA regulation 13 CFR 115.11 states the T-listing limit is for bonds in connection with Federal procurement contracts. However, U.S. Treasury clarified to SBA that the requirement is in connection with all bonds issued by the surety bond company should the company be Treasury listed. This final rule removes reference to Federal procurement contracts to align with U.S. Treasury underwriting limitation policy. No commenters expressed support, concern, or opposition.

Current SBA regulation 13 CFR 115.12(f) explains procedures for SBA-approved transfers and sales of files and accounts by a surety. This final rule adds language that clarifies sale of an entire SBA-partnered business operation without prior-written approval by SBA voids SBA's guarantee and claims reimbursement agreements to that division unless the sale is to an existing SBA partner. No commenters expressed support, concern, or opposition.

Current SBA regulation 13 CFR 115.18(c) references SBA form 912. SBA's form 994 was previously modified to capture the same information as SBA form 912 and the program stopped actively collecting SBA form 912. SBG program currently relies solely on SBA form 994 for the information previously collected on SBA form 912. This final rule replaces reference to SBA form 912 with reference to individual certification by applicant owners. No commenters expressed support, concern, or opposition.

Current SBA regulation 13 CFR 115.30(b) and (c) refer to SBA staff as SBA officers. This final rule changes ''SBA officers'' to ''SBA staff'' to be consistent with references to employees throughout the rest of the regulations. No commenters expressed support, concern, or opposition.

Current SBA regulation 13 CFR 115.31(d) includes an example calculation for determining a reduced guarantee percent on a contract over the statutory limit of the program. All other examples are maintained in program SOPs. This final rule removes this example from the regulations to maintain language consistency in 13 CFR 115. No commenters expressed support, concern, or opposition.

Current SBA regulation 13 CFR 115.35(a)(1)(iv) states a surety must notify SBA when it receives any adverse information concerning a Principal's financial condition or possible inability to complete the project or pay laborers or suppliers. In practice, SBA verifies this information when submitted to SBA. Additionally, these conditions for notification are collectively defined by SBA in § 115.10 as ''imminent breach'' when the conditions, unless remedied by the Surety, make a default under the bond appear to be inevitable. This final rule clarifies this requirement by stating the surety must notify SBA when it verifies any adverse information concerning imminent breach by the Principal. No commenters expressed support, concern, or opposition.

SBA is making a nomenclature change in 13 CFR 115.32(c) and 115.35(e) changing ''Prior Approval Agreement'' to ''Surety Bond Guarantee Agreement.''

V. Section-by-Section Analysis

A. § 115.10

SBA is adding ''SBA Surety Bond Guarantee Program Requirements'' as a definition. SBA is also revising the definitions of ''Prior Approval Surety'' and ''PSB Agreement.'' Remove the definition ''Prior Approval Agreement.''

B. § 115.11

SBA is removing the requirement that physical applications be submitted and allow Surety Partners to email application packages and the requirement that a Surety's salaried staff must oversee its underwriting function. SBA is revising the requirement that a Surety's salaried staff must oversee its claims, recovery, and final settlement functions to now also allow affiliated Sureties participating in the program. SBA is removing language stating that the T-listing limit for bonds is in connection with Federal procurement contracts.

C. § 115.12(f)

SBA is adding clarifying language that the sale of an entire business operation partnered with SBA occurs without prior written approval of SBA, it will void SBA's guarantee and claims reimbursement agreements to that division unless the sale is to an existing SBA partner.

D. § 115.14(a)(5)

SBA is revising language about when the principal loses eligibility for further bond guarantees identifying that the payment of the guarantee fee must be received by SBA. This aligns with the more flexible approach that the Principal fee can be remitted to SBA by either the Principal or the Surety.

E. § 115.18(c)

SBA is removing reference to SBA Form 912 Statement of Personal History as it is no longer in use.

F. § 115.19

SBA is adding language to 13 CFR 115.19(f)(1)(i) to clarify that timeliness for a bonding line is determined by § 33(d).

G. § 115.22

SBA is changing the time frame for contract completion reporting from quarterly to requiring the Surety to submit to SBA notification of successfully completed contracts within the time frame set by SBA.

H. § 115.30

SBA is removing the signature requirement in § 115.30(b) for each application and replacing it with a master certification. SBA is changing § 115.30(d) to require a new Prior Approval Agreement between SBA and the Prior Approval Surety Partner which will contain a master certification for all the applications that follow.

SBA is revising § 115.30(b) and (c) by removing references to ''authorized SBA officer'' and replace with the SBA's Director, Office of Surety Guarantees (D/SG) or their designee.

SBA is revising Quick Bond Agreement requirements in paragraph (d)(2) by removing the restriction that a Quick Bond Agreement can only be used for contract amounts that do not exceed $500,000 at the time of application and remove the regulatory exclusions in paragraph (d)(ii).

I. § 115.31

SBA is removing from paragraph (d) the example calculation for when a contract amount increases above the statutory limit.

J. § 115.32

SBA is revising paragraph (b) to delete the requirement that the SBA's charge to Principal be remitted with the application and replace that with remit to SBA within 60 calendar days of the approval of the *Surety Bond Guarantee Agreement* (SBA form 990).

SBA is revising paragraph (d)(1) by changing the cross reference in paragraph (d)(1) for the payment of the increased Principal's guarantee fee from in accordance with (d)(2) to (b).

SBA is also revising (d)(2) for clarity and to change nomenclature from ''Prior Approval Agreement'' to ''Surety Bond Guarantee Agreement.''. Revise paragraph (d)(3) by removing that refunded fees from bond decreases will go from SBA to the Principal.

K. Nomenclature Change in § 115.32(c) Changing ''Prior Approval Agreement'' to ''Surety Bond Guarantee Agreement.'' § 115.33(b)(1)

SBA is revising the duration of a Bonding Line from 1 year to the fiscal year of approval.

L. § 115.35

SBA is revising 115.35(a)(1)(iv) when a Surety must notify SBA about adverse information. SBA is changing the reporting threshold from when the Surety has adverse information concerning a Principal's financial condition to when the Surety has verified imminent breach by the Principal.

SBA is making a nomenclature change in § 115.35(e) changing ''Prior Approval Agreement'' to ''Surety Bond Guarantee Agreement.''

M. § 115.60

SBA is revising paragraph (a) by adding ''conditions and''. SBA is removing the underwriting limitation of $6,500,000 in paragraph (a)(1) and replacing it with a minimum threshold set by SBA for the applicant Surety or an SBA-partnered affiliate. SBA is deleting paragraph (a)(3), revising paragraph (a)(4) by adding employees of a Surety's affiliates and PSB-authorized agencies as those who are allowed to do underwriting on behalf of the Surety, and revising paragraph (b) by removing the 9-month trial period before a Surety can be admitted into the PSB program and replacing it with a time frame set by SBA.

N. § 115.65(b)

SBA is revising paragraph (b) by eliminating the restriction that the approval, execution, and administration of SBA Bond Guarantees by a PSB Surety must be handled by the same staff as the Surety's outside activity and replacing it with a cross reference to individuals outlined in § 115.60(a)(4). Section 115.60(a)(3) is also being revised by adding employees of a Surety's affiliates and entities as approved by SBA as those who are allowed to do underwriting on behalf of the Surety and clarifying that authority is limited to approving SBA bond guarantees.

O. § 115.66

SBA is revising § 115.66 which relates to fee collection by PSB Sureties to mirror the requirements for Prior Approval Sureties in § 115.32. Revisions include deleting existing text and adding subsections (a), (b), and (c). Subsection (a) describes the Surety's Premium. Subsection (b) describes the SBA charge to the Principal. Subsection (c) describes the SBA charge to the Surety. None of these are new charges or fees.

Compliance Executive Orders 12866, 13563, 12988, 13132, and 14192, the Regulatory Flexibility Act (5 U.S.C. 601–612), the Congressional Review Act (5 U.S.C. 801–808), and the Paperwork Reduction Act (44 U.S.C. Ch. 35)

Executive Orders 12866 and 13563

Executive Order 12866, Regulatory Planning and Review, requires agencies to provide a Regulatory Impact Analysis assessing costs and benefits and addressing available alternatives for any ''significant regulatory action.'' The Office of Management and Budget has determined that this rule does not constitute a ''significant regulatory action'' as defined in Executive Order 12866.

Executive Order 13563, Improving Regulation and Regulatory Review, reaffirms the principles of Executive Order 12866 and requires agencies to adopt regulations through a process that involves public participation and, to the extent feasible, base regulations on the open exchange of information and perspectives from affected stakeholders and the public as a whole. SBA has developed this rule in a manner consistent with these requirements. In addition, Executive Order 13563 requires agencies to assess the benefits and costs of any regulations and address available alternatives to direct regulation.

As described above, this final rule could affect small entities that participate as sureties in SBA's Surety Bond Guarantee program and small entities seeking assistance through the program. SBA's final rule will reduce time in two significant ways.

First, all Prior Approval participants surveyed agreed that having a Surety Partner participation agreement for the Prior Approval program would greatly benefit program participants by removing SBA's requirement to individually certify every application submission. SBA proposes changes to 13 CFR 115.30(d) to require a new Prior Approval Agreement between SBA and the Prior Approval Surety Partner which will contain a master certification for all the applications to follow. This removes the need for each application to be individually certified. SBA estimates the new agreements would reduce application time burden on program participants by 557 hours, or $15,818 according to fiscal year 2023 program activity.

The final rule change is estimated to save each impacted program participant an average of 3 minutes per response, or a total of 557 total burden hours for all small businesses. To quantify the value of time saved, the SBA relies on BLS

wage data and assumes that the representative impacted occupation would be ''insurance sales agents''. The median wage from 2023 for this occupation was $28.40. Using the program data from FY2023, the estimated total burden hours saved for program participants per year is approximately 557. The total annual savings that the SBA estimates for program participants as a result of the changes is $15,818 ($28.40 * 557), on average.

Second, SBA is extending the timeliness requirement for Surety Partners to successfully remit SBA's contractor fee payment from before the approval of a Surety Bond Guarantee to 60 calendar days after the approval of a Surety Bond Guarantee. This enables the industry flexibility to align SBA contractor fee collection procedures with industry fee collection practices and reduce the amount of uncollectible fees owed by small businesses. Surety Partners can still independently require applicant contractors to pay the fee prior to issuance of the SBA guaranteed surety bond. This change affords greater flexibility by permitting a Surety Partner to obtain SBA's approval before completing remittance of the contractor fee. As explained above, SBA estimates the change would reduce application time burden on program participants and small businesses by 568 hours, or $14,495 according to fiscal year 2023 program activity.

Executive Order 12988

This action meets applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden. This rule does not have retroactive or preemptive effect.

Executive Order 13132

For purposes of Executive Order 13132, SBA has determined this rulemaking 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, SBA has determined that this final rule has no federalism implications warranting preparation of a federalism assessment.

Executive Order 14192

This final rule is an Executive Order 14192 deregulatory action with an annualized net savings total of approximately $146,300 at a seven percent discount rate, discounted relative to 2024, over a perpetual time horizon.

This rule streamlines application procedures, modernizes forms execution, increases workflow flexibility, enables automation, and reduces regulatory burdens. It replaces the requirement for a separate Surety certification for each Prior Approval guarantee application with a single Surety participation certification, removes applicant guarantee fee payment and verification as a barrier for approval of a bond guarantee, permits electronic submission of Surety Partner participation applications, and reduces paperwork reporting burdens for Surety participants.

This rule also removes obsolete and conflicting provisions and gives SBA greater flexibility to align certain program requirements with surety industry practices and small business needs, including requirements governing Quick Bond applications and Preferred Surety Bond delegated authority.

There are currently 141 Surety participants in the program. Fiscal year 2024 experienced 6,920 submissions requiring Surety participant signatures on SBA forms. Of those submissions, 3,971 required verifications of applicant fee payments prior to application approval finalization. Of the 141 Surety participants, 44 were required to submit a total of 176 quarterly contract completion reports. Removal of signature requirements reduces time costs by 692 hours for Surety participants and SBA staff with an initial cost of 14 hours have all Surety participants complete Surety participation certifications. Removal of manual fee payment requirements and verifications prior to the approval of a surety bond guarantee reduces time costs by 662 hours with no additional costs due to automation enhancements. Reporting burden reductions from regulatory removal of the quarterly contract completion report reduces time costs by 30 hours for Surety participants and SBA staff with no additional costs. These cost savings are valued at $39.19 per hour—the mean hourly wage for Insurance Sales Agents 2024 Bureau of Labor Statistics (''BLS'') data, and at $64.28—the mean hourly wage for SBA staff based on the 2024 Office of Personnel Management (''OPM'') data. These calculations include 100 percent more for benefits and overhead adjustment. This produces an estimated total savings per year of approximately 1,384 hours, or $146,300.

The table below displays the costs and savings of this rule over the first two years it is published, with the savings and costs in the second year expected to continue in perpetuity, providing a total annualized net savings of approximately $146,300 at a seven percent discount rate or approximately $393 per Surety participant and $90,885 for SBA.

	Savings	Cost	Net total $
Year 1	(1,384 hours) ($146,300)	14 hours $724	($145,575)
Year 2+	(1,384 hours) ($146,300)	0 hours $0.00	(146,300)

Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, requires an agency issuing a rulemaking to prepare a final regulatory flexibility analysis that describes the impact of the final rule on small entities. (5 U.S.C. 604(a)). Section 605 of the RFA allows an agency, in lieu of preparing an analysis, to certify that the rule will not have a significant economic impact on a substantial number of small entities.

This is expected to be a time saving rule making so it is not anticipated to have a significant economic impact on a substantial number of small entities. As of fiscal year end 2023, the Program had 9,265 surety bond guarantees to 32 active surety companies (which may or may not be small businesses) that would be impacted by this rulemaking. Accordingly, the Administrator of the SBA hereby certifies that this rule will not have a significant economic impact on a substantial number of small entities.

Congressional Review Act

This rule has been determined not to meet the criteria set forth in 5 U.S.C. 804(2). SBA will submit the rule to Congress and the Government Accountability Office consistent with

the Congressional Review Act's requirements.

Paperwork Reduction Act

For the purpose of the Paperwork Reduction Act, 44 U.S.C. Ch. 35, SBA will update the affected information collections through the Paperwork Reduction Act process.

List of Subjects in 13 CFR Part 115

Claims, Reporting and recordkeeping requirements, Small businesses, Surety bonds.

Accordingly, for the reasons set forth in the preamble, SBA amends 13 CFR part 115 as follows:

PART 115—SURETY BOND GUARANTEE

■ 1. The authority citation for part 115 continues to read as follows:

Authority: 5 U.S.C. app 3; 15 U.S.C. 636i, 687b, 687c, 694a, and 694b note.

■ 2. Amend § 115.10 as follows:

■ a. Remove the definition of ''Prior Approval Agreement'';

■ b. Revise the definitions of ''Prior Approval Surety'' and ''PSB Agreement''; and

■ c. Add a definition for ''SBA Surety Bond Guarantee Program Requirements'' in alphabetical order.

The revisions and addition read as follows:

§ 115.10 Definitions.

* * * * *

Prior Approval Surety means a Surety which must obtain SBA's prior approval on each guarantee and has an active Prior Approval Surety Participation Agreement (SBA Form 900) with SBA.

PSB Agreement means the Preferred Surety Participation Guarantee Agreement (SBA Form 901) entered into between a PSB Surety and SBA.

* * * * *

SBA Surety Bond Guarantee Program Requirements are requirements imposed upon Sureties by statute; SBA and applicable Government-wide regulations including but not limited to this part; any agreement Surety has executed with SBA or to which Surety is subject; SBA Standard Operating Procedures (SOPs); **Federal Register** notices; and official SBA notices and forms applicable to the SBA Surety Bond Guarantee Program, as such requirements are issued and revised by SBA from time to time.

* * * * *

■ 3. Revise § 115.11 to read as follows:

§ 115.11 Applying to participate in the Surety Bond Guarantee Program.

Sureties interested in participating as Prior Approval Sureties or PSB Sureties should apply by email, found on *www.sba.gov,* or in writing to the D/SG at 409 3rd Street, SW, Washington, DC 20416. OSG will determine the eligibility of the applicant considering its standards and procedures for underwriting, administration, claims and recovery. Each applicant must be a corporation listed by the U.S. Treasury as eligible to issue bonds. At a minimum, each applicant must have salaried staff that is employed directly (not an agent or other individual or entity under contract with the applicant) or by an affiliated Surety participating in the program to perform all claims and recovery functions other than specialized services the costs of which may be reimbursable under § 115.16(e)(1). Final settlement authority for claims and recovery must be vested only in the applicant's salaried claims staff or by claims staff employed directly by an affiliated Surety participating in the program. The applicant must continue to comply with SBA's standards and procedures for underwriting, administration, claims, recovery, and staffing requirements while participating in SBA's Surety Bond Guarantee Program.

■ 4. Amend § 115.12 by revising paragraph (f) to read as follows:

§ 115.12 General program policies and provisions.

* * * * *

(f) *Transfers or sales by Surety.* Sureties must not sell or otherwise transfer their files or accounts, whether before or after a default by the Principal has occurred, without the prior written approval of SBA. A violation of this paragraph (f) is grounds for termination from participation in the program. This paragraph (f) does not apply to the sale of an entire business division, subsidiary or operation of the Surety. If the sale of an entire business division partnered with SBA occurs without prior written approval of SBA, it will void SBA's guarantee and claims reimbursement agreements to that division unless the sale is to an existing SBA partner.

■ 5. Amend § 115.14 by revising paragraph (a)(5) to read as follows:

§ 115.14 Loss of Principal's eligibility for future assistance and reinstatement of Principal.

(a) * * *

(5) The guarantee fee has not been received by SBA.

* * * * *

■ 6. Amend § 115.18 by revising paragraph (c) to read as follows:

§ 115.18 Refusal to issue further guarantees; suspension and termination of PSB status.

* * * * *

(c) *Notification requirement.* The Prior Approval or PSB Surety must promptly notify SBA of the occurrence of any event in paragraphs (b)(1) through (5) of this section, or if any of the Persons described in paragraph (b) of this section does not, or ceases to, qualify as a Surety. SBA may require submission of individual certifications from any of these Persons.

* * * * *

■ 7. Amend § 115.19 by revising paragraph (f)(1) and (g) to read as follows:

§ 115.19 Denial of liability.

* * * * *

(f) * * *

(1) Either:

(i) The bond was Executed prior to the date of SBA's guarantee, or in the case of a bonding line commitment under § 115.33 the bonding line was not established in accordance with § 115.33(d); or

(ii) The bond was Executed (or approved, if the Surety is legally bound by such approval) after the work under the Contract had begun, unless SBA approves a Surety Bond Guarantee Agreement Addendum (SBA Form 991) after receiving all of the following from the Surety:

(A) Satisfactory evidence, including a certified copy of the Contract (or a sworn affidavit from the Principal), showing that the bond requirement was contained in the original Contract, or other documentation satisfactory to SBA, showing why a bond was not previously obtained and is now being required;

(B) Certification by the Principal that all taxes and labor costs are current, and listing all suppliers and subcontractors, indicating that they are all paid to date, and attaching a waiver of lien from each; or an explanation satisfactory to SBA why such documentation cannot be produced; and

(C) Certification by the Obligee that all payments due under the Contract to date have been made and that the job has been satisfactorily completed to date.

* * * * *

(g) *Delinquent fees.* The SBA has not received payment for the full amount of all guarantee fees within the time period required under § 115.32(b) and (c) for Prior Approval Sureties, or § 115.66 for PSB Sureties. SBA may reinstate the

guarantee upon showing that the contract is not in default and that a valid reason exists why a timely remittance or payment was not made.

* * * * *

■ 8. Revise § 115.22 to read as follows:

§ 115.22 Closeout reporting.

The Surety must submit to SBA notification of successfully completed contracts and claims files within the timeframe set by SBA, and in the manner as prescribed by SBA.

■ 9. Amend § 115.30 by revising paragraphs (b) and (c), the introductory text of paragraph (d), and the introductory text of paragraph (d)(2) to read as follows:

§ 115.30 Submission of Surety's guarantee application.

* * * * *

(b) *SBA's determination.* SBA's approval or decline of a guarantee application is made in writing by the D/SG or their designee. SBA may provide telephone notice before the Prior Approval Surety receives SBA's guarantee approval form if the guarantee has already received approval by SBA staff with delegated authority. In the event of a conflict between the telephone notice and the written form, the written form controls.

(c) *Reconsideration-appeal of SBA determination.* A Prior Approval Surety may request reconsideration of a decline from the D/SG or their designee who made the decision. If the decision on reconsideration is negative, the Surety may appeal to an individual designated by the D/SG. If the decision is again adverse, the Surety may appeal to the D/SG, who will make the final decision.

(d) *Prior Approval Surety Participation Agreement.* To apply for a bond guarantee, a Prior Approval Surety must have an active Prior Approval Surety Participation Agreement, submit a Surety Bond Guarantee Agreement (SBA Form 990), and select one of the following application types:

* * * * *

(2) *Quick Bond Agreement.* Except as determined by SBA, a Prior Approval Surety may complete and submit an SBA Form 990 indicating a Quick Bond Agreement application type for each Bid Bond or Final Bond. This form must be approved by SBA prior to the Surety's Execution of the bond. Eligibility parameters of the Quick Bond application type are determined by SBA. The guarantee fees owed in connection with Final Bonds must be paid in accordance with § 115.32.

* * * * *

§ 115.31 [Amended]

■ 10. Amend § 115.31 in paragraph (d) by removing the last sentence.

■ 11. Amend § 115.32 by revising paragraphs (b) and (d) to read as follows:

§ 115.32 Fees and Premiums.

* * * * *

(b) *SBA charge to Principal.* SBA does not charge Principals application or Bid Bond guarantee fees. If SBA guarantees a Final Bond, the Principal must pay a guarantee fee equal to a certain percentage of the Contract amount. The Surety is responsible for successful remittance of the Principal's guarantee fee due on each guaranteed bond (other than a Bid Bond under § 115.19(g)) and remitting payment within 60 calendar days after SBA's approval of the Surety Bond Guarantee Agreement (SBA form 990). The percentage is determined by SBA and is published in Notices in the **Federal Register** from time to time. The Principal's fee is rounded to the nearest dollar. See paragraph (d) of this section for additional requirements when the Contract amount changes.

* * * * *

(d) *Contract or bond increases/decreases*—(1) *Notification and approval.* The Prior Approval Surety must notify SBA of any increases or decreases in the Contract or bond amount that aggregate 25% or $500,000 of the original contract or bond amount, whichever is less, as soon as the Surety acquires knowledge of the change. Whenever the original bond amount increases as a result of a single change order of at least 25% or $500,000 of the original contract or bond amount, whichever is less, the prior written approval of such increase by SBA is required on a supplemental Surety Bond Guarantee Agreement and is conditioned upon payment by the Surety of the increase in the Principal's guarantee fee as set forth in paragraph (b) of this section. In notifying SBA of any increase or decrease in the Contract or bond amount, the Prior Approval Surety must use SBA Form 990 and select the application type that it used in applying for the original bond guarantee.

(2) *Increases; fees.* The payment for the increase in the Principal's guarantee fee is computed on the increase in the Contract amount. If the increase in the Principal's fee is less than $250, no payment is due until the total amount of increases in the Principal's fee equals or exceeds $250. The Surety's payment of the increase in the Surety's guarantee fee, computed on the increase in the bond Premium, must be submitted to SBA within 60 calendar days of SBA's approval of the Surety Bond Guarantee Agreement, unless the amount of such increased guarantee fee is less than $250. When the total amount of increase in the guarantee fee equals or exceeds $250, the Surety must remit the fee within 60 calendar days.

(3) *Decreases; refunds.* Whenever SBA is notified of a decrease in the Contract or bond amount, SBA will refund a proportionate amount of the Principal's guarantee fee and rebate to the Surety a proportionate amount of SBA's Premium share in the ordinary course of business. If the amount to be refunded or rebated is less than $250, such refund or rebate will not be made until the amounts to be refunded or rebated, respectively, aggregate at least $250. Upon receipt of the refund, the Surety must promptly pay a proportionate amount of its Premium to the Principal.

■ 12. Amend § 115.33 by revising paragraph (b)(1) to read as follows:

§ 115.33 Surety bonding line.

* * * * *

(b) * * *

(1) The term of the bonding line, not to exceed the fiscal year of approval subject to renewal in writing;

* * * * *

■ 13. Amend § 115.35 by revising paragraph (a)(1)(iv) to read as follows:

§ 115.35 Claims for reimbursement of Losses.

(a) * * *

(1) * * *

(iv) The Surety has verified any adverse information concerning imminent breach by the Principal.

* * * * *

■ 14. Revise § 115.60 to read as follows:

§ 115.60 Selection and admission of PSB Sureties.

(a) *Selection of PSB Sureties.* SBA's selection of PSB Sureties will be guided by, but not limited to, these conditions and factors:

(1) An underwriting limitation on the U.S. Treasury Department list of acceptable sureties of at least the minimum threshold set by SBA for the applicant Surety or an SBA-partnered affiliate.

(2) An agreement that the Surety will neither charge a bond premium in excess of that authorized by the appropriate State insurance department, nor impose any non-premium fee unless such fee is permitted by applicable State law and approved by SBA.

(3) The vesting of underwriting authority to approve SBA bond guarantees only in employees of the

Surety, its affiliates, or entities as approved by SBA.

(4) The rating or ranking designations assigned to the Surety by recognized authority.

(b) *Admission of PSB Sureties.* A Surety admitted to the PSB program must execute a PSB Agreement before approving SBA guaranteed bonds. No SBA guarantee attaches to bonds approved before the D/SG or designee has countersigned the Agreement. SBA may in its discretion limit participation of the Surety for a period set by SBA to allow SBA to evaluate the Surety's performance.

■ 15. Amend § 115.65 by revising paragraph (b) to read as follows:

§ 115.65 General PSB procedures.

* * * * *

(b) *Usual staff and procedures.* The approval, Execution and administration by a PSB Surety of SBA guaranteed bonds must be handled in the same manner and with the same individuals outlined in § 115.60(a)(3). The Surety must request job status reports from Obligees in accordance with its own procedures.

* * * * *

■ 16. Revise § 115.66 to read as follows:

§ 115.66 Fees.

(a) *Surety's Premium.* A PSB Surety must not charge a Principal an amount greater than that authorized by the appropriate insurance department. The Surety must not require the Principal to purchase casualty or other insurance or any other services from the Surety or any Affiliate or agent of the Surety. The Surety must not charge non-Premium fees to a Principal unless the Surety performs other services for the Principal, the additional fee is permitted by State law, and the Principal agrees to the fee.

(b) *SBA charge to Principal.* SBA does not charge Principals application or Bid Bond guarantee fees. If SBA guarantees a Final Bond, the Principal must pay a guarantee fee equal to a certain percentage of the Contract amount. The Surety is responsible for successful remittance of the Principal's guarantee fee due on each guaranteed bond (other than a Bid Bond) and remitting payment within 60 calendar days after submission to SBA. The percentage is determined by SBA and is published in Notices in the **Federal Register** from time to time. The Principal's fee is rounded to the nearest dollar. See § 115.67 for additional requirements when the Contract amount changes.

(c) *SBA charge to Surety.* SBA does not charge Sureties application or Bid Bond guarantee fees. Subject to § 115.18(a)(4), the Surety must pay SBA a guarantee fee on each guaranteed bond (other than a Bid Bond) within 60 calendar days after the submission of the related Final Bond. The fee is a certain percentage of the bond premium determined by SBA and published in Notices in the **Federal Register** from time to time. The fee is rounded to the nearest dollar. SBA does not receive any portion of a Surety's non-premium charges. See § 115.67 for additional requirements when the Contract or bond amount changes.

§§ 115.32 and 115.35 [Amended]

■ 17. In addition to the amendments set forth above, in 13 CFR Part 115, remove the words ''Prior Approval Agreement'' and add, in their place, the words ''Surety Bond Guarantee Agreement'' in the following places:

■ a. Section 115.32(c); and

■ b. Section 115.35(e).

Kelly Loeffler,

Administrator.

[FR Doc. 2026–23225 Filed 11–13–26; 8:45 am]

BILLING CODE 8026–09–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket No. USCG–2026–1153]

Special Local Regulation: Marine Events Within the Captain of the Port Miami, Seminole Hard Rock Winterfest Holiday Boat Parade

AGENCY: Coast Guard, DHS.

ACTION: Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a special local regulation to provide for the safety of life on navigable waterways during the Seminole Hard Rock Winterfest Holiday Boat Parade. Our regulation for marine events within the Captain of the Port Miami identifies the regulated area for this event in Fort Lauderdale, FL. All non-participant persons and vessels are prohibited from entering, transiting, anchoring, or remaining within the regulated area during the enforcement period unless authorized by the Captain of the Port Miami or a designated representative. The operator of any vessel in the regulated area must comply with directions from the Coast Guard or designated representative.

DATES: The regulations in 33 CFR 100.702 will be enforced for the location identified in Item 11 of Table 1 to § 100.702 on December 12, 2026, from 1:30 p.m. through 11:30 p.m.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notification of enforcement, call or email MST2 Elliot Cortes, Sector Miami Waterways Management Division, U.S. Coast Guard; Telephone: 786–295–9051, Email: *SectorMiamiWaterways@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce a special local regulation published in 33 CFR 100.702, Item 11 of Table 1 to § 100.702, for the Seminole Hard Rock Winterfest Holiday Boat Parade on December 12, 2026, from 1:30 p.m. to 11:30 p.m. This action is being taken to provide for the safety and security of certain navigable waters within the New River and Atlantic Intracoastal Waterway during this one-day event. Our regulation for marine events within the Seventh Coast Guard District, Item 11 of Table 1 to § 100.702, specifies the location of the regulated area for the Seminole Hard Rock Winterfest Holiday Boat Parade which includes a moving buffer zone of 50 yards around the parade as it travels along the New River and Intracoastal Waterway in Fort Lauderdale, FL. Only event sponsor designated participants and official patrol vessels may enter the regulated area. Spectator vessels may contact the Coast Guard Patrol Commander to request permission to pass through the regulated area. If granted permission, vessels must pass directly through the regulated area at a safe speed without loitering.

In addition to this notification of enforcement in the **Federal Register**, the Coast Guard plans to provide notification of this enforcement period via the Local Notice to Mariners and marine information broadcasts at least 24 hours in advance of the enforcement of the special local regulation.

F.J. Florio,

Captain, U.S. Coast Guard, Captain of the Port Sector Miami.

[FR Doc. 2026–23230 Filed 11–13–26; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2026–1162]

RIN 1625–AA00

Safety Zone; FRL Inaugural Invitational eFoil Exhibition Race, Miami Marine Stadium Basin, Miami, FL

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for certain navigable waters of the Miami Marine Stadium Basin in connection with the FRL Inaugural Invitational eFoil Exhibition Race. This safety zone is necessary to protect personnel, vessels, and the marine environment from potential hazards associated with the eFoil races. This rule prohibits entry of vessels or persons into this safety zone unless authorized by the Captain of the Port Sector Miami or its designated representative.

DATES: This rule is effective from 8 a.m. until 9 p.m. on November 15, 2026.

ADDRESSES: To view available documents, go to *https://www.regulations.gov* and search for USCG–2026–1162.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact MST2 Elliot Cortes, Sector Miami Waterways Management Division, U.S. Coast Guard; telephone 786–295–9051, or email *SectorMiamiWaterways@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

On August 26, 2026, an organization notified the Coast Guard that it will be conducting an eFoil exhibition race from 8 a.m. to 9 p.m. on November 15, 2026. The races will take place within Miami Marine Stadium. The safety zone would cover all navigable waters within 100 yards of the race area.

On October 19, 2026, the Coast Guard published a notice of proposed rulemaking (NPRM) titled, ''Safety Zone: FRL Inaugural Invitational eFoil Exhibition Race, Miami Marine Stadium Basin, Miami, FL in the **Federal Register** (91 FR 66033). In the NPRM, we stated why we issued the NPRM and invited comments on our proposed regulatory action related to the races.

On November 5, 2026, the Coast Guard published a correction to the NPRM in the **Federal Register** (91 FR 69736). The correction changed the comment deadline from November 18, 2026, to November 6, 2026. The correction explained that the original comment deadline fell after the proposed enforcement period and that the revised deadline would allow the Coast Guard to consider timely submitted comments before determining whether to issue a final rule for the scheduled event.

The Coast Guard is issuing this rule under the authority in 46 U.S.C. 70034. The (Captain of the Port (COTP) has determined that potential hazards associated with the eFoil races, including high speed watercraft activity, present a safety concern for persons, vessels, and the marine environment from in the vicinity of the event. This rule is necessary to protect personnel, vessels, and the marine environment in the navigable waters of the safety zone.

Because of the event is scheduled for November 15, 2026, the Coast Guard finds good cause under 5 U.S.C. 553(d)(3) for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date would be impracticable and contrary to the public interest because the safety zone is necessary on the date of the event to protect persons, vessels, and the marine environment from potential hazards associated with eFoil race operations.

III. Discussion of Comments and the Rule

During the comment period that ended on November 6, 2026, the Coast Guard received one comment raising multiple concerns regarding the proposed safety zone. The Coast Guard addresses those concerns below.

The commenter stated that the November 18, 2026, comment deadline published in the NPRM was after the proposed November 15, 2026, event date and would prevent public feedback from informing the Coast Guard's decision before the event. The Coast Guard acknowledges that the original comment deadline occurred after the proposed enforcement period. On November 5, 2026, the Coast Guard published a correction to the NPRM that changed the comment deadline to November 6, 2026. 91 FR 69736. The correction provided an expedited comment period that allowed interested persons an opportunity to comment while allowing the Coast Guard sufficient time to review timely submitted comments and determine whether a final rule was necessary before the scheduled event. The Coast Guard considered the comment received on the NPRM, along with any other timely submitted comments, before issuing this rule.

The commenter stated that the NPRM described the proposed safety zone as affecting a small area for ''a few hours,'' which was inconsistent with the proposed 13-hour enforcement period from 8 a.m. until 9 p.m. The Coast Guard acknowledges that the phrase ''a few hours'' did not accurately describe the proposed enforcement period. This final rule specifies that the safety zone will be enforced from 8 a.m. until 9 p.m. on November 15, 2026. The Coast Guard has also revised the discussion of small entity impacts in section IV.A of this preamble to reflect the full enforcement period.

The commenter stated that the proposed 100-yard buffer did not provide sufficient detail regarding the safety zone boundaries or demonstrate that the race area would fit safely within the regulated area. The regulatory text in both the NPRM and this final rule identifies the regulated area using four coordinates based on the World Geodetic System 1984 datum. The designated approximately 310-meter by 310-meter safety zone in the southeast portion of the Miami Marine Stadium Basin provides an ample buffer for the dual 70-meter by 160-meter race-course layout, with approximately 75 meters of clearance at the ends and 120 meters on the sides. In addition, because the basin entrance near Rickenbacker Marina is approximately 1.3 kilometers from the race area, vessel transit outside the safety zone will remain unobstructed. The Coast Guard will publish a Marine Safety Information Bulletin containing the georeferenced buoy coordinates for the event area. The Coast Guard has determined that the regulated area described in 33 CFR 165.T07–1162 is necessary to protect persons, vessels, and the marine environment from potential hazards associated with the event.

The commenter stated that eFoil racing presents hazards, including high-speed collisions, impact trauma, and lithium-ion battery failures, and expressed concern that the NPRM did not describe emergency response, race stop, or battery safety procedures. The Coast Guard recognizes that eFoil race operations may present hazards to race participants, spectators, and other

persons or vessels in the vicinity of the event. The event sponsor is responsible for race operations and will provide active in water recovery and event safety coverage, including one jet ski, three safety boats, a City of Miami Fire Rescue dive boat, and Miami Marine Patrol assets. The Coast Guard's role is limited to enforcing the outer perimeter of the safety zone. Racing will be suspended immediately if primary safety coverage is compromised. The safety zone established by this rule provides a controlled area around the event and is intended to reduce the risk of injury, vessel collision, and other hazards associated with the race.

The commenter stated that the NPRM did not include detailed budget, staffing, or cost benefit information regarding Coast Guard enforcement of the event. This safety patrol is a nonrecurring, single-day operation that will use standard, pre-allocated Coast Guard resources and U.S. Coast Guard Auxiliary volunteer assets integrated into Sector Miami's routine weekend operations. The Coast Guard does not anticipate that enforcement of this safety zone will degrade regional search-and-rescue capabilities. Because this rule is not a significant regulatory action under Executive Order 12866, a formal cost-benefit analysis is not required. Local safety vessels, police officers, and liability insurance are funded by the event sponsor. In addition, as discussed in section IV.A of this preamble, the Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities. Vessels will be able to safely transit around the regulated area, and vessels may request permission to enter the safety zone from the COTP or a designated representative.

The commenter raised concerns regarding localized environmental effects, including battery-charging risks, anchoring effects on sensitive marine habitats, and marine debris recovery. The Coast Guard considered these concerns as part of its environmental review. All race craft are electric, reducing the risk of fuel spills associated with gasoline powered race craft. The event sponsor has incorporated measures to avoid or minimize environmental effects, including use of bare bottom anchoring to avoid seagrass, shore-based battery swap and containment procedures, and protected species observation and race hold procedures. The event plan also provides for the removal of marine debris generated by the event.

The Coast Guard completed a Record of Environmental Consideration for this action and determined that the temporary safety zone is categorically excluded from further environmental review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. The Record of Environmental Consideration concluded that the action is not expected to result in significant adverse environmental impacts and does not involve extraordinary circumstances that would preclude use of the categorical exclusion. A Record of Environmental Consideration supporting this determination is available in the docket.

This rule establishes a temporary safety zone from 8 a.m. until 9 p.m. on November 15, 2026. The safety zone includes the navigable waters described in § 165.T07–1162. During the enforcement period, no vessel or person may enter the safety zone without permission from the COTP or a designated representative.

IV. Regulatory Analyses

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

A. Impact on Small Entities

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

The Coast Guard certifies that, although some small entities may intend to transit the safety zone above, this rule will not have a significant economic impact on a substantial number of small entities. Vessel traffic will be able to safely transit around this safety zone. This safety zone will only impact a small, designated area for one day from 8 a.m. to 9 p.m. It is during a time when vessel traffic is normally high. In addition, the Coast Guard will issue a Broadcast Notice to Mariners via VHF FM marine channel 16, which will allow small entities to adjust their transit plans, and the rule allows vessels to request permission to enter the zone from the COTP.

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.

The National Ombudsman resolves concerns of uneven or excessive federal regulatory enforcement. Reviews are confidential and do not waive the right to pursue administrative appeals or any other legal action. Contact 1–888–REG–FAIR (1–888–734–3247) or *Ombudsman@SBA.gov*.

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.T07–1162 to read as follows:

§ 165.T07–1162 Safety Zone; FRL Inaugural Invitational eFoil Exhibition Race, Miami Marine Stadium Basin, Miami, FL.

(a) *Location.* The following area is a safety zone: All waters of Miami Marine Stadium Basin, from surface to bottom, encompassed by a line connecting the following points beginning at 25.745062, –80.166891, 25.743008, –80.164699, thence to 25.741214, –80.166992, 25.743201, –80.169185 and back to the beginning point. These coordinates are based on the World Geodetic System (WGS 84).

(b) *Definitions.* As used in this section, *designated representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port Miami (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 (833) 642–7271. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement period.* This section will be enforced from 8 a.m. to 9 p.m. on November 15, 2026.

F.J. Florio,

Captain, U.S. Coast Guard, Captain of the Port Sector Miami.

[FR Doc. 2026–23215 Filed 11–13–26; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2026–1337]

RIN 1625–AA00

Safety Zone; Huron River, Huron, OH

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 Huron River within a 150-yard radius of 41°23′34.6″ N, 82°33′07.7″ W in Huron, OH. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by an over water fireworks show. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Sector Detroit, or their designated representative.

DATES: This rule is effective from 6:00 p.m. through 6:30 p.m. on December 5, 2026.

ADDRESSES: To view available documents go to *https://www.regulations.gov* and search for USCG–2026–1337.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact MST2 Jacob Allen, Waterways Management Division, U.S. Coast Guard Marine Safety Unit Toledo; (419)–418–6050, *D09-SMB-MSUToledo-WWM@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

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

II. Background and Authority

The Coast Guard received notification that fireworks will be launched from 41°23′34.6″ N, 82°33′07.7″ W. The Captain of the Port Detroit (COTP) has determined that potential hazards associated with fireworks are a safety concern for anyone within 150 yards of the fireworks display. Therefore, the COTP is issuing this rule under the authority in 46 U.S.C. 70034, which is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone.

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

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

III. Discussion of the Rule

This rule establishes a safety zone from 6:00 p.m. through 6:30 p.m. on December 5, 2026. The safety zone will cover all navigable waters of the Huron River within a 150-yard radius of 41°23′34.6″ N, 82°33′07.7″ W in Huron, OH. 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.T09–1337 to read as follows:

§ 165.T09–1337 Safety Zone; Huron River, Huron, OH.

(a) *Location.* The following area is a safety zone: All navigable waters of the Huron River within a 150-yard radius of 41°23′34.6″ N, 82°33′07.7″ W in Huron, OH. These coordinates are based on the North American Datum 83 (NAD 83).

(b) *Definitions.* As used in this section, *designated representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port Detroit (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. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement period.* This section will be enforced from 6:00 p.m. to 6:30 p.m. on December 5, 2026.

Caren C. Damon,

Captain, U.S. Coast Guard, Captain of the Port Sector Detroit.

[FR Doc. 2026–23304 Filed 11–13–26; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R04–OAR–2017–0359; EPA–R04–OAR–2024–0241; and EPA–R04–OAR–2025–0017; FRL–13063–02–R4]

Air Plan Partial Approval and Partial Conditional Approval; South Carolina; Minor Source Permit Program Revisions and Control of Oxides of Nitrogen and Source Testing Requirements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The U.S. Environmental Protection Agency (EPA or Agency) is approving changes to South Carolina's State Implementation Plan (SIP) which revise the State's source testing requirements and its regulations prescribing minor source permit program requirements, including minor new source review (NSR) requirements, and partially approving and partially conditionally approving regulations prescribing control requirements for certain stationary sources of nitrogen oxides (NO_X) in SIP revisions submitted by the State of South Carolina, through the South Carolina Department of Environmental Services (SC DES), on October 1, 2007; July 18, 2011; June 17, 2013; August 8, 2014; January 20, 2016; July 27, 2016; September 5, 2017; April 24, 2020; February 4, 2022; and July 23, 2025. This action is being finalized pursuant to the Clean Air Act (CAA or Act).

DATES: This rule is effective December 16, 2026.

ADDRESSES: The EPA has established three dockets for this action under Docket Identification Nos. EPA–R04–OAR–2017–0359; EPA–R04–OAR–2024–0241; and EPA–R04–OAR–2025–0017. All documents in the dockets are listed on the *regulations.gov* website. Although listed in the indices, some information may not be publicly available, *i.e.,* Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through *https://www.regulations.gov* or in hard copy at the Multi-Air Pollutant Coordination Section, Air Planning and Implementation Branch, Air and Radiation Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth

Street SW, Atlanta, Georgia 30303–8960. The EPA requests that, if at all possible, you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

FOR FURTHER INFORMATION CONTACT: Faith Goddard, Multi-Air Pollutant Coordination Section, Air Planning and Implementation Branch, Air and Radiation Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW, Atlanta, Georgia 30303–8960. The telephone number is (404) 562–8757. Ms. Goddard can also be reached via electronic mail at *goddard.faith@epa.gov.*

SUPPLEMENTARY INFORMATION: The EPA uses multiple acronyms and terms in this action. While this list may not be exhaustive, to ease the reading of this preamble and for reference purposes, the EPA defines the following terms and acronyms here:

APA Administrative Procedure Act
BACT Best Available Control Technology
BEA Bureau of Economic Analysis
CAA Clean Air Act
CEMS Continuous Emissions Monitoring Systems
CFR Code of Federal Regulations
CMS Continuous Monitoring Systems
CO Carbon Monoxide
COMS Continuous Opacity Monitoring Systems
CPMS Continuous Parametric Monitoring Systems
EPA Environmental Protection Agency
FIP Federal Implementation Plan
FR Federal Register
GDP Gross Domestic Product
LMP Limited Maintenance Plans
MRR Monitoring, Recordkeeping, and Reporting
NAAQS National Ambient Air Quality Standard or Standards
NEI National Emissions Inventory
NESHAPs National Emission Standards for Hazardous Air Pollutants
NO_X Nitrogen Oxides
NOD Notice of Drafting
NSPS New Source Performance Standards
NSR New Source Review
OAR Office of Air and Radiation
OFR Office of the Federal Register
PEMS Predictive Emissions Monitoring Systems
PM Particulate Matter
$PM_{2.5}$ Fine PM
PM10 Coarse PM
PSD Prevention of Significant Deterioration
PTE Potential to Emit
RFP Reasonable Further Progress
SC DES South Carolina Department of Environmental Services
SC DHEC South Carolina Department of Health and Environmental Control
SCCC South Carolina Chamber of Commerce
SCMA South Carolina Manufacturers Alliance
SCMC South Carolina Manufacturers + Commerce
SIP State Implementation Plan
SO_2 Sulfur Dioxide
TPY Tons Per Year
VOC Volatile Organic Compound

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I. Executive Summary

A. What action is the EPA taking?

In this action, the EPA is finalizing, entirely or in part, as described below, four proposed rulemakings. The EPA is finalizing three actions, one entirely and two in part, in which the Agency proposed to approve changes to the State's minor source permit program, including minor New Source Review (NSR), and one action in its entirety in which the Agency proposed to approve changes to its source testing requirements and to partially approve or conditionally approve changes to the State's regulations prescribing control requirements for certain stationary sources of nitrogen oxides (NO_X) in the South Carolina SIP. Specifically, in this action, the EPA is finalizing portions of an August 17, 2017, Proposed Rule in which the Agency proposed to approve changes to the State's minor source permitting program, including its minor NSR program, in SIP revisions submitted by SC DES through July 27, 2016.[1] The EPA is also finalizing portions of a January 21, 2025, Proposed Rule in which the Agency proposed to partially approve changes to the State's minor source permitting program in SIP revisions submitted through April 24, 2020.[2] Furthermore, the Agency is finalizing an August 19, 2026, Proposed Rule which proposed to approve additional changes to the State's minor source permitting program (hereinafter ''2026 Minor Source Permitting Proposed Rule'') in SIP revisions submitted by SC DES through July 23, 2025.[3] Finally, in this action, the EPA is finalizing an August 19, 2026, Proposed Rule which proposed to approve changes to the State's source testing requirements and partially approve and partially conditionally approve changes to South Carolina's NO_X control regulations for certain stationary sources (hereinafter ''2026 Source Testing and NO_X Control Proposed Rule'') in SIP revisions submitted through February 4, 2022.[4] As noted above, there are three dockets supporting this final action. Docket No. EPA–R04–OAR–2017–0359 contains information specific to the August 17, 2017, Proposed Rule; Docket No. EPA–R04–OAR–2024–0241 contains information specific to the January 21, 2025, and August 19, 2026, Proposed Rule which proposed changes to the State's minor source permitting provisions; [5] and Docket No. EPA–R04–OAR–2025–0017 contains information specific to the August 19, 2026, Proposed Rule which proposed changes to the State's source testing requirements and NO_X control regulations.

B. What is the legal authority and what are the requirements?

CAA section 110(a)(2)(C) requires that SIPs include a program to regulate the construction and modification of any stationary source as necessary to assure that the National Ambient Air Quality Standards (NAAQS) are achieved. CAA section 110(a)(2)(C) is the statutory foundation for the regulatory requirements in the portion of the Code of Federal Regulations (CFR) at 40 CFR 51.160–51.164, which apply to all new minor sources and modifications under a State's minor NSR program in accordance with 40 CFR 51.160, which sets forth requirements for ''legally enforceable procedures'' applicable to minor NSR programs. The implementing regulations at 40 CFR 51.160–51.164 serve primarily as the basis for the EPA's evaluation of minor NSR programs, and States have discretion to define the scope of their minor NSR programs within the bounds of CAA section 110 and 40 CFR 51.160–51.164.

[1] *See* 82 FR 39083.

[2] *See* 90 FR 6954.

[3] *See* 91 FR 53558.

[4] *See* 91 FR 53573.

[5] Docket No. EPA–R04–OAR–2024–0241 also contains information specific to a third August 19, 2026, proposed rule which proposed to approve changes to South Carolina's minor source permitting program provisions involving public participation, on which the EPA is not acting in this action. *See* 91 FR 53547.

Under CAA section 110(k)(3), the EPA has a statutory obligation to approve SIP submittals that meet all applicable CAA requirements.[6] Pursuant to CAA section 110(k)(3), the EPA may approve portions of a SIP submittal if those portions meet all the applicable CAA requirements.

Under CAA section 110(k)(4), the EPA may conditionally approve a SIP revision based on a commitment from a State to adopt specific enforceable measures by a date certain, but not later than one year from the date of approval. If the State fails to meet its commitment within one year of the final conditional approval, the conditional approval will be treated as a disapproval.

Additionally, under CAA section 110(l), the EPA cannot approve a SIP revision if it would interfere with any applicable requirement concerning attainment and reasonable further progress (RFP) (as defined by CAA section 171), or any other applicable requirement of the CAA.[7] The EPA evaluates CAA section 110(l) non-interference demonstrations on a case-by-case basis considering the circumstances of each SIP revision.

II. Final Action

In this action, the EPA is approving certain changes to South Carolina Code of Regulations Annotated (S.C. Code Ann. Regs.) Regulation 61–62.1, Section II (hereinafter ''Regulation 61–62.1, Section II''), *Permit Requirements.* Specifically, the EPA is approving changes in SIP revisions submitted by SC DES through July 27, 2016, proposed for approval on August 17, 2017, to the prefatory introductory paragraph to Regulation 61–62.1, Section II and subsections II(A), II(C), II(H), II(J), II(M), II(O), and subsection II(B), except for paragraph II(B)(2), subparagraphs II(B)(2)(b), (f), and (h), paragraph II(B)(3), and paragraphs II(B)(5)–(7). The EPA is approving further changes to subsections II(C) and II(H) in a SIP revision submitted by SC DES on April 24, 2020. The EPA is also approving changes submitted by SC DES through April 24, 2020, proposed for approval on January 21, 2025, to subsection II(K) and paragraph II(B)(2), to subparagraphs II(B)(2)(b) and II(B)(2)(f), and to paragraph II(B)(7). Additionally, the EPA is approving substantive and administrative changes to subparagraph II(B)(2)(h), except for the second and third sentences therein,[8] in SIP revisions submitted by SC DES through April 24, 2020, proposed for approval on August 19, 2026. Additionally, the EPA is finalizing further changes to paragraph II(K)(5) in a July 23, 2025, SIP revision, proposed for approval on August 19, 2026. The EPA is also approving administrative edits submitted on April 24, 2020, and proposed for approval on January 21, 2025, to subsections II(A), II(C), II(H), II(J)–II(M), and II(O), and to subsection II(B), except for II(B)(2)(h), which was addressed in the August 19, 2026, Proposed Rule, and paragraphs II(B)(3) and II(B)(5)–(6).[9]

In this action, the EPA is also approving changes to S.C. Code Ann. Regs. Regulation 61–62.1, section IV (hereinafter ''Regulation 61–62.1, Section IV''), *Source Tests,* in their entirety in a SIP revision submitted by SC DES on April 24, 2020, proposed for approval on August 19, 2026.

The EPA is partially approving or conditionally approving changes to S.C. Code Ann. Regs. Regulation 61–62.5, Standard No. 5.2 (hereinafter ''Regulation 61–62.5, Standard No. 5.2''), *Control of Oxides of Nitrogen (NO_X),* in SIP revisions submitted through February 4, 2022, proposed for approval on August 19, 2026. Specifically, the EPA is approving changes to Sections I–III and V–VII, including the reorganization of Sections V–VII. The EPA is also conditionally approving the portions of the SIP revisions consisting of the addition of and, as applicable, changes to Regulation 61–62.5, Standard No. 5.2, Section IV at: paragraphs IV(A)(1) and IV(C)(1); the second prefatory paragraph of subsection IV(D); and subparagraphs IV(A)(1)(a)–(d), IV(A)(2)(a)–(c), IV(B)(2)(a)–(b), IV(C)(1)(a)–(d), IV(C)(3)(c)–(d), and IV(D)(2)(a)–(b). Finally, the EPA is approving the remaining portions of Regulation 61–62.5, Standard No. 5.2, Section IV which are added and revised.

III. Background

A. The EPA's August 17, 2017, and January 21, 2025, Proposed Rules

On October 1, 2007, July 18, 2011, June 17, 2013, August 8, 2014, January 20, 2016, and July 27, 2016, SC DES submitted SIP revisions with changes to the State's minor source permitting program provisions in Regulation 61–62.1, Section II, *Permit Requirements,* which the Agency proposed to approve on August 17, 2017. On January 21, 2025, the Agency re-proposed approval of certain provisions evaluated in the 2017 Proposed Rule, including those that received adverse comments, and did not reconsider, or seek additional comments on, certain provisions evaluated in the 2017 Proposed Rule that did not receive comments. In the January 21, 2025, Proposed Rule, the EPA also proposed to act on further changes to Regulation 61–62.1, Section II in a subsequent SIP revision submitted by the State on April 24, 2020.

This action approves, in part, the following changes to the State's minor source permit program requirements, proposed for approval in the August 17, 2017, Proposed Rule: changes to minor source permitting prefatory language; construction permit applicability, exemptions, and permit application requirements; operating permit renewal requirements; permit conditions; and requirements for transfer of ownership or operation and inspection and entry. This action also approves additional changes to SC DES's minor source permit program requirements proposed for approval in the January 21, 2025, Proposed Rule. The following changes were proposed for approval in the 2025 Proposed Rule and are approved in this action, in part: (1) subsequent changes, *i.e.,* changes submitted after the July 27, 2016, SIP revision, to the State's construction permit application and operating permit renewal requirements, which were proposed for approval in the August 17, 2017, Proposed Rule and which the EPA did not reconsider, or seek additional comments on, in the January 21, 2025, Proposed Rule; (2) changes to construction permit exemptions and permitting exceptions,

[6] *See* 42 U.S.C. 7410(k)(3).

[7] CAA section 110(l) also requires each SIP revision to undergo reasonable notice and public hearing at the state level.

[8] The second and third sentences in subparagraph II(B)(2)(h) that the EPA is not incorporating by reference state: ''Unless otherwise exempt, sources may be exempted under this section at higher emission levels if there is a demonstration that there are no applicable limits or requirements. These applicable requirements include federally applicable limits or requirements.''

[9] As noted above, in this action, the EPA is not finalizing changes involving minor source permitting public participation proposed for approval on August 19, 2026. Specifically, in this action, the EPA is not finalizing changes to Regulation 61–62.1, subsections II(D), II(E), II(F), II(G), II(I), and II(N), submitted by SC DES in SIP revisions through April 24, 2020. This final action approves, in part, April 24, 2020, State-effective versions of subsections II(B), *Exemptions from the Requirement to Obtain a Construction Permit,* and II(H), *Operating Permit Renewal Requests,* including the renumbering of paragraph II(B)(2) to subsection II(H) and the renumbering of subparagraphs II(G)(4)(a)–(e) to subparagraphs II(J)(2)(a)–(e). However, because the Agency is not, in this action, finalizing changes to, in part, subsections II(E), II(F), II(G), or II(N), certain provisions remain in the SIP with June 24, 2005, State-effective dates, *i.e.,* paragraph II(B)(1) under II(B), *Operating Permit,* II(G), *Conditional Major Source Permits,* except for II(G)(4)(a)–(e), and II(H), *Synthetic Minor Plant Permits.* Therefore, with this final action, Regulation 61–62.1, Section II in the South Carolina SIP contains two subsections numbered II(B) and two subsections numbered II(H), with the State-effective dates noted above.

which were re-proposed for approval altogether in the January 21, 2025, Proposed Rule, along with additional changes submitted after the July 27, 2016 SIP revision, where applicable; and (3) universal administrative changes applicable to Section II in its entirety.[10] The details of South Carolina's submissions, as well as the background and the EPA's approval rationale, are described in the respective 2017 and 2025 Proposed Rules.

The EPA received one set of adverse comments on the 2017 Proposed Rule in a joint letter from the Sierra Club, the Center for Biological Diversity, and Our Children's Earth Foundation. These comments are available in the docket for the August 17, 2017, Proposed Rule.[11] In this action, the EPA is not finalizing any portions of the August 17, 2017, Proposed Rule that were the subject of the adverse comment received. Those portions that were the subject of the adverse comment were addressed in the January 21, 2025, Proposed Rule, the Minor Source Permitting Proposed Rule, or an August 19, 2026, proposed rule regarding other portions of the State's minor source permitting program, or South Carolina removed them from the EPA's consideration, as communicated in a July 21, 2026, letter. This action only finalizes portions of the August 17, 2017, Proposed Rule that were not discussed in the adverse comment, as described in Section II of this Final Rule.

In response to the January 21, 2025, Proposed Rule, the EPA received five sets of adverse comments from the following commenters: SC DES, the South Carolina Manufacturers Alliance (SCMA), Century Aluminum, the South Carolina Chamber of Commerce (SCCC), and BMW Manufacturing Co. LLC.[12] The EPA also received a comment from the Southern Environmental Law Center, on behalf of the South Carolina Coastal Conservation League, Sierra Club, and the Southern Alliance for Clean Energy, supporting the disapproval elements of its 2025 proposed action. All comments are available in the docket for the January 21, 2025, Proposed Rule.[13] In this action, the EPA is only addressing a subset of the adverse comments, which were procedural in nature and applied to the entire January 21, 2025, Proposed Rule. The EPA summarizes and responds to these procedural comments, regarding a January 28, 2025, Presidential Memorandum, in Section IV of this action. The remainder of the adverse comments received on the January 21, 2025, Proposed Rule relate to provisions upon which the EPA has re-proposed action in the Minor Source Permitting Proposed Rule and an August 19, 2026, proposed rule, or relate to provisions South Carolina removed from the EPA's consideration in a July 21, 2026, letter. Accordingly, this action only finalizes portions of the January 21, 2025, Proposed Rule that were the subject of general procedural adverse comment, as explained in Section II of this Final Rule.

B. The EPA's August 19, 2026, Minor Source Permitting Proposed Rule

On October 1, 2007, July 18, 2011, August 8, 2014, April 24, 2020, and July 23, 2025, SC DES submitted SIP revisions that included changes to the State's minor source permitting program provisions in Regulation 61–62.1, Section II. This action approves, in part, the following changes to the State's minor source permit program requirements: administrative changes to reflect the restructuring of the South Carolina Department of Health and Environmental Control (DHEC) to the South Carolina Department of Public Health and the SC DES and certain construction permit exemption provisions, proposed for approval in the 2026 Minor Source Permitting Proposed Rule. The details of South Carolina's submissions, as well as the background and the EPA's approval rationale, are described in the 2026 Minor Source Permitting Proposed Rule.[14]

In response to the August 19, 2026, Minor Source Permitting Proposed Rule, the EPA received three sets of adverse comments, one from an individual commenter, and two from anonymous commenters. The EPA also received one set of comments from South Carolina Manufacturers and Commerce (SCMC),[15] one set from SC DES, and one set from an individual commenter,[16]

[10] In the January 21, 2025, Proposed Rule, the EPA proposed to disapprove portions of the State's SIP revisions with changes to Regulation 61–62.1, Section II. Specifically, the EPA proposed to disapprove subparagraph II(B)(2)(h); paragraphs II(B)(3), II(B)(5), and II(B)(6); and subsections II(D), II(E), II(F), II(G), II(I), and II(N), for reasons described therein. In this action, the Agency is not finalizing any portions of the January 21, 2025, partial disapproval and, therefore, is also not finalizing universal administrative changes applicable to those provisions proposed in that 2025 Proposed Rule. The EPA is also not responding to adverse comments addressing those portions of the January 21, 2025, Proposed Rule that the Agency is not finalizing as a part of this action. However, in this action, the EPA is finalizing relevant changes to subparagraph II(B)(2)(h), which were subsequently proposed for approval in the August 19, 2026, Proposed Rule. *See* 91 FR 53558. On August 19, 2026, in addition to the 2026 Minor Source Permitting and Source Testing and NO_X Control Proposed Rules, the EPA published a third Proposed Rule which proposed to approve changes to South Carolina's minor source permitting program provisions involving public participation, including administrative changes applicable to those provisions, contingent on the EPA finalizing a proposed change to relevant national regulations. *See* 91 FR 53547. In this action, the EPA is not finalizing the changes involving minor source permitting public participation proposed for approval in that August 19, 2026, Proposed Rule.

[11] Docket No. EPA–R04–OAR–2017–0359, available at *https://www.regulations.gov/docket/EPA-R04-OAR-2017-0359.*

[12] The comment from BMW Manufacturing Co., LLC supported comments on the January 21, 2025, Proposed Rule from SC DES, SCMA, and SCCC, ''as they object to the EPA's proposed disapproval,'' which the EPA is not finalizing in this action, and contained no additional substantive comments. Where relevant SCMA and SCCC comments are addressed in this action, the EPA's responses also cover BMW Manufacturing Co., LLC's supporting comments, as applicable.

[13] Docket No. EPA–R04–OAR–2024–0241, available at *https://www.regulations.gov/docket/EPA-R04-OAR-2024-0241.*

[14] *See* 91 FR 53558 (Aug. 19, 2026).

[15] SCMC's comment addressing, in part, the 2026 Minor Source Permitting Proposed Rule was submitted in response to the August 19, 2026, Proposed Rule which proposed to approve certain changes to South Carolina's minor source permitting program provisions involving public participation, which was collocated in Docket No. EPA–R04–OAR–2024–0241 with the Minor Source Public Participation Proposed Rule. *See* 91 FR 53547. In this action, the EPA is not finalizing the changes involving minor source permitting public participation proposed for approval in that Proposed Rule, but the Agency is addressing the portion of SCMC's comments relevant to the 2026 Minor Source Permitting Proposed Rule, which was collocated in Docket No. EPA–R04–OAR–2024–0241 with the Minor Source Public Participation Proposed Rule. SCMC takes issue with a statement in the August 19, 2026, Minor Source Permitting Proposed Rule which notes that ''the current SIP does not include specific exemptions from permitting for sources emitting SO_2, NO_X, or CO'' and frames the exemptions in the existing SIP inconsistently with the EPA's August 19, 2026, Proposed Rule but ''supports [the] EPA's proposed approval of the current exemption thresholds'' and ''respectfully encourages [the] EPA to finalize,'' in part, the 2026 Minor Source Permitting Proposed Rule ''as proposed.'' *See* 91 FR 53558, 53564. Therefore, the EPA interprets SCMC's comment as it relates to the 2026 Minor Source Permitting Proposed Rule as wholly supportive and, in this action, is not addressing SCMC's alternate interpretation of the existing SIP exemption.

[16] One commenter encourages the EPA to ''emphasize oversight, transparency, and protecting air quality.'' The commenter also states that although minor sources of air pollution ''may produce smaller amounts of pollution individually . . . it is important for the EPA and South Carolina to continue considering how emissions from multiple sources can affect air quality within a community.'' The commenter supports the changes proposed to Regulation 61–62.1, Section II in the 2026 Minor Source Permitting Proposed Rule and does not suggest any changes to the EPA's August 19, 2026, Proposed Rule. Therefore, the EPA views this comment as wholly supportive. The commenter also included comments on changes to ''changes to South Carolina's minor source permitting . . . public participation requirements'' in Regulation 61–62.1, Section II, which the EPA proposed action on in a separate August 19, 2026, Proposed Rule, as previously described in this action. *See* 91 FR 53547. These comments are outside the scope of this final action. The comment addressing, in part, the August 19, 2026, Proposed Rule which

Continued

supporting the proposed 2026 Minor Source Permitting action. All comments are available in the docket for the 2026 Minor Source Permitting Proposed Rule.[17] The EPA summarizes and responds to the adverse comments on the 2026 Minor Source Permitting Proposed Rule in Section IV of this action.

C. The EPA's August 19, 2026, Source Testing and NO_X Control Proposed Rule

On October 1, 2007, July 27, 2016, September 5, 2017, April 24, 2020, and February 4, 2022, SC DES submitted SIP revisions including changes to the State's source testing requirements in Regulation 61–62.1, Section IV, *Source Tests,* and NO_X control regulations applicable to certain stationary sources in Regulation 61–62.5, Standard No. 5.2, *Control of Oxides of Nitrogen (NO_X).*

This action approves changes to the State's source testing requirements concerning test plan submission timing and content as well as source testing notification timing and conduct requirements, along with administrative and clarifying edits, submitted by SC DES on April 24, 2020, and proposed for approval in the 2026 Source Testing and NO_X Control Proposed Rule.

This action also finalizes changes to the State's NO_X control regulations submitted by the State on October 1, 2007, July 27, 2016, September 5, 2017, and February 4, 2022, and proposed for approval or conditional approval in the 2026 Source Testing and NO_X Control Proposed Rule. Specifically, this action approves a portion of the State's SIP revisions requesting changes to its NO_X control regulations under provisions involving applicability and exemptions, definitions, NO_X emission limits and/or control requirements for new sources, certain monitoring, recordkeeping, and reporting (MRR) and testing requirements for new sources, and NO_X control, notification, and tune-up requirements for existing sources. This action also conditionally approves a portion of the State's SIP revisions requesting changes to certain MRR and testing requirements for new sources in its NO_X control regulations. On May 13, 2026, SC DES submitted supplemental materials, including a letter requesting that the EPA conditionally approve portions of the State's NO_X control SIP revisions based on a commitment under CAA section 110(k)(4) to adopt and submit corrective revisions to portions of the SIP provisions before the EPA no later than one year after the EPA's conditional approval of South Carolina's submissions. In this action, the EPA is finalizing the partial conditional approval as proposed on August 19, 2026. The details of South Carolina's submissions, as well as the background and the EPA's approval and conditional approval rationale, are described in the 2026 Source Testing and NO_X Control Proposed Rule.

In response to the August 19, 2026, Source Testing and NO_X Control Proposed Rule, the EPA received one set of adverse comments from an individual, and one set from an anonymous commenter. The EPA also received one set of comments from SCMC and one set from SC DES supporting the proposed 2026 Source Testing and NO_X Control action. All comments are available in the docket for the 2026 Source Testing and NO_X Control Proposed Rule.[18] The EPA summarizes and responds to the adverse comments on the 2026 Source Testing and NO_X Control Requirements Proposed Rule in Section IV of this action.

IV. Responses to Comments

A. Comments on the EPA's January 21, 2025, Proposed Rule Relevant to This Final Action

As noted above, in response to the January 21, 2025, Proposed Rule, the EPA received several sets of comments regarding its proposed disapproval of certain provisions in that Proposed Rule. In this action, the Agency is not finalizing the portions of the January 21, 2025, Proposed Rule which proposed to disapprove certain provisions. Therefore, the EPA is not addressing adverse comments related to the substance of its January 21, 2025, proposed partial disapproval. In this section, the EPA is addressing adverse comments related to procedural aspects of the January 21, 2025, Proposed Rule from SCMA, Century Aluminum, and SCCC involving the January 28, 2025, ''Regulatory Freeze Pending Review'' Presidential Memorandum[19] (hereinafter ''Regulatory Freeze Order'') that are not related to the substantive nature of the 2025 proposed disapproval. The EPA summarizes and responds to these procedural comments below.

i. Comment

The commenters state that the January 21, 2025, Proposed Rule is procedurally improper or deficient and contrary to the Presidential Executive Regulatory Freeze Order dated January 20, 2025, which instructs all executive departments and agencies to, in part, (1) ''not propose or issue any rule in any manner'' until reviewed and approved by a department or agency head appointed or designated by the President; (2) immediately withdraw any rules sent to the Office of the Federal Register (OFR) not published in the **Federal Register** (FR) for review and approval as described above; and (3) consider postponing for 60 days the effective date for any rules published in the FR or issued in any manner that have not taken effect, ''for the purpose of reviewing any questions of fact, law, and policy'' raised, and therefore should be ''immediately'' withdrawn or removed ''from publication.''

Specifically, the commenters claim that the 2025 proposal falls within the terms of the Executive Order requiring the immediate withdrawal of any rules sent to the OFR but not published in the FR. SCMA and SCCC further argue that the January 21, 2025, Proposed Rule does not meet the criteria set forth under an exemption to the Order for emergency situations or actions subject to judicial or statutory deadlines requiring prompt action and that the consent decree deadline in place at the time the Proposed Rule was signed and published[20] did not require such prompt action as to preclude review under the Regulatory Freeze Order. SCMA and SCCC conclude that the EPA should ''immediately'' withdraw the January 21, 2025, proposed rule, because it was published without authorization from the President, so it can undergo the process described in

proposed to approve certain changes to South Carolina's minor source permitting program provisions involving public participation was submitted under the 2026 Minor Source Permitting Proposed Rule, which was collocated in Docket No. EPA–R04–OAR–2024–0241 with the Minor Source Public Participation Proposed Rule. *See* 91 FR 53558.

[17] Docket No. EPA–R04–OAR–2024–0241, available at *https://www.regulations.gov/docket/EPA-R04-OAR-2024-0241.* As noted above, SCMC's comment addressing, in part, the 2026 Minor Source Permitting Proposed Rule was submitted under the August 19, 2026, Proposed Rule which proposed to approve certain changes to South Carolina's minor source permitting program provisions involving public participation. *See* 91 FR 53547.

[18] Docket No. EPA–R04–OAR–2025–0017, available at *https://www.regulations.gov/docket/EPA-R04-OAR-2025-0017.*

[19] *See* Memorandum of January 20, 2025; 90 FR 8249 (January 28, 2025).

[20] The consent decree deadline was later extended, in a series of extensions, and bifurcated to November 13, 2026, and March 31, 2027. Through this action, the EPA is taking final action on the portions of South Carolina's SIP submissions subject to the consent decree regarding the State's minor source permit program regulations revising the State's Federally approved minor source preconstruction and operating permit program and the State's source testing requirements and regulations prescribing control requirements for certain stationary sources of NO_X subject to the November 13, 2026 deadline.

the executive order, and Century Aluminum argues that the EPA ''should remove it from publication'' for further assessment regarding the proposal's alignment with the Administration's goals, *e.g.,* the executive order on ''Unleashing American Energy.'' [21]

ii. Response

The January 21, 2025, Proposed Rule is not inconsistent with the January 20, 2025, Presidential Regulatory Freeze Order. The January 2025 Proposed Rule was signed by the Acting Regional Administrator on January 6, 2025. The full version of the January 21, 2025, Proposed Rule was placed on the OFR's pre-publication website on January 17, 2025, with a planned publication date of January 21, 2025. At the time the January 20, 2025, Regulatory Freeze Order was issued, the EPA could no longer withdraw the January 21, 2025, Proposed Rule from the OFR's publication process. The EPA also notes that this action has gone through all necessary and appropriate review at the EPA prior to finalization.

B. Comments on the August 19, 2026, Minor Source Permitting Proposed Rule

As noted above, in response to the August 19, 2026, Minor Source Permitting Proposed Rule, the EPA received three sets of adverse comments on its proposed approval of certain provisions in that Proposed Rule. The EPA summarizes and responds to those adverse comments below.

i. Comment 1

The commenter takes issue with South Carolina's noninterference demonstration underlying the EPA's CAA section 110(l) finding for Regulation 61–62.1, Section II, subparagraph II(B)(2)(h), arguing that, at the ''sector level, the record does not isolate what fraction is attributable specifically to the minor sources actually exempted under this provision'' and requesting that the Agency carry its noninterference finding ''the last, unquantified step to the exempted sources themselves.'' The commenter also states that they find the State's May 13, 2026, CAA section 110(l) demonstration ''adding pollutant-by-pollutant NEI sector breakdowns and NAAQS design-value margin comparisons,'' which the commenter frames as ''narrowed'' by SC DES's July 21, 2026, letter, as ''a reasoned basis for the change'' to the EPA's treatment of subparagraph II(B)(2)(h) in the August 19, 2026, Proposed Rule, relative to the January 21, 2025, proposal. However, the commenter states that ''it inherits the unquantified-exempt-subset gap described above'' because ''the new demonstration still stops at the minor-NSR-sector level rather than the exempted-source level.'' The commenter also states that the State did not ''supply the technical basis for the . . . threshold expansion'' in the August 8, 2014, SIP revision and that there is no ''accompanying technical justification in the record before [the] EPA,'' and the Agency should ask South Carolina to supply one, given that ''two . . . affected pollutants . . . are ozone precursors.'' The commenter further states that the 2026 Minor Source Permitting Proposed Rule ''does not indicate'' and that ''[the] EPA should confirm that the version of subparagraph II(B)(2)(h) actually being approved matches what was . . . noticed for comment . . . or provide an additional comment period.'' The EPA summarizes and addresses these individual comments in Comments 1a through 1c, below.

1. Comment 1a

The commenter argues that ''the record isolates the specific nonpoint sector that includes minor sources regulated under the state's minor NSR program . . . [b]ut . . . does not isolate'' the fraction attributable to the minor sources exempt under subparagraph II(B)(2)(h). The commenter adds that the ''EPA repeatedly states only that exempt sources comprise 'an even smaller,' unquantified fraction of the already-isolated sector total.'' The commenter points to NO_X, volatile organic compound (VOC), and carbon monoxide (CO) percent contributions to total 2020 National Emissions Inventory (NEI) emissions for certain nonpoint sectors identified in the Proposed Rule and states that the ''EPA should require, or independently derive,'' minor source-specific, rather than minor-NSR-sector-specific emissions percentages ''before relying on this demonstration in a final action.''

2. Response 1a

The EPA disagrees with Comment 1a. The NEI is a comprehensive and detailed estimate of, in part, criteria pollutant and criteria precursor air emissions released every three years, based primarily on data provided by State, Local, and Tribal agencies for sources in their jurisdictions, supplemented by data developed by the EPA. As noted in the Proposed Rule, stationary sources subject to the State's minor NSR program and any sources qualifying for exemption from the program, including those exempt under Regulation 61–62.1, Section II, subparagraph II(B)(2)(h), fall into the nonpoint source category. NEI nonpoint sources include emissions estimates for sources which are individually too small in magnitude to report as point sources and typically too small, numerous, or difficult to inventory using methods for other classes of sources.[22] As the State explains in its CAA section 110(l) demonstration, South Carolina's State emissions inventory is limited to major sources, and not all minor stationary source emissions are accounted for in its NEI (*i.e.,* directly reported). This is because minor stationary sources do not trigger ''point source'' reporting requirements and are generally accounted for in the nonpoint inventory. However, as explained in the August 19, 2026, Proposed Rule, the EPA finds that the available 2020 NEI data, which the State divides by source category, then further by sector, indicates that the proportion of emissions that would be automatically exempt under the exemption thresholds in subparagraph II(B)(2)(h) comprise a very small portion of overall emissions in the State. Further, of the limited portion of 2020 NEI emissions attributable to permitted and exempt minor stationary sources, the subset of potentially exempt minor stationary sources comprises an even smaller fraction, as the commenter notes.

Although the commenter takes issue that ''the record does not isolate'' the fraction specifically attributable to minor sources exempt under these thresholds, the EPA evaluates CAA section 110(l) non-interference demonstrations on a case-by-case basis considering the circumstances of each SIP revision.[23] In this case, it is not necessary to derive and evaluate source-specific emissions estimates in lieu of sector-specific emissions estimates, as the commenter states. As discussed in detail in the Proposed Rule, the Agency has evaluated the change to Regulation 61–62.1, Section II, subparagraph II(B)(2)(h) in the SIP to include the addition of the threshold exemptions for certain sources of sulfur dioxide (SO_2), NO_X, and CO and the slightly increased exemption threshold for certain sources of particulate matter (PM), in light of, in part, the State's NAAQS attainment

[21] *See* Executive Order 14154 of January 20, 2025; 90 FR 8353 (Jan. 29, 2025).

[22] *See* 91 FR 53558, 53567 (Aug. 19, 2026). *See also* 40 CFR 51.50.

[23] Under CAA section 110(l), the Agency cannot approve a SIP revision if it would interfere with any applicable requirement concerning attainment and RFP (as defined by CAA section 171), or any other applicable requirement of the CAA.

history, long-term and recent air quality design values and margins between those design values and the NAAQS, and 2020 NEI data for pollutants and precursors. For the reasons stated therein, the EPA has determined that the added or revised exemption thresholds will not interfere with any applicable requirement or RFP, as defined in section 171, or any other applicable requirement of the CAA, and that the State has articulated the basis for setting the scope of its minor NSR program pursuant to CAA section 110(a)(2)(C) and 40 CFR 51.160(e).[24] Therefore, under CAA section 110(k)(3), the Agency is required to approve the changes to subparagraph II(B)(2)(h) submitted in South Carolina's SIP revisions through April 24, 2020.[25]

3. Comment 1b

The commenter states that the increased exemption thresholds in Regulation 61–62.1, Section II, subparagraph II(B)(2)(h), for PM, SO_2, NO_X, and CO in the August 8, 2014, SIP revision are not accompanied by a ''technical justification in the record before [the] EPA'' and that the EPA should request that the State ''supply the technical basis'' for the threshold exemption increase from one pound (lb)/hour to five tons per year (tpy) given that VOC and NO_X are ozone precursors.

4. Response 1b

The EPA disagrees with the commenter that there is no technical justification in the record supporting the changes to the exemption thresholds in Regulation 61–62.1, Section II, subparagraph II(B)(2)(h). The existing SIP exemption in question applies to sources with uncontrolled PM emission rates of less than one lb/hour and/or uncontrolled VOC emission rates of less than 1,000 lb/month. In the Proposed Rule, the EPA evaluated the net changes to the SIP—*i.e.,* the addition of the five tpy total uncontrolled potential to emit (PTE) exemption thresholds for sources of SO_2, NO_X, and CO, and the increased PM exemption threshold from one lb/hour to five tpy based on total uncontrolled PTE rather than uncontrolled emission rates.

As noted in the Proposed Rule, the State's May 13, 2026, CAA section 110(l) demonstration evaluates the revised exemption to support the five tpy thresholds for each of these pollutants.[26] In the case of PM emission sources, the State justified the increased exemption threshold from one lb/hour to five tpy by emphasizing how close the emission rate of 1.14 lb/hour is to the existing SIP-approved one lb/hour threshold [27] and further included a technical justification showing that this slight increase in the threshold would not interfere with the attainment or maintenance of any PM NAAQS.[28] For the other pollutant exemption thresholds (*i.e.,* SO_2, NO_X, and CO), the State addressed the exemption at five tpy for those pollutants,[29] which is the net change to the SIP.

As explained in the 2026 Proposed Rule, the Agency evaluated the 5 tpy exemption thresholds for VOC, PM, SO_2, NO_X, and CO in Regulation 61–62.1, subparagraph II(B)(2)(h), as revised through the April 24, 2020, SIP revision in light of the State's NAAQS attainment history, long-term and recent air quality design values and margins between the design values and respective NAAQS, and 2020 NEI data for pollutants and precursors.[30] This evaluation and the supporting documentation is contained in the record for this action. VOCs and NO_X are ozone precursors, as the commenter notes, and the EPA addressed the pollutant-specific exemptions for VOCs and NO_X in the context of their impacts on ozone as precursors in the Proposed Rule.[31] The EPA evaluated the State's demonstration supporting the net changes to the SIP resulting from the addition of the five tpy total uncontrolled PTE exemption threshold for sources of NO_X in the context of ozone formation. With respect to the exemption for sources of VOCs, an exemption for such sources with uncontrolled emission rates less than 1,000 lb/month is already approved in the SIP and was only altered to clarify the basis of the exemption threshold is total uncontrolled PTE, rather than actual emissions, increasing the stringency of the provision.

5. Comment 1c

The commenter notes that the State's July 21, 2026, letter ''narrowed the scope of what is before EPA'' following the May 13, 2026, conditional approval request ''covering broader text.'' The commenter then states that the Proposed Rule ''does not indicate'' that ''the narrowed language was subject to a fresh comment opportunity'' prior to the 2026 proposed approval and states that the ''EPA should confirm that the version of Regulation 61–62.1, Section II, subparagraph II(B)(2)(h) actually being approved matches what was previously noticed for comment, or provide an additional comment period specific to the narrowed text.''

6. Response 1c

As discussed in the 2026 Minor Source Permitting Proposed Rule, on May 13, 2026, SC DES submitted supplemental materials, including a letter requesting that the EPA conditionally approve portions of the State's minor source permitting SIP revisions, based on a commitment by the State under CAA section 110(k)(4), in part, to revise subparagraph II(B)(2)(h). The supplemental materials included the corrective changes that the State intended to submit in a corrective SIP revision and a CAA section 110(l) demonstration to support the corrective changes and a portion of the SIP submittals for which the State did not request conditional approval.

On July 21, 2026, the State submitted a letter which removed from the EPA's consideration the subset of provisions in Regulation 61–62.1, Section II for which the State, in its May 13, 2026, letter requested conditional approval, superseding the May 13, 2026, request for conditional approval of those same provisions. Specifically, the July 21, 2026, letter removed from the EPA's consideration two sentences within subparagraph II(B)(2)(h), and certain other Section II provisions, submitted in the August 8, 2014, and April 24, 2020, SIP revision, as described in the Minor Source Permitting Proposed Rule. Because the remainder of subparagraph II(B)(2)(h) meets all applicable CAA requirements, the EPA has a statutory obligation to approve that provision pursuant to CAA section 110(k)(3). Furthermore, the removal of the second and third sentences from subparagraph II(B)(2)(h) makes the provision more stringent.

The July 21, 2026, letter also requests that the EPA address changes to certain provisions in Regulation 61–62.1, Section II, noticed through its in-process ''2027 General Assembly Revisions''

[24] CAA section 110(a)(2)(C) requires SIPs to provide for the regulation of the modification and construction of stationary sources ''as necessary to assure that [the NAAQS] are achieved,'' and under 40 CFR 51.160, States' minor NSR programs must set forth legally enforceable procedures that, in part, identify the types and sizes of sources subject to review under the program and discuss the basis for determining which facilities will be subject to review.

[25] Under CAA section 110(k)(3), the EPA has a statutory obligation to approve SIP submittals that meet all applicable CAA requirements.

[26] *See* 91 FR 53558, 53564 (Aug. 19, 2026).

[27] The 1.14 lb/hour emission rate is derived from the form of the new exemption of 5 tpy.

[28] *See* 91 FR 53558, 53569–53572 (Aug. 19, 2026).

[29] *Id.* at 53564 (Aug. 19, 2026).

[30] *Id.* at 53564–53573 (Aug. 19, 2026).

[31] *Id.* at 53565–53566 (Aug. 19, 2026).

State rulemaking in a future separate EPA action through ''parallel processing.'' Parallel processing refers to a concurrent State and Federal proposed rulemaking action on a SIP revision.[32] The changes to subparagraph II(B)(2)(h) in the State's 2027 General Assembly Revisions for which the State requested parallel processing are substantively identical those changes to II(B)(2)(h) originally submitted in the May 13, 2026, conditional approval request, *i.e.,* the removal of the second and third sentences from subparagraph II(B)(2)(h), with the addition of a narrowed case-by-case exemption relative to the withdrawn language.

To support its parallel processing request, the State published a notice of drafting (NOD) of its draft SIP revision containing the changes to subparagraph II(B)(2)(h) in the State's 2027 General Assembly Revisions in the *State Register* on March 27, 2026,[33] and the comment period for the NOD closed on April 27, 2026. On June 26, 2026, the State published a notice of proposed regulation ''and public notice seeking comment on the . . . revisions to the SIP in the . . . *State Register*.'' [34] The comment period for that notice of proposed rulemaking on the draft SIP revision at the State level closed on July 27, 2026. In a June 26, 2026, letter to the EPA, SC DES requested the Agency provide comments on its proposed State rulemaking, and associated draft SIP revision, with respect to, in part, the changes to subparagraph II(B)(2)(h) in the 2027 General Assembly Revisions. The State noted that it ''received one, non-substantive public comment[ ]'' during its NOD comment period. In that letter, SC DES also explained that it ''held external stakeholder meetings to take recommendations and comments on those regulatory amendments identified by the internal workgroup'' and that, ''[t]hrough the stakeholder meetings, the [State] developed amendments to . . . Regulation 61–62 by consensus.'' The State offered its public hearing for the 2027 General Assembly Revisions and associated draft SIP revision, on August 24, 2026, and ultimately canceled the hearing as no requests to hold the hearing were received.

Therefore, to the extent that the commenter takes issue with the changes to subparagraph II(B)(2)(h) as originally included in the State's May 13, 2026, conditional approval request, in the 2026 Proposed Rule, the EPA did not propose to conditionally approve the amendments to subparagraph II(B)(2)(h). Instead, SC DES, in its July 21, 2026, letter, removed those amendments from the EPA's consideration and concurrently withdrew the second and third sentences of paragraph II(B)(2)(h), ''as submitted on August 8, 2014, and April 24, 2020.'' Furthermore, a draft SIP revision containing identical changes to subparagraph II(B)(2)(h), for which the State requested parallel processing, were subject to public notice and comment at the State level as discussed above.

ii. Comment 2

The commenter urges the EPA ''to withdraw its proposed full approval'' of Regulation 61–62.1, Section II in the 2026 Minor Source Permitting Proposed Rule. The commenter contends that that proposed action violates CAA sections 110(a)(2)(A), 110(a)(2)(C), 110(a)(2)(E), and 110(l) and ''fails the arbitrary-and-capricious standard of review under the Administrative Procedure Act (APA).'' The commenter also states that the EPA's ''decision to reverse its prior position'' from the January 21, 2025, proposed partial disapproval of Regulation 61–62.1, Section II to a full approval in the 2026 Minor Source Permitting Proposed Rule relies on commitment letters ''promising future state-level regulatory fixes rather than fully promulgated, legally binding state code.'' The commenter claims that the EPA should ''issue a partial disapproval or formal request for SIP withdrawal'' until South Carolina ''[f]ormally codifies enforceable minor source safeguards into [S]tate administrative code''; ''[r]e-executes'' its ''non-interference demonstration using post-2020 representative emissions inventory baselines''; ''[i]ncorporates practical MRR requirements into Regulation 61–62.1 to prevent Prevention of Significant Deterioration (PSD) circumvention''; and ''[s]upplements the record'' with a CAA section 110(a)(2)(E) demonstration ''verifying adequate DES staffing levels.'' The EPA summarizes and addresses these individual comments in Comments 2a through 2e, below.

1. Comment 2a

The commenter states that the 2026 Minor Source Permitting proposed approval, which supersedes the January 21, 2025, proposed partial disapproval, relies on commitment letters ''promising future state-level regulatory fixes rather than fully promulgated, legally binding state code'' The commenter also contends that the EPA cannot finalize the 2026 Minor Source Permitting proposed approval, in part, because it violates CAA section 110(a)(2)(A). With respect to CAA section 110(a)(2)(A), the commenter notes that ''SIP revisions must contain enforceable emission limitations and control measures at the time of federal approval'' and states that ''[i]nformal [S]tate promises to address regulatory gaps in future rulemaking cycles do not satisfy statutory enforceability mandates.''

2. Response 2a

The commenter appears to misunderstand the nature of the EPA's August 19, 2026, proposed approval. The EPA is not relying on state commitment letters promising future state-level regulatory fixes or promises to address regulatory gaps in future rulemaking cycles. The Agency did not propose to conditionally approve any relevant provisions addressed in 2026 Minor Source Permitting Proposed Rule. As noted above and in the 2026 Minor Source Permitting Proposed Rule, on May 13, 2026, the State submitted supplemental materials, including a letter submitting a conditional approval request, based on a commitment by the State under CAA section 110(k)(4), and a CAA section 110(l) demonstration to support the corrective changes that the State intended to submit in a future corrective SIP revision and to support the portion of the SIP submittals for which the State did not request conditional approval.[35] Also as previously explained, the State submitted a letter superseding the May 13, 2026, letter on July 21, 2026, that removed from the EPA's consideration the subset of provisions in Section II for which the State requested conditional approval. Additionally, the July 21, 2026, letter removed from the EPA's consideration two sentences within subparagraph II(B)(2)(h), with other Section II provisions, submitted through the April 24, 2020, SIP revision, as described in the 2026 Proposed Rule.[36] Therefore, the nature of the State's request for action on its SIP revisions was altered through the May 13, 2026, and the July 21, 2026, letters. Accordingly, in the August 19, 2026, Minor Source Permitting Proposed Rule, with respect to subparagraph II(B)(2)(h), for reasons stated therein, the EPA

[32] This process is outlined in Section 2.3.1 of 40 CFR part 51, Appendix V.

[33] *See* South Carolina *State Register,* Volume 50, Issue 3, available at *https://www.scstatehouse.gov/state_register.php.*

[34] *See* South Carolina *State Register,* Volume 50, Issue 6, available at *https://www.scstatehouse.gov/state_register.php. See also* Document No. 5457, the full copy of the proposed regulatory text at *https://des.sc.gov/permits-regulations/regulations-regulatory-updates/regulations-currently-under-amendment-recently-finalized.* These documents are available in Docket No. EPA–R04–OAR–2024–0241, the docket for this final action.

[35] *See* 91 FR 53558–53559 (Aug. 19, 2026).

[36] *Id.*

proposed to approve minor, administrative, clarifying, and other, substantive changes to subparagraph II(B)(2)(h), except for the second and third sentences, as submitted in the State's SIP revisions through April 24, 2020. The EPA disagrees that the Agency should withdraw the 2026 Minor Source Permitting Proposed Rule until the State formally codifies ''enforceable minor source safeguards into its administrative code,'' because the language that the EPA is approving into the SIP at subparagraph II(B)(2)(h) and paragraph II(K)(5) is State effective and will become federally enforceable upon incorporation into the SIP.

3. Comment 2b

The commenter also contends that the EPA cannot finalize the 2026 Minor Source Permitting proposed approval, in part, because it violates CAA section 110(a)(2)(A) and ''fails the arbitrary-and-capricious standard of review under the APA.'' The commenter cites to ''*State Farm*'' and *Encino Motorcars, LLC* v. *Navarro,* 579 U.S. 211 (2016), which the commenter states ''requires an agency reversing its prior factual or legal findings to provide a reasoned explanation for disregarding its previous record'' and states that the EPA ''fails to articulate a rational connection between the facts found'' in its January 21, 2025, partial disapproval and the 2026 Minor Source Permitting Proposed Rule.

4. Response 2b

The commenter does not support the notion that the 2026 Minor Source Permitting Proposed Rule is arbitrary or capricious under the APA with any evidence or analysis. The commenter simply provides a case name—*State Farm* [37]—and a citation to *Encino Motorcars, LLC* v. *Navarro,*[38] a case which found that a Federal agency has the authority to change its existing position on a final rule, provided it acknowledges the change in position and offers a reasonable explanation for the change. However, the EPA notes that the January 21, 2025, Proposed Rule did not constitute a final Agency action that the EPA had an existing position on. Furthermore, the EPA did articulate a reasonable explanation for changing from the January 21, 2025, proposed partial disapproval of Regulation 61–62.1, Section II, II(B)(2)(h) to the proposed approval of the portion of paragraph II(B)(2)(h) remaining before the EPA in the 2026 Minor Source Permitting Proposed Rule. As explained in the 2026 Minor Source Permitting Proposed Rule, on May 13, 2026, South Carolina submitted a supplemental CAA section 110(l) demonstration. This demonstration supported the substantive changes to Regulation 61–62.1, Section II in subparagraph II(B)(2)(h) proposed for approval in the 2026 Minor Source Permitting Proposed Rule. Additionally, in the July 21, 2026, letter, the State removed the portion of subparagraph II(B)(2)(h) providing the case-by-case exemption that the Agency was concerned with in the January 2025 Proposed Rule. Together, these letters provide a reasoned basis for the EPA's revised treatment of subparagraph II(B)(2)(h) in the 2026 Proposed Rule. Moreover, in this action, the EPA is also finalizing the portion of the SIP revisions to Regulation 61–62.1, Section II proposed for approval in the January 21, 2025, Proposed Rule and the August 17, 2017, Proposed Rule that the State did not remove from the EPA's consideration and which is not contingent on the finalization of a relevant national rulemaking, because there was not a reasoned basis to revise its previous interpretation that those provisions meet applicable statutory and regulatory requirements.

5. Comment 2c

The commenter takes issue with the EPA's noninterference evaluation under CAA section 110(l) supporting the changes to Regulation 61–62.1, Section II proposed in the 2026 Minor Source Permitting Proposed Rule, which they state ''relies on 2020 [NEI] baseline data to project that expanded minor source exemptions will not interfere'' with NAAQS attainment or RFP. Specifically, the commenter states that the 2020 NEI is a corrupted emissions baseline and ''reflects anomalous, pandemic-suppressed industrial output and transportation activity.'' The commenter further argues that using ''an artificially depressed baseline to model ambient impacts from minor source exemptions fails to provide a conservative or scientifically defensible projection of ambient air impacts.'' The commenter also argues that the EPA omitted cumulative impact analyses and ''failed to evaluate the aggregate, cumulative emission increases resulting from multiple unpermitted registration sources operating within the same air quality control region.''

6. Response 2c

The EPA disagrees with the commenter. As noted above, the NEI is a comprehensive and detailed estimate of, in part, criteria pollutant and criteria precursor air emissions that is released every three years, based primarily on data provided by State, Local, and Tribal agencies for sources in their jurisdictions, supplemented by data developed by the EPA. The 2020 NEI emissions inventory was the most recent publicly available at the time of South Carolina's development of its CAA section 110(l) demonstration and at the time of the EPA's Proposed Rule.[39] As previously noted, stationary sources subject to the State's minor NSR program and any sources qualifying for the exemption, including those exempt under Regulation 61–62.1, Section II, subparagraph II(B)(2)(h), fall into the nonpoint source category.[40] NEI nonpoint sources include emissions estimates for sources which are individually too small in magnitude to report as point sources and typically too small, numerous, or difficult to inventory using methods for other classes of sources. In the 2026 Proposed Rule, the EPA evaluated the State's CAA section 110(l) demonstration supporting the threshold exemptions for sources of pollutants justifying that such sources are not regulated under the scope of the State's minor NSR program and are exempt from the requirement to obtain a construction permit. SC DES evaluated the proportion of emissions likely impacted by the change to the scope of the minor NSR permitting program as well as current air quality levels and historical trends for ambient air quality design values across the entire State and concluded that the exempt sources would not interfere with attainment or maintenance of the NAAQS. As explained in that Proposed Rule, the EPA agrees with the State's contention that its available 2020 NEI data indicates that the proportion of emissions that would be automatically exempt under the exemption thresholds in subparagraph II(B)(2)(h) comprise a very small portion of overall emissions in the State and that, based on the State's rationale and supporting emissions data and air quality, the revised exemption for PM to five tpy and the new five tpy exemptions for

[37] It is unclear, but the comment may be referring to *Motor Vehicle Manufacturers Association* v. *State Farm Mutual Automobile Insurance Co.,* 463 U.S. 29 (1983), a case cited in *Encino Motorcars, LLC* v. *Navarro.* In *Motor Vehicle Manufacturers Association* v. *State Farm Mutual Automobile Insurance Co.,* the Court held that the arbitrary and capricious standard for reviewing agency actions rescinding rules subject to notice and comment was the same as for enacting rules subject to notice and comment. The January 21, 2025, Proposed Rule did not constitute a final Agency action since it was not finalized and therefore could not have been rescinded.

[38] 579 S. Ct. 211 (2016).

[39] *See* 40 CFR part 51, subpart A.

[40] The commenter's contention regarding suppressed transportation activity is outside the scope of this final rulemaking because Regulation 61–62.1, Section II applies only to stationary sources and does not regulate mobile sources.

NO_X, CO, and SO_2 in subparagraph II(B)(2)(h) would not interfere with attainment or maintenance of the NAAQS. The State therefore provided a basis for determining which sources will be subject to its program, pursuant to 40 CFR 51.160(e), and addressed the impact to the existing program under the SIP pursuant to CAA section 110(l). Thus, the EPA disagrees that the State was required to conduct cumulative air quality analysis beyond the assessment—described in this paragraph and in the Minor Source Permitting Proposed Rule—of emissions and air quality across the State.

The commenter did not elaborate on their arguments that the 2020 NEI data set reflects anomalous, pandemic-suppressed industrial output activity and serves as a corrupted, artificially depressed emissions baseline. Additionally, the commenter did not provide or reference any data sets or additional information to support their claim that evaluating the 2020 NEI emissions data to support the exemption thresholds under subparagraph II(B)(2)(h), as revised through 2020, fails to provide a conservative or defensible projection of the ambient air impacts. The EPA does not agree with the contention that there was pandemic-suppressed industrial output activity that created an artificially depressed emissions baseline. In fact, the State's 2019–2021 quarterly gross domestic product (GDP) values and annual total employment numbers indicate those parameters, which fell slightly in 2020, were quick to rise above pre-pandemic levels by 2021. The Bureau of Economic Analysis (BEA) ''SQGDP1 State quarterly gross domestic product (GDP) summary'' table for South Carolina's current-dollar GDP, in millions of current dollars,[41] indicates that, in 2020, the only quarter in which GDP fell below analogous 2019 levels was the second quarter, where GDP in 2020 was approximately 95% of the State's 2019 quarter two GDP value. Other than that, the State's 2020 first quarter GDP was approximately 102% of its 2019 first quarter GDP, and the table shows similar percentages for the 2020 third and fourth quarter GDP values, which were approximately 101% and 100% of the State's analogous 2019 GDP quarter values, respectively. In quarter four of 2020, the State's GDP was above pre-pandemic levels. In 2021, the State's first quarter GDP was approximately 104% of its 2020 first quarter GDP, and the 2021 second, third, and fourth quarter values were approximately 115%, 107%, and 110% of the State's analogous 2020 GDP quarter values, respectively. The BEA ''SASUMMARY State annual summary statistics: personal income, GDP, consumer spending, price indexes, and employment'' table for South Carolina's total employment, in terms of the number of jobs,[42] indicates that the State's 2020 total employment level dropped slightly and was approximately 98% of the 2019 level. In 2021, employment was above pre-pandemic levels, and the table shows that the State's 2021 and 2022 total employment levels were both approximately 104% of preceding year, *i.e.,* 2020 and 2021, levels, respectively. For these reasons, the EPA believes the 2020 NEI data are an adequate representation of ambient air emissions in South Carolina.

7. Comment 2d

The commenter argues that the State's revised Regulation 61–62.1, Section II ''minor source permitting thresholds . . . lack mandatory continuous MRR provisions,'' violating 40 CFR 51.160 and part C of title 1 of the CAA. The commenter states that, without continuous parametric monitoring or CEMS (continuous emissions monitoring systems), ''the [S]tate cannot verify that sources operating under automatic permit exemptions remain below minor source thresholds,'' citing lack of practical enforceability, and that [''[t]he absence of tracking mechanisms enables existing major stationary sources to undertake debottlenecking physical modifications under minor source exemption categories'' and bypass major NSR and PSD review under CAA section 165. The commenter concludes that the EPA should withdraw the 2026 Minor Source Permitting proposed full approval and issue a partial disapproval or ''formal request for SIP withdrawal'' until the State ''[i]ncorporates practical MRR requirements into Regulation 61–62.1 to prevent PSD circumvention.''

8. Response 2d

As discussed in the 2026 Minor Source Permitting Proposed Rule, CAA section 110(a)(2)(C) requires SIPs to include a program to regulate the construction and modification of any stationary source as necessary to assure that the NAAQS are achieved. Where the commenter asserts that the State's revised minor source permitting thresholds at issue ''lack mandatory continuous MRR provisions,'' violating 40 CFR 51.160 and part C of title 1 of the CAA, the Agency first notes that part C of title I of the CAA sets forth the PSD program, applicable to major stationary sources and major modifications in attainment and unclassifiable areas. The minor NSR program is established under CAA section 110(a)(2)(C) and its implementing regulations at 40 CFR 51.160–164, which serve primarily as the basis for the Agency's evaluation of States' minor NSR programs. States have discretion to define the scope of their minor NSR programs within the bounds of those regulations and CAA section 110.

The requirements in 40 CFR 51.160 require the legally enforceable procedures under a State's program to ''identify types and sizes of facilities . . . which will be subject to review . . .'' and ''discuss the basis for determining which facilities will be subject to review.'' [43] As explained in the 2026 Minor Source Permitting Proposed Rule, the EPA agrees with the State that five tpy is an appropriate PTE at which to set the scope of the minor NSR preconstruction review program pursuant to 40 CFR 51.160(e) for the relevant pollutants in South Carolina and that the State has articulated the basis for setting the scope of its minor NSR program pursuant to 51.160(e) and CAA section 110(a)(2)(C).[44] The provisions under 40 CFR 51.160 do not require a State to require MRR,

[41] *See* U.S. Bureau of Economic Analysis, ''SQGDP1 State quarterly gross domestic product (GDP) summary'' (accessed Thursday, October 1, 2026), available at *https://apps.bea.gov/itable/?ReqID=70&step=1&_gl=1*3bly7g*_ga*MTM1Mzk0ODU0NC4xNzkyNTIxNDI5*_ga_J4698JNNFT*czE3OTI1MjE0MjgkbzEkZzAkdDE3OTI1MjE0MjgkajYwJGwwJGgw#eyJhcHBpZCI6NzAsInN0ZXBzIjpbMSwyOSwyNSwzMSwyNiwyNywzMF0sImRhdGEiOltbIlRhYmxlSWQiLCI1MzIiXSxbIk1ham9yX0FyZWEiLCIwIl0sWyJTdGF0ZSIsWyIwIl1dLFsiQXJlYSIsWyI0NTAwMCJdXSxbIlN0YXRpc3RpYyIsWyItMSJdXSxbIlV2VhciIsWyIyMDI1IiwiMjAyNCIsIjIwMjMiLCIyMDIyIiwiMjAyMSIsIjIwMjAiLCIyMDE5Il1dLFsiWWVhciIsIlZ2luIiwiLTEiXV19* and in Docket No. EPA–R04–OAR–2024–0241, the docket for this final action.

[42] *See* U.S. Bureau of Economic Analysis, ''SASUMMARY State annual summary statistics: personal income, GDP, consumer spending, price indexes, and employment'' (accessed Thursday, October 1, 2026), available at *https://apps.bea.gov/itable/?ReqID=70&step=1&_gl=1*b3p1jx*_ga*MjU5NjMyODk3LjE3OTA4Njk5MzE.*_ga_J4698JNNFT*czE3OTA4NzYyODIkbzMkZzEkdDE3OTA4NzYyODgkajU0JGwwJGgw#eyJhcHBpZCI6NzAsInN0ZXBzIjpbMSwyOSwyNSwzMSwyNiwyNywzMF0sImRhdGEiOltlRhYmxlSWQiLCI2MDAiXSxbIk1ham9yX0FyZWEiLCIwIl0sWyJTdGF0ZSIsWyIwIl1dLFsiQXJlYSIsWyI0NTAwMCJdXSxbIlN0YXRpc3RpYyIsWyItMSJdXSxbIlV2VhciIsWyIyMDI1IiwiMjAyNCIsIjIwMjMiLCIyMDIyIiwiMjAyMSIsIjIwMjAiLCIyMDE5Il1dLFsiWWVhciIsIlZ2luIiwiLTEiXV19* and in Docket No. EPA–R04–OAR–2024–0241, the docket for this final action.

[43] *See* 40 CFR 51.160(e).

[44] *See* 91 FR 53558, 53565 (Aug. 19, 2026).

continuous or otherwise, for sources which the State has demonstrated are not required to be permitted for its program to meet the applicable statutory and regulatory requirements, consistent with 40 CFR 51.160(e).

Furthermore, language in Regulation 61–62.1, subparagraph II(B)(2)(h) provides that sources exempt under the thresholds in that paragraph ''may be . . . included in any subsequent construction or operating permit review to ensure that there is no cause or contribution to an exceedance of any ambient air quality standard or limit'' and requires ''[e]missions calculations and any other information necessary to document qualification for this exemption'' to ''be maintained onsite and provided to [SC DES] upon request.'' Additional language in paragraph II(B)(7) notes that the exemptions under subsection II(B), including subparagraph II(B)(2)(h), ''do not relieve'' a source owner or operator ''from any obligation to comply with any other applicable requirements'' and clarifies that the State ''reserves the right to require a construction permit'' and will determine whether permit(s) are needed on a case-by-case basis, considering factors including, but not limited to, ''the nature and amount of pollutants,'' along with source location and ''proximity to residences and commercial establishments, etc.''

The commenter's contention that ''[t]he absence of tracking mechanisms enables existing major stationary sources to undertake debottlenecking physical modifications under minor source exemption categories,'' to include the automatic exemption thresholds in subparagraph II(B)(2)(h), and thereby ''bypass major NSR and PSD review,'' under CAA section 165 is unclear. To the extent the commenter is raising concerns that the new or revised exemption thresholds will enable existing major stationary sources to bypass major NSR and PSD requirements due to a lack of tracking exempt sources, the EPA disagrees and provides the following response.

First, the EPA notes that these exemptions are unavailable to major stationary sources. South Carolina defines ''stationary source'' at Regulation 61–62.1, Section I, as ''any building, structure, installation, or process which emits or may emit an air pollutant subject to regulation by any national or state standard. Use of the term 'source' is to be construed to mean 'stationary source.' '' Thus, the language in subparagraph II(B)(2)(h) exempting ''[s]ources with a total uncontrolled potential to emit (PTE)'' less than the thresholds in that provision indicates that those exemptions are only available for source-wide, *i.e.,* facility-wide, PTE below the applicability thresholds. South Carolina's permit exemption guidance explains the process of determining eligibility for the exemption and that facility-wide PTE must be reviewed against the thresholds.[45] Additionally, the State's CAA section 110(l) demonstration confirmed that potentially exempt emissions under subparagraph II(B)(2)(h) would originate from a small subset of the nonpoint sources in the State. Therefore, the EPA disagrees that sources exempt from minor NSR permitting under the subparagraph II(B)(2)(h) exemption thresholds, as revised through the April 24, 2020, SIP revision, *i.e.,* nonpoint stationary sources with facility-wide total uncontrolled PTE less than five tpy PM, SO_2, NO_X, and CO and less than 1,000 lb/month VOCs, will be able to use that provision to circumvent major NSR or PSD review and relevant associated requirements.

Furthermore, regarding the comment that the EPA should withdraw the 2026 Minor Source Permitting Proposed Rule proposing a full approval and instead issue a partial disapproval or ''formal request for SIP withdrawal'' until the State ''[i]ncorporates practical MRR requirements into Regulation 61–62.1 to prevent PSD circumvention,'' the Agency notes that the relevant portion of that regulation to this action, *i.e.,* Regulation 61–62.1, Section II, sets forth the State's minor NSR program. The EPA has determined that the changes being finalized therein in this action are consistent with the relevant statutory requirements under the CAA and its applicable implementing regulations. South Carolina's SIP-approved PSD program and the requirements therein, applicable to the construction and modification of major sources in attainment and unclassifiable areas, are in Regulation 61–62.5, Standard No. 7. South Carolina also has a SIP-approved major NSR program applicable to major sources and modifications in nonattainment areas in Regulation 61–62.5, Standard No. 7.1. Those regulations and the requirements therein are outside the scope of this action.

[45] *See Simplifying the Air Permitting Process: Exemptions,* South Carolina Department of Environmental Services, which can be found at *https://des.sc.gov/sites/des/files/Library/CR-010877.pdf* (2025) at pp. 4–7, Appendices A–B, available in Docket No. EPA–R04–OAR–2024–0241, the docket for this final action.

9. Comment 2e

The commenter states that CAA section 110(a)(2)(E)(i) ''requires the [S]tate to provide necessary assurances that the implementing agency possesses adequate personnel, funding, and authority to carry out the SIP.'' The commenter states that, ''[f]ollowing the dissolution of SC DHEC and the transition of air quality oversight to the newly established [DES], the record lacks evidence demonstrating that [SC] DES maintains adequate field inspection personnel to monitor compliance across unpermitted registration sources.'' The commenter concludes that the EPA should withdraw the 2026 Minor Source Permitting proposed full approval and issue a partial disapproval or ''formal request for SIP withdrawal'' until the State ''[s]upplements the record'' with a CAA section 110(a)(2)(E) demonstration ''verifying adequate DES staffing levels.''

10. Response 2e

When the EPA establishes a new NAAQS or revises an existing standard, the Agency must designate areas as meeting or not meeting the standard, *i.e.,* attainment or nonattainment, respectively, and CAA sections 110(a)(1) and 110(a)(2) require States to submit SIPs with general infrastructure elements, *i.e.,* ''infrastructure SIPs,'' showing that the State has the capacity to attain, maintain, and enforce a new or revised standard within three years of the promulgation of a new or revised NAAQS. Among the required CAA section 110(a)(2) elements that must be addressed in the infrastructure SIP is section 110(a)(2)(E). The EPA agrees that CAA section 110(a)(2)(E)(i) requires SIPs to provide ''necessary assurances that the State . . . will have adequate personnel, funding, and authority under State . . . law to carry out [the SIP] . . .'' The EPA has previously determined that the State's SIP satisfies CAA section 110(a)(2)(E)(i) when approving infrastructure SIPs for the majority of the active NAAQS, which are required in response to the promulgation of new or revised NAAQS.[46] As explained in the 2026

[46] The EPA approved South Carolina's SIP as meeting CAA section 110(a)(2)(E) for the various NAAQS as follows: 1997 8-hour ozone NAAQS (76 FR 41111, July 13, 2011); 2008 8-hour ozone NAAQS (80 FR 11136, Mar. 2, 2015); 2015 8-hour ozone NAAQS (85 FR 6808, Feb. 6, 2020); 2008 lead NAAQS (80 FR 57540, Sep. 24, 2015); 2010 1-hour NO_2 NAAQS (81 FR 63704, Sep. 16, 2016); 1997 annual and 2006 24-hour $PM_{2.5}$ NAAQS (77 FR 45492, Aug. 1, 2012); 2012 annual $PM_{2.5}$ NAAQS (82 FR 16930, Apr. 7, 2017); 2010 1-hour SO_2 NAAQS (81 FR 32651, May 24, 2016). As noted above, infrastructure SIPs are due following the promulgation of a new or revised NAAQS.

Minor Source Permitting Proposed Rule, in a letter dated June 20, 2024, the State represented to the EPA that all functions, powers, and duties of the environmental divisions, offices, and programs of DHEC, including the authority to administer and enforce SIPs, are retained and continued in full force and effect under SC DES.[47]

The July 23, 2025, SIP revision includes a description of State's legal authority,[48] which cites to the requirements in 40 CFR 51.230(a)–(f) concerning the legal authority of States to carry out their SIPs. This description notes the adequacy of the State law with respect to each provision under 40 CFR 51.230, lists the relevant South Carolina Pollution Control Act statutes which ''demonstrate the adequacy of South Carolina law as required by 40 CFR 51.230,'' and references opinions from the Attorney General ''confirming the adequacy of South Carolina law.'' The July 23, 2025, SIP revision also discusses the State's authorities under its Pollution Control and Administrative Procedures Acts concerning notice and public hearings ''assuring compliance with the requirements of 40 CFR 51.102.'' These administrative materials in the July 23, 2025, SIP revision containing updates to Regulation 61–62.5, paragraph II(K)(5) to reflect the restructuring of the State agency, satisfy the State's obligation under Appendix V to 40 CFR part 51, 2.0.2.1.(c) to submit evidence that it has the necessary legal authority under State law to adopt and implement the SIP. Furthermore, the commenter appears to conflate the administrative changes proposed to paragraph II(K)(5) in the 2026 Minor Source Permitting Proposed Rule, which remove references to the former Board of Health and Environmental Control to reflect the restructuring of SC DHEC to the South Carolina Department of Public Health and SC DES, with the actual restructuring of the State agencies, *i.e.,* the restructuring of SC DHEC into health and environmental agencies,[49] which is outside the scope of this action. Therefore, the EPA has no reason to believe that its prior determinations under CAA section 110(a)(2)(E)(i) regarding South Carolina's SIP are no longer valid.

Further, Regulation 61–62.1, Section II provides the State with several ways to adequately monitor compliance across these sources. First, the State provides in subparagraph II(B)(2)(h) that ''[e]missions calculations and any other information necessary to document qualification for this exemption must be maintained onsite and provided to [SC DES] upon request.'' Additionally, paragraph II(B)(7) provides that ''the permitting exemptions in Section II(B) do not relieve the owner or operator of any source from any obligation to comply with any other applicable requirements.'' Moreover, Section II(O) provides that ''the owner or operator shall allow [SC DES]'' to ''[e]nter the facility where emissions-related activity is conducted, or where records must be kept under the permit.'' The commenter has not provided any evidence that the State cannot staff its agency or enforce its regulations or any information to invalidate the EPA's prior determinations under CAA section 110(a)(2)(E)(i) regarding South Carolina's SIP. For these reasons and those described above, the Agency rejects the commenter's conclusion that it should withdraw the 2026 Minor Source Permitting proposed full approval and issue a partial disapproval until the State provides a separate CAA section 110(a)(2)(E) demonstration to verify ''adequate . . . staffing levels,'' finding that the State's July 23, 2025, SIP revision, as proposed for approval in the August 19, 2026, Proposed Rule, meets Federal requirements concerning the legal authority of States to carry out their SIPs and satisfies its obligations to demonstrate that it has the necessary legal authority under State law to adopt and implement the SIP under 40 CFR part 51.

iii. Comment 3

The commenter directs the EPA to ''[r]e-evaluate South Carolina's minor source permit exemption thresholds'' in Regulation 61–62.1, Section II, proposed in the 2026 Minor Source Permitting Proposed Rule against the current fine PM ($PM_{2.5}$) standard and states that the Agency's CAA section 110(l) noninterference demonstration ''evaluates South Carolina's minor source exemption thresholds against obsolete ambient standards,'' arguing that the Agency evaluated the exemption thresholds ''against the revoked 12.0 $\mu g/m^3$ $PM_{2.5}$ standard. The commenter further states that that ''evaluation . . . relies on an artificially depressed, pandemic-era 2020 NEI baseline that understates ambient air impacts'' and also argues that the EPA omitted ''cumulative impact modeling'' and in so doing, ''failed to account for aggregate emissions growth driven by multiple unpermitted . . . sources across the region,'' stating that ''[b]y failing to model . . . unpermitted increases'' in $PM_{2.5}$, SO_2, and NO_X in light of ''the effective 9.0 $\mu g/m^3$ [$PM_{2.5}$] primary annual standard,'' the Agency ''approved these exemptions without demonstrating compliance with the active NAAQS.'' Additionally, the commenter directs the Agency to ''ask South Carolina to submit a formal Interstate Transport demonstration for unpermitted minor sources.'' The commenter takes issue that the State's SIP revisions ''contain[ ] no cross-border air quality transport modeling'' addressing the ''expanded minor source . . . exemptions . . .'' and their impacts on downwind states, citing the Agency's ''Good Neighbor'' provision and ''ongoing maintenance obligations for ozone and $PM_{2.5}$ in North Carolina and Georgia and stating that the ''automatic exemption categories along industrial interstate corridors . . . create[ ] unmonitored aggregate emissions growth that downwind states cannot track or account for.'' The EPA summarizes and addresses these individual comments in Comments 3a through 3c, below.

1. Comment 3a

The commenter states that the EPA's evaluation of noninterference of the changes to subparagraph II(B)(2)(h) ''evaluates the exemption thresholds therein ''against obsolete ambient standards,'' stating that the ''EPA evaluated South Carolina's minor source exemption cutoffs in Regulation 61–62.1 against the revoked 12.0 $\mu g/m^3$ $PM_{2.5}$ standard rather than the effective 9.0 $\mu g/m^3$ [$PM_{2.5}$] primary annual standard.'' The commenter directs the EPA to ''[r]e-evaluate South Carolina's minor source exemption thresholds against the 9.0 $\mu g/m^3$ [$PM_{2.5}$] standard.'' The commenter also argues that, ''[b]y failing to model whether unpermitted emissions increases'' for $PM_{2.5}$, SO_2, and NO_X ''will cause localized exceedances of the tightened [$PM_{2.5}$] standard, [the] EPA approved these exemptions without demonstrating compliance with the active NAAQS which fails to meet [CAA] requirements for controlling new sources of air pollution.''

2. Response 3a

The EPA disagrees that the State's CAA section 110(l) noninterference demonstration supporting the changes to Regulation 61–62.1, Section II proposed in the 2026 Minor Source Permitting Proposed Rule ''evaluates South Carolina's minor source exemption thresholds against obsolete ambient standards.'' As explained in the 2026 Proposed Rule, the Agency

[47] *See* 91 FR 53558–53559; footnote 1 (Aug. 19, 2026).

[48] Attachment 6, ''Copy of Legal Authority,'' to the July 23, 2025, SIP revision, which is available in Docket No. EPA–R04–OAR–2024–0241.

[49] The State law, ''2023 S.C. Act 60,'' was enacted on May 19, 2023, and became effective on July 1, 2024.

evaluated the exemption thresholds in Regulation 61–62.1, subparagraph II(B)(2)(h), as revised through the April 24, 2020, SIP revision in light of the State's NAAQS attainment history, long-term and recent air quality design values and margins between the design values and the NAAQS, and 2020 NEI data for pollutants and precursors. The EPA found that South Carolina's CAA section 110(l) demonstration shows that (1) the State has maintained the applicable 8-hour ozone standards since 2011, where valid data is available, (2) has never been designated nonattainment for any other NAAQS evaluated, and (3) continues to attain each applicable form of the standards for the relevant pollutants, *i.e.,* NO_2, CO, SO_2, and PM—including $PM_{2.5}$ and coarse PM (PM_{10}). Specifically, the EPA evaluated the most recent (2025) certified design values in South Carolina for the fourth-highest daily maximum 8-hour average ambient ozone, daily maximum 1-hour average ambient NO_2, annual arithmetic mean and 24-hour ambient $PM_{2.5}$, 1-hour ambient SO_2, 24-hour ambient PM_{10}, annual average ambient NO_2, and 1-hour and 8-hour ambient CO concentrations, along with long-term ozone, NO_2, $PM_{2.5}$, SO_2, and PM_{10} design values and margins between the design values and the NAAQS from 2008–2025 for most pollutants and long-term CO design values and NAAQS margins from 2010–2025.[50] The EPA found that the air quality monitors in the State are below the relevant NAAQS and identified the available margins between the applicable NAAQS and the design values, including the State's long-term air quality design values.

Accordingly, the EPA also disagrees with the commenter's contention that it ''evaluated South Carolina's minor source exemption cutoffs in Regulation 61–62.1[,] [subparagraph II(B)(2)(h)] against the revoked 12.0 μg/m^3 $PM_{2.5}$ standard rather than the effective 9.0 μg/m^3 [$PM_{2.5}$] primary annual standard,'' which was effective May 6, 2024.[51] First, the EPA never revoked the 2012 $PM_{2.5}$ standard of 12.0 μg/m^3 and that standard remains in effect. Furthermore, the highest design value in South Carolina is 8.5 μg/m^3, which is below any $PM_{2.5}$ standard in effect. The State's May 13, 2026, CAA section 110(l) demonstration supporting the changes to subparagraph II(B)(2)(h) expressly states that, despite significant population growth and resulting higher mobile source emissions, aggregate emissions continue to fall, and the State remains in attainment for all criteria pollutants, ''including the . . . $PM_{2.5}$ standard of 9.0 μg/m^3.'' [52]

The Agency also disagrees that ''[b]y failing to model whether unpermitted emissions increases'' for $PM_{2.5}$ and precursors, SO_2 and NO_X ''will cause localized exceedances of the tightened standard,'' and that the Agency ''approved these exemptions without demonstrating compliance with the active NAAQS'' and failed to meet CAA requirements. As explained in the 2026 Proposed Rule and above, the Agency evaluated the exemption thresholds in subparagraph II(B)(2)(h), as revised through the April 24, 2020, SIP revision, in light of the most recent (2025) certified design values in South Carolina. As explained further in the 2026 Minor Source Permitting Proposed Rule, with respect to the NO_2, $PM_{2.5}$, and SO_2 NAAQS, the State did provide adequate rationale based on the State's air quality design values and 2020 NEI data to demonstrate that the five tpy PTE automatic exemption thresholds for PM, NO_X, and SO_2 will not interfere with the State's attainment or maintenance of the NO_2, $PM_{2.5}$, and SO_2 NAAQS and will not interfere with any applicable requirement concerning attainment and RFP (as defined in section 171), or any other applicable requirement of the CAA.

As discussed in the Proposed Rule, the State has the ability to determine the appropriate scope of its minor NSR program pursuant to 40 CFR 51.160(e) and CAA section 110(a)(2)(C). In this instance, the State has determined that the sizes of sources qualifying for the exemption in subparagraph II(B)(2)(h), as revised through the April 24, 2020, SIP revision, would not impact its ability to attain or maintain the NAAQS, including the 2024 annual $PM_{2.5}$ NAAQS, based on current air quality and the proportion of emissions in the State likely to be covered by the exemption. The commenter has not provided any evidence that those sources of PM, SO_2, or NO_X which would be automatically exempt from the requirement to obtain a minor NSR construction permit due to their size, at total uncontrolled PTE of five tpy, would cause localized exceedances of the $PM_{2.5}$ NAAQS. Larger sources remain subject to the State's minor NSR program, which requires air dispersion modeling or other information demonstrating that emissions from the facility will not interfere with the attainment or maintenance of any NAAQS. Additionally, for major sources, the State's approved major source PSD program remains in effect and requires air quality impact analysis and modeling.

3. Comment 3b

The commenter also states that the Agency's evaluation is ''scientifically indefensible because it relies on an artificially depressed, pandemic-era 2020 NEI baseline that understates ambient air impacts.'' The commenter further argues that the Agency omitted cumulative impact modeling and therefore ''failed to account for aggregate emissions growth'' resulting from ''multiple unpermitted registration sources across the region.''

4. Response 3b

Where the commenter states that the Agency's evaluation is lacking because it relies on ''an artificially depressed, pandemic-era 2020 NEI baseline that understates ambient air impacts'' and that the Agency omitted cumulative impact modeling and ''failed to account for aggregate emissions growth driven by multiple unpermitted registration sources across the region,'' the commenter did not elaborate on their arguments or provide or reference any data sets or additional information to support their claims. See section IV.B.ii.6 of this action, above, for the EPA's response to substantively identical comments.

5. Comment 3c

The commenter goes on to argue that the State's ''submittal contains no cross-border air quality transport modeling'' to evaluate the impacts of the expanded Regulation 61–62.1, Section II minor source permit exemptions in South Carolina on downwind states. The commenter further argues that the EPA's ''Interstate Transport Mandates ('Good Neighbor' Provision) . . . strictly prohibits state plan provisions that contribute significantly to nonattainment or interfere with maintenance of any NAAQS in neighboring states'' and notes that South Carolina borders North Carolina and Georgia air quality control regions ''that face ongoing maintenance obligations for ozone and $PM_{2.5}$.'' The commenter states that, ''[b]y creating automatic exemption categories along industrial interstate corridors . . . , South Carolina creates unmonitored aggregate emissions growth that downwind states cannot track or account for in their own attainment planning,'' citing ''the I–85 corridor impacting North Carolina.'' The commenter directs the EPA to request ''a formal Interstate Transport

[50] *See* 91 FR 5355, 53566–53567, 53569–53571 (Aug. 19, 2026).

[51] *See* 89 FR 16202.

[52] *See* p. 7 of 21 in the State's CAA section 110(l) demonstration.

demonstration for unpermitted minor sources'' from the State.

6. Response 3c

The EPA disagrees that South Carolina is required to submit cross-border air quality transport modeling to support its revision to the scope of the State's minor NSR permitting program. In SC DES's CAA section 110(l) demonstration, the State determines, and the EPA agrees, based on the State's rationale and supporting emissions data and air quality, as further explained in the 2026 Minor Source Permitting Proposed Rule, that the proportion of minor stationary source emissions comprises a very small portion of overall emissions in the State, and the subset of automatically exempt minor stationary source emissions under the exemption thresholds in Regulation 61–62.1, Section II, subparagraph II(B)(2)(h) comprises an even smaller fraction. The State finds that the small sources exempt from Regulation 61–62.1, Section II under the five tpy exemption thresholds for PM, NO_X, CO, and SO_2 and the 1,000 lb/month threshold for VOCs in subparagraph II(B)(2)(h) will not interfere with attainment and maintenance of the NAAQS. Accordingly, these small nonpoint sources, which represent a very small fraction of the State's overall emissions, are not likely to interfere with NAAQS maintenance in downwind states. As noted above, larger sources are still subject to the State's minor NSR program and the permitting requirements in Regulation 61–62.1, Section II to determine compliance with the NAAQS, and even larger (major) sources would trigger PSD permitting and corresponding requirements in Regulation 61–62.5, Standard No. 7, to assess air quality impacts.

Furthermore, the EPA has approved South Carolina's interstate transport SIPs which were due for the following current NAAQS: the 2015 8-hour ozone,[53] 2010 1-hour SO_2,[54] 2010 1-hour NO_2,[55] and 2006 24-hour $PM_{2.5}$ standards,[56] and for which the State has remaining maintenance obligations, *i.e.,* the 2008 8-hour ozone standard,[57] and previously determined that South Carolina was not linked to any downwind nonattainment or maintenance areas for the 1997 or 2008 8-hour ozone standard,[58] pursuant to CAA section 110(a)(2)(D)(i)(I), *i.e.,* ''the Good Neighbor provision.'' The EPA also previously approved the State's interstate transport SIP for the 2012 annual $PM_{2.5}$ NAAQS.[59]

There are no maintenance areas in Georgia or North Carolina near the South Carolina border, except for the Charlotte-Gastonia-Rock Hill, North Carolina-South Carolina bi-state area (hereafter ''the bi-state Charlotte area'') for the 1997 and 2008 8-hour ozone NAAQS.[60] The bi-state Charlotte area for the 1997 and 2008 8-hour ozone NAAQS includes a portion of York County, South Carolina (hereinafter ''York County Area''), that, for the 1997 8-hour ozone NAAQS, includes the Catawba Indian Nation and, for the 2008 8-hour ozone NAAQS, does not. The York County Area is under its second 2008 8-hour ozone maintenance plan, approved on November 20, 2025,[61] and the North Carolina portion of the bi-state Charlotte area is under its first 2008 8-hour ozone maintenance plan, with a second 2008 8-hour ozone maintenance plan proposed for approval on September 23, 2026.[62] The York County Area and North Carolina portion of the bi-state Charlotte area are also under limited maintenance plans (LMPs) for the 1997 8-hour ozone NAAQS. South Carolina's LMP for the Catawba Indian Nation portion of the York County Area, which is the only part of the 1997 York County Area without a corresponding maintenance plan for the 2008 ozone NAAQS, *i.e.,* an ''orphan maintenance area,'' was approved on January 25, 2022.[63] On January 13, 2023, the EPA also approved North Carolina's LMP for the orphan maintenance area portion of the bi-State Charlotte area not covered by a corresponding maintenance plan for the 2008 ozone NAAQS.[64] Due to the continued implementation of these maintenance plans for the 1997 and 2008 ozone NAAQS, the EPA believes that adequate safeguards exist to prevent interference with attainment or maintenance of the ozone NAAQS, as a result of any possible emissions growth in South Carolina in the York County area, and downwind impacts to the bi-state Charlotte area.

Based on the information above, the EPA disagrees that the added or revised automatic exemption thresholds in Regulation 61–62.1, Section II, subparagraph II(B)(2)(h) will contribute significantly to nonattainment or interfere with maintenance of any NAAQS in neighboring States or create ''unmonitored aggregate emissions growth that downwind states cannot track or account for in their own attainment planning'' and rejects the commenter's direction to request ''a formal Interstate Transport demonstration for unpermitted minor sources'' from South Carolina.

C. Comments on the EPA's August 19, 2026, Source Testing and NO_X Control Proposed Rule

As noted above, in response to the August 19, 2026, Source Testing and NO_X Control Proposal, the EPA received two sets of adverse comments on its proposed approval of certain provisions in that Proposed Rule. In this section, the EPA summarizes and responds to those adverse comments below.

i. Comment 1

The commenter takes issue with the change to South Carolina's source testing provisions in Regulation 61–62.1, Section IV, in paragraph IV(D)(5) and the EPA's conclusion that evaluating the discretionary language already in the SIP at paragraph IV(D)(5) is beyond the scope of the 2026 Source Testing and NOx Control Proposed Rule. The commenter also states that the ''alternate-production-rate language'' in paragraph IV(D)(5) ''goes to the substance of what gets tested'' and that the EPA ''identifies two safeguards,'' arguing that they are ''weaker than the disclaimer implies.'' The commenter further states that the Agency did not address ''whether a future state-adopted 'requirement' could supersede the production-rate condition being approved . . . without EPA review'' and argues that the EPA ''should either analyze the scope of this discretion before finalizing approval or condition approval on retaining review authority over future state-adopted alternate testing rates.'' The commenter frames South Carolina's May 13, 2026, clarification regarding Regulation 61–62.5, Standard No. 5.2 that it has not previously implemented its discretion under Standard No. 5.2 and its commitment not to do so while the regulatory revisions to those provisions are pending as ''a representation that narrows'' their previously described

[53] *See* 86 FR 68413 (Dec. 2, 2021).

[54] *See* 84 FR 54498 (Oct. 10, 2019).

[55] *See* 82 FR 45995 (Oct. 3, 2017).

[56] *See* 77 FR 61724 (Oct. 11, 2012).

[57] *See* 85 FR 3 (Jan. 2, 2020).

[58] *See* 81 FR 74504, 74524 (Oct. 26, 2016).

[59] *See* 83 FR 48387 (Sept. 25, 2018).

[60] For the 1997 8-hour ozone NAAQS, the bi-state Charlotte area consists of Cabarrus, Gaston, Lincoln, Mecklenburg, Rowan, and Union Counties and a portion of Iredell County, North Carolina, and a portion of York County, South Carolina, including the Catawba Indian Nation reservation lands. For the 2008 8-hour ozone NAAQS, the bi-State Charlotte area includes portions of Cabarrus, Gaston, Iredell, Lincoln, Rowan, and Union Counties and the entirety of Mecklenburg County, North Carolina, and a portion of York County, South Carolina, that does not include the Catawba Indian Nation.

[61] *See* 90 FR 52248.

[62] *See* 91 FR 60349.

[63] *See* 87 FR 3673.

[64] *See* 88 FR 2245.

''testing-discretion concern'' in Regulation 61–62.1, Section IV. The commenter also takes issue with ''the unexamined discretion'' in Regulation 61–62.5, Standard No. 5.2, paragraph I(B)(18), ''allowing case-by-case exemptions from Standard No. 5.2'' and the EPA's conclusion that ''reviewing this discretion is 'beyond the scope'' of the [2026 Source Testing and NO_X Control Proposed] action.''

Further, the commenter takes issue with ''an undefined term that determines which emission standards apply,'' *i.e.,* ''process equipment,'' which the commenter frames as ''the operative term'' which governs the scope of an exemption the State's NO_X control regulations in Regulation 61–62.5, Standard No. 5.2, in paragraph I(A)(3). The commenter states that the exemption ''stakes are bounded,'' noting that Standard No. 5.2 ''was designed primarily to capture smaller sources that fall below PSD applicability thresholds'' and excludes ''BACT [(Best Available Control Technology)]-analyzed sources . . . entirely'' but argues that the ''EPA should still require the [S]tate to define 'process equipment' before finalizing approval.'' Finally, the commenter argues that South Carolina's CAA section 110(l) demonstration supporting the changes proposed to Regulation 61–62.5, Standard No. 5.2 in the 2026 Source Testing and NO_X Control Proposed Rule is ''entirely qualitative'' and ''contains no quantified emissions or reasonable-further-progress analysis'' and states that the EPA ''should require quantified analysis . . . or explain why a qualitative assertion suffices.'' The commenter states that their comments, further described below, identify ''gaps in scope and definition, not objections to the approval framework'' in the 2026 Source Testing and NO_X Control Proposed Rule, but states that ''[c]losing them would let [the] EPA finalize an approval that streamlines a fragmented SIP history without leaving open-ended, unreviewed discretion in the operative text.'' The EPA summarizes and addresses these individual comments in Comments 1a through 1d, below.

1. Comment 1a

The commenter states that the Agency, in the Proposed Rule, declined to evaluate the added discretionary ''as otherwise specified'' language added to Regulation 61–62.1, paragraph IV(D)(5) in the April 24, 2020, SIP revision allowing a source subject to other applicable Federal or State source testing standards to comply with alternate source testing procedures specified therein. The commenter states that the ''alternate-production-rate language'' in paragraph IV(D)(5) ''goes to the substance of what gets tested'' and argues that, although the State can evaluate test procedures under subsection IV(B) before testing, the EPA cannot review the test plan. The commenter also states that this ''state review . . . is the very discretion EPA declines to evaluate.'' Additionally, the commenter argues that, where paragraph IV(D)(5) provides that tests at production rates below rated capacity may result in permit limits on emission or production rates, if necessary, the State is not obligated to impose those limits. The commenter further states that ''whether a future state-adopted 'requirement' could supersede the production-rate condition being approved . . . without EPA review'' ''remains unaddressed.''

2. Response 1a

The exact nature of this comment is unclear; however, the commenter appears to misunderstand the EPA's statement in the August 19, 2026, Source Testing and NO_X Control Proposed Rule that evaluating the existing discretionary language in Regulation 61–62.1, Section IV, paragraph IV(D)(5) was beyond the scope of that proposed rulemaking action.[65] The commenter states that the EPA declined to evaluate the discretionary language—''or as otherwise specified in a relevant federal or state requirement''—in paragraph IV(D)(5), added in the April 24, 2020, SIP revision, as well as the language in subsection IV(B) which provides that the State must approve the test plan prior to the source conducting the test. As explained in the Proposed Rule, the discretionary language in SIP-approved paragraph IV(D)(5)—''Unless approved otherwise by the Department, the owner, operator, or representative shall ensure that source tests are conducted while the source is operating at the maximum expected production rate or other production rate or operating parameter which would result in the highest emissions for the pollutants being tested''—already allows the State to authorize alternate source testing procedures. It is that existing language that the EPA declined to evaluate in the 2026 Source Testing and NO_X Control Proposed Rule, because the Agency previously approved it into the SIP, and it was not altered by any of the SIP revisions covered by that Proposed Rule. As discussed in the Proposed Rule, the Agency did evaluate the change to paragraph IV(D) in the April 24, 2020, SIP revision to add ''or as otherwise specified in a relevant federal or state requirement,'' which allows a source owner, operator, or representative to comply with alternate source testing procedures specified in other applicable state or federal source testing standards.[66] However, as explained in the 2026 Proposed Rule, the change to paragraph IV(D)(5) does not materially alter the existing SIP provision because the State already retains the discretion, under the existing SIP provision, to authorize such alternate source testing procedures.

In the State's April 24, 2020, SIP revision, the added language in Regulation 61–62.1, paragraph IV(D)(5) clarifies the State's existing ability to require source testing representative of different operating conditions for consistency with Federal or other State source testing regulations in instances where subject sources are also subject to Federal or State source testing standards designed to represent alternate operating scenarios disparate to those prescribed in paragraph IV(D)(5) in the SIP. In those cases, subject sources would not be able to comply with applicable Federal source testing requirements, and the source testing requirements under paragraph IV(D)(5) in the SIP at the same time. As noted above, the change to paragraph IV(D)(5) does not substantively alter the State's existing level of discretion but highlights that SC DES may exercise its discretion authority to allow sources subject to other testing requirements, such as Federal testing requirements, to test accordingly and maintain compliance with the testing requirements in the SIP. Some Federal programs require that performance tests be conducted under such conditions as the Administrator specifies based on the representative performance of the affected facility.[67] [68] The NESHAPs under 40 CFR part 63 further define representative performance as normal operating conditions.[69] NESHAPs under 40 CFR part 61 require that emission tests be conducted ''under such conditions as the Administrator shall specify based on design and operational characteristics of the source.''[70] Individual standards may more

[65] *See* 91 FR 53573, 53577, footnote 23 (Aug. 19, 2026).

[66] Federal source testing standards may include New Source Performance Standards (NSPS) under CAA section 111 or National Emission Standards for Hazardous Air Pollutants (NESHAPs) under CAA section 112.

[67] *See Issuance of the Clean Air Act National Stack Testing Guidance,* available at *https://www.epa.gov/sites/default/files/2013-09/documents/stacktesting_1.pdf* (2009) at pp. 14–15.

[68] *See* 40 CFR 60.8 and 63.7(e)

[69] *See* 40 CFR 63.7(e).

[70] *See* 40 CFR 61.13(e).

specifically define operating conditions under which performance tests can or should be conducted. For example, stationary combustion turbines subject to 40 CFR part 60, subpart KKKKa, may test under varied conditions not necessarily intended to represent maximum possible emissions,[71] *e.g.,* up to 30 percent less than peak load conditions or at the highest achievable load point, if at least 70 percent of peak load cannot be achieved in practice.[72] The change to Regulation 61–62.1, paragraph IV(D)(5) indicates that such sources could comply with NSPS requirements under subpart KKKKa, *i.e.,* to test at lower load conditions than the base load, and the State could exercise its discretion to allow subject sources testing at lower load conditions under subpart KKKKa to fulfill the testing requirements in the SIP under paragraph IV(D)(5) at the same time.

Regarding the commenters concerns about the ''safeguards'' they claim the EPA identified in the proposed rule,[73] the Agency again reiterates that the commenter appears to misunderstand the EPA's finding that evaluating the existing discretionary language in Regulation 61–62.1, paragraph IV(D)(5) was beyond the scope of the 2026 Proposed Rule. That ''disclaimer,'' noting that the discretionary language already approved into the SIP was beyond the scope of the proposal, did not rely on the ''safeguards'' cited by the commenter. Rather, the State's test plan evaluation procedures and its ability to restrict emission or production rates, through permitting, clarify that, when exercising its already SIP-approved discretion authority, the State is able to evaluate a source's testing procedures in light of the test objective(s), and therefore ''determine whether any source test method proposed in the site-specific test plan is appropriate,'' [74] and impose permit conditions to restrict the source's emissions or production accordingly, if needed.

The commenter states that the 2026 Source Testing and NO_X Control Proposed Rule did not address ''whether a future state-adopted 'requirement' could supersede the production-rate condition being approved . . . without EPA review.'' The comment refers to the change to Regulation 61–62.1, paragraph IV(D)(5) proposed for approval that adds language clarifying the State's existing ability, under paragraph IV(D)(5), to authorize source testing representative of different operating conditions for consistency with other relevant requirements, such as Federal source testing regulations or any source testing specified in other State regulations. It is not clear in what ways ''a future state-adopted 'requirement' could supersede'' the added language clarifying the State's existing discretion, as the commenter states, since the new language does not add a specific ''production-rate condition'' in paragraph IV(D)(5) in the first place.

Where the commenter addresses the State's May 13, 2026, clarification regarding Regulation 61–62.5, Standard No. 5.2 that it has not previously implemented its discretion under those provisions and its commitment not to do so while the regulatory revisions to Standard No. 5.2 are pending, stating that that ''representation . . . narrows the testing-discretion concern'' [concerning Regulation 61–62.1, Section IV], the commenter appears to conflate the discretionary language in Regulation 61–62.5, Standard No. 5.2, proposed for conditional approval in the 2026 Source Testing and NO_X Control Proposed Rule, with the discretionary language concerning source tests in Regulation 61–62.1, Section IV.

3. Comment 1b

The commenter contends that the existing ''unexamined discretion'' in South Carolina's NO_X control provisions at Regulation 61–62.5, Standard No. 5.2, paragraph I(B)(16) allows ''case-by-case exemptions from Standard No. 5.2.'' The commenter argues that the EPA and the public cannot ''verify how many sources have been exempted or whether exempted emissions are excluded from the [S]tate's reasonable-further-progress accounting'' because there is no accompanying ''registry or reporting requirement.'' The commenter further states that ''[a] bounded exemption authority'' or, ''at minimum,'' ''a public reporting requirement . . . would keep this provision from becoming an unreviewable off-ramp from the rule's emission limits.''

4. Response 1b

The SIP revisions through February 4, 2022, did not modify the language or meaning of this provision, which was already approved into the SIP at paragraph I(B)(17). The EPA evaluated the approvability of this language under the CAA in 2005 when acting on the SIP revision asking the Agency to incorporate it into the SIP.[75] The SIP revisions subject to this action merely renumbered paragraph I(B)(17), first to I(B)(16), in the July 27, 2016, SIP revision, and then to I(B)(18), in the February 4, 2022, SIP revision, due to the deletion and addition of several other paragraphs in Section I(B). Accordingly, as noted in the 2026 Source Testing and NO_X Control Proposed Rule, the language of this provision is outside the scope of this action.[76]

5. Comment 1c

The commenter argues that the term ''process equipment'' is not defined in Regulation 61–62.5, Standard No. 5.2 nor elsewhere in the State's SIP but states that ''the operative term'' governs the scope of the exemption in Regulation 61–62.5, Standard No. 5.2, paragraph I(A)(3) and that its undefined nature ''invites inconsistent classification.''

6. Response 1c

The EPA disagrees with the commenter's characterization that the term ''process equipment'' determines which emission standards apply and governs the scope of the exemption in Standard No. 5.2, paragraph I(A)(3), and therefore ''invites inconsistent classification.'' As explained in the 2026 Source Testing and NO_X Control Proposed Rule, changes to paragraph I(A)(3) in the SIP revisions through February 4, 2022, eliminate the term ''process equipment'' and provide that ''[a]ny existing sources'' relocated between permitted in-state facilities under common ownership do not become existing sources under Standard No. 5.2 until paragraph I(A)(2) is triggered, *i.e.,* until a burner assembly is replaced, consistent with Standard No. 5.2 applicability to other existing subject sources.[77] Further, as noted in the 2026 Proposed Rule, ''[t]he changes to paragraph I(A)(3) clarify and delineate when a source qualifies as a new affected source as opposed to remaining an existing affected source.'' [78] Therefore, the EPA disagrees with the commenter's statement that the Agency should require the State to define ''process equipment,'' a term which the State removed from Standard No. 5.2 altogether in clarifying changes to paragraph I(A)(3) in its SIP revisions.

[71] *See* 40 CFR 60.4400.

[72] *See* 40 CFR 60.4400(b).

[73] The ''safeguards'' the commenter cites from the Proposed Rule are that the State can evaluate test procedures pursuant to Regulation 61–62.1, subsection IV(B) before testing and that tests at production rates below rated capacity may result in permit limits on emission or production rates, if necessary. The commenter states that they are ''weaker than the disclaimer implies.''

[74] *See* Regulation 61–62.1, Section IV, paragraph (B)(4).

[75] *See* 70 FR 50195 (Aug. 26, 2005).

[76] *See* 91 FR 53573, 53580; footnote 31 (Aug. 19, 2026).

[77] *See* 91 FR 53573, 53578–53579 (Aug. 19, 2026).

[78] *See* 91 FR 53573, 53579 (Aug. 19, 2026).

7. Comment 1d

The commenter contends that South Carolina's CAA section 110(l) demonstration supporting the changes proposed to Regulation 61–62.5, Standard No. 5.2 is ''entirely qualitative'' and ''contains no quantified emissions or reasonable-further-progress analysis'' showing that in Standard No. 5.2 ''the specific MRR provisions EPA is conditionally approving will not interfere with attainment.''

8. Response 1d

As discussed previously, the EPA evaluates CAA section 110(l) non-interference demonstrations on a case-by-case basis considering the circumstances of each SIP revision. The addition of the MRR and certain other requirements, *e.g.,* testing requirements, to Regulation 61–62.5, Standard No. 5.2, in Section IV enhance enforceability and are therefore SIP-strengthening. As discussed in the 2026 Source Testing and NO_X Control Proposed Rule, the State, in its May 13, 2026, CAA section 110(l) demonstration supporting the changes to Standard No. 5.2 proposed for conditional approval frames the corrections to the added MRR and source testing provisions as removing ''open-ended discretionary language'' and adding ''increased clarity and specificity'' for source testing and monitoring requirements. The State explains that it ''does not expect any emission increases as a result of the changes'' and that its committed corrections to the provisions requested for conditional approval ''will enhance transparency'' and the ability to evaluate source compliance with Standard No. 5.2.[79]

As explained in the 2026 Source Testing and NO_X Control Proposed Rule, the EPA proposed to conditionally approve portions of the State's SIP revisions to Regulation 61–62.5, Standard No. 5.2, in Section IV through February 4, 2022, based on a commitment under CAA section 110(k)(4) to adopt and submit corrective revisions to portions of the SIP provisions currently before the EPA no later than one year after the EPA's final conditional approval of South Carolina's submissions. The corrections to which the State has committed will, as the State notes in its CAA section 110(l) demonstration, ''bound or entirely remove Department discretion'' and ''strengthen the . . . SIP,'' ensuring practicable enforceability.

Although the commenter states that South Carolina's noninterference demonstration is ''entirely qualitative'' and ''contains no quantified emissions or reasonable-further-progress analysis,'' as explained above and in the 2026 Source Testing and NO_X Control Proposed Rule, the added MRR and testing requirements in Regulation 61–62.5, Standard No. 5.2 for which the State has requested conditional approval are SIP-strengthening, as proposed for conditional approval, and the changes to those provisions to which the State has committed: (1) will not increase emissions, (2) will further strengthen the SIP, (3) ensure practicable enforceability, and (4) are not inconsistent with the requirements under CAA section 110(l) or any other applicable CAA requirements. Further, since the changes are SIP-strengthening and the State is currently in attainment with respect to all NAAQS, SC DES is under no obligation to demonstrate RFP toward attainment of any standard. The 2026 Proposed Rule explained, and the commenter did not refute, that the added MRR and testing requirements are SIP-strengthening. Therefore, the qualitative CAA section 110(l) demonstration provided by the State to support the proposed conditional approval of the relevant MRR and testing provisions in Regulation 61–62.5, Standard No. 5.2 is sufficient.

ii. Comment 2

The commenter acknowledges ''the utility of updating state-level monitoring and reporting frameworks'' in Regulation 61–62.5, Standard No. 5.2 and urges ''the EPA to strengthen its oversight regarding conditional approvals, continuous monitoring rigor, and enforceable correction timelines.'' Specifically, the commenter takes issue with ''[t]he EPA's utilization of a partial conditional approval mechanism'' and states that, ''[u]nder [CAA] mandates, conditional approvals are an extraordinary administrative remedy, not a permanent parking lot for deficient rules.'' The commenter also contends that the ''proposed rule. . .heavily relies on periodic stack testing or parametric monitoring parameters'' and states that ''CEMS provide the only reliable, 24/7 accountability necessary to verify that industrial sources are continuously complying with NO_X emission limits and protecting local ozone and [PM] attainment standards.'' The commenter concludes that EPA should require the State to prioritize CEMS and incorporate ''audit testing protocols'' ''[w]here periodic stack testing or parametric monitoring is required.'' The commenter also takes issue with what it states is ''a recurring flaw across state SIP frameworks,'' ''the absence of rigorous, legally enforceable timelines to address and correct operational deficiencies identified during . . . tune-ups.'' The commenter concludes that ''[t]he EPA . . . must ensure that South Carolina's revisions to Standard No. 5.2 do not introduce regulatory blind spots that undermine regional air quality goals'' and that the Agency ''can fulfill its statutory obligation to protect ambient air quality under the [CAA]'' ''b[y] enforcing strict oversight of the conditional approval clock, pushing for 24/7 continuous monitoring, and closing loopholes on equipment tune-up timelines.'' The commenter states that, ''[t]o ensure that South Carolina's SIP revisions genuinely protect public health and comply with federal attainment mandates, the EPA must incorporate and enforce the remediation measures outlined'' in their comments, described below. The EPA summarizes and addresses these individual comments in Comments 2a through 2c, below.

1. Comment 2a

The commenter states that the EPA's ''partial conditional approval mechanism relies entirely on the [S]tate's good-faith and timely correction of identified regulatory deficiencies,'' framing conditional approvals as an extraordinary administrative remedy, and urges ''the EPA to strictly monitor the statutory one-year clock triggered by the conditional approval,'' emphasizing that, if the State ''fails to submit the required corrective amendments to its source testing and [CEMS] provisions within the mandatory timeframe, the EPA must immediately convert the action to a full disapproval and initiate a [Federal Implementation Plan (FIP)] clock under [s]ection 110(c) of the Act.''

2. Response 2a

The Agency agrees with the commenter that its partial conditional approval mechanism with respect to certain MRR and testing provisions in Regulation 61–62.1, Standard No. 5.2 relies on the State's ''timely correction of identified regulatory deficiencies''; but the EPA disagrees that, under the CAA, the conditional approval mechanism is ''an extraordinary administrative remedy.'' As noted in the 2026 Source Testing and NO_X Control Proposed Rule and above, CAA section 110(k)(4) expressly authorizes the EPA to conditionally approve a SIP revision based on a commitment from a State to adopt specific enforceable measures by a date certain, but not later than one year from the date of approval. Where the commenter urges the EPA to

[79] *See* 91 FR 53573, 53591 (Aug. 19, 2026).

''strictly monitor the statutory one-year clock triggered by the conditional approval,'' as noted in the 2026 Proposed Rule and above, if the State fails to meet its commitment within one year of the final conditional approval, the conditional approval will be treated as a disapproval, and the EPA will publish a notification of the disapproval of the relevant MRR and testing requirements. If the conditional approval is converted to a disapproval, the final disapproval triggers the FIP requirement under CAA section 110(c). If, however, South Carolina fulfills its commitment within one year of final conditional approval, the requirements of the conditionally approved NO_X control SIP revision will remain a part of the SIP until the EPA takes final action approving or disapproving the corrective SIP revision.

The commenter fails to identify how the proposed partial conditional approval of the State's MRR and testing requirements under Regulation 61–62.5, Standard No. 5.2 in the 2026 Source Testing and NO_X Control Proposed Rule would ''undermine regional air quality goals.'' Furthermore, as explained in the 2026 Proposed Rule and above, the Agency's proposed partial conditional approval of the MRR requirements is SIP-strengthening.

3. Comment 2b

The commenter states that ''[p]eriodic testing creates an inherent compliance loophole,'' *i.e.,* that ''industrial facilities frequently optimize operations, adjust fuel mixes, or throttle production specifically for the scheduled day of a stack test, yielding emissions data that fails to reflect routine, variable operations.'' The commenter states that the ''EPA should require South Carolina to prioritize [CEMS] wherever technically and economically feasible,'' framing CEMS as ''the only reliable, 24/7 accountability necessary to verify that industrial sources are continuously complying with NO_X emission limits and protecting local ozone and [PM] attainment standards.'' The commenter further states that, ''[w]here periodic stack testing or parametric monitoring is permitted, the [S]tate must incorporate mandatory, unannounced audit testing protocols.''

4. Response 2b

The EPA disagrees that CEMS provides ''the only reliable . . . accountability necessary to verify'' that sources are in continuous compliance with ''NO_X emission limits'' and that ''local ozone and [PM] attainment standards'' are protected. Continuous monitoring systems (CMS) include CEMS, continuous opacity monitoring systems (COMS), and continuous parametric monitoring systems (CPMS).[80] Federal requirements, including SIP-approved requirements, can necessitate periodic or continuous monitoring to demonstration compliance and ensure practicable enforceability. Under Regulation 61–62.5, Standard No. 5.2, in Section IV, new affected sources are either subject to 40 CFR part 60, and any applicable NO_X monitoring requirements therein, or to CEMS, PEMS, or manufacturer's certification requirements, and/or source testing provisions under Section IV. If the Agency takes final action approving a corrective SIP revision consistent with the commitment in the State's May 13, 2026, conditional approval request and supplement, the CEMS and source testing requirements applicable to certain new affected sources will apply without being subject to the State's discretion. If the State fails to submit the corrective revisions to which it has committed within the one-year conditional approval timeframe, the conditional approval will become a disapproval.[81]

Where the commenter takes issue with the State's addition of parametric monitoring requirements to Regulation 61–62.5, Standard No. 5.2, applicable to certain new affected boilers and turbines under Section IV, as explained in the 2026 Proposed Rule, CEMS and PEMS are each designed to assess continuous compliance, and the use of PEMS can provide more flexible and less expensive options than CEMS for demonstrating compliance of regulated sources, while providing ''reasonable assurance of compliance.'' [82] Possible considerations a source could factor into account when requesting PEMS in lieu of CEMS include cost and space. The key indicators, *i.e.,* parameters, that are monitored have an established and measured relationship with the underlying operating conditions that represent compliance with the applicable emission limits or control requirements. With respect to the added parametric monitoring requirements applicable to certain large boilers in lieu of CEMS in certain circumstances under paragraph IV(A)(1), PEMS to measure NO_X and oxygen or carbon dioxide must be ''installed, calibrated, maintained, and operated in accordance with approved methods in Regulation 61–62.60,'' which is where South Carolina incorporates the Federal NSPS regulations by reference, and sources subject to CEMS and PEMS are required to submit equivalent excess emissions and monitoring systems performance reports semiannually. These reports require detailed descriptions of any excess emissions and the circumstances surrounding excess emissions events, along with descriptions of periods during which the CMS was inoperative. For the added parametric monitoring requirements applicable to certain turbines, those requirements depend on source characteristics, *e.g.,* NO_X control technology, and subject sources are also subject to the source testing requirements in paragraph IV(C)(3), during which the parameters continuously monitored must be evaluated ''to establish acceptable values and ranges.'' Subject source owners or operators are also required to develop and keep on-site a parameter monitoring plan.

Likewise, regarding the comments concerning the State's addition of stack testing requirements to Standard No. 5.2,[83] stack testing is an established CAA compliance monitoring tool across Federal regulations, *e.g.,* NSPS under 40 CFR parts 60 or NESHAPs under parts 61 and 63, used to determine a facility's compliance with emission limits, or capture or control efficiencies established pursuant to CAA requirements. Stack tests are conducted under testing conditions that are generally representative of operating conditions and which should demonstrate that a source is capable of complying with applicable emission standards at all times.[84] [85]Under Regulation 61–62.5, Standard No. 5.2, Section IV, source tests ''will be used to

[80] CPMS—or predictive emissions monitoring systems (PEMS)—measures one or more parameters that are a key indicator of system performance, as explained in the 2026 Source Testing and NO_X Control Proposed Rule. *See* 91 FR 53573, 53588 (Aug. 19, 2026).

[81] As noted in the 2026 Source Testing and NO_X Control Proposed Rule, although this action finalizing the partial conditional approval as proposed incorporates into the SIP the above-described discretionary provisions, the EPA understands that the State will not exercise its discretion in implementing the provisions of Standard No. 5.2 as the State moves through its process to go through its procedures to adopt the committed changes. *See* 91 FR 53573, 53575 (Aug. 19, 2026).

[82] Musatti, Daniel C., et al. ''Section 2, Chapter 4, Section 4.3: Parametric Monitoring.'' *EPA Air Pollution Control Cost Manual.* EPA/452/B–02–001, 2000 at p. 4–12. Available via: *https://www.epa.gov/economic-and-cost-analysis-air-pollution-regulations/cost-reports-and-guidance-air-pollution.*

[83] In Standard No. 5.2, stack testing, *i.e.,* performance or source testing, requirements are added under Section IV, applicable to certain new affected boilers, internal combustion engines, turbines, and other new affected sources.

[84] *See, e.g.,* 40 CFR 60.8(c); 40 CFR 63.7(e).

[85] *See* ''Issuance of the Clean Air Act National Stack Testing Guidance,'' (2009) at pp. 14–15, available at *https://www.epa.gov/sites/default/files/2013-09/documents/stacktesting_1.pdf.*

show compliance with the NO_X standard[s].'' With respect to the added source testing requirements applicable to certain new affected sources, *i.e.,* smaller boilers, certain internal combustion engines and turbines, and other affected source types, Regulation 61–62.5, Standard No. 5.2, Section IV requires all source testing to be ''conducted in accordance with Regulation 61–62.1, Section IV.''

As described in the 2026 Proposed Rule and above, Regulation 61–62.1, Section IV, as revised through the April 24, 2020, SIP revision, requires at subsection IV(B) that the State approve the test plan required under subsection IV(C) prior to the source conducting the test. The test plan includes the test objective at paragraph IV(C)(2), which constitutes a description of the overall purpose of the test and the citation of any State or Federal regulation or permit condition requiring the test. Additionally, under Regulation 61–62.1, subsection IV(B), the State may request any additional information related to the test plan and will deny any plan for which additional requested information is not submitted. Under Regulation 61–62.1, subsection IV(C), in addition to the test objective, the plan must include process descriptions; safety considerations; sampling and analytical procedures; sampling locations and documentation; internal quality assurance/quality control measures for applicable test methods; and final report content. Under Regulation 61–62.1, subsection IV(J), modifications to the plan must be approved before the test. Under Regulation 61–62.1, subsection IV(D), a source owner, operator, or representative must notify the State of the source test prior to the test date and provide access to the facility for source testing observation. Furthermore, Under Regulation 61–62.1, subsection IV(E), the State may request that source test samples collected be split for independent analysis or analysis in the State laboratory, and performance testing for certain methods must include a test method performance audit, if a performance audit sample is commercially available, using a blind audit sample supplied by an accredited audit sample provider and analyzed during the test in order to indicate test data bias. Regulation 61–62.1, subsection IV(E) also gives the State discretion to require subsequent remedial actions based on split samples and/or performance audit results. Regulation 61–62.1, subsection IV(G) covers noncompliant test results and requires a source owner, operator, or representative to submit a written plan including interim actions to minimize emissions pending a demonstration of compliance, corrective actions taken or proposed to return the source to compliance, the intended method used to demonstrate source compliance, *e.g.,* retest and proposed date, and any changes necessary to the site-specific test plan before the retest. Under Regulation 61–62.1, subsection IV(H), a source owner, operator, or representative or source test consultant must provide access to the analytical laboratory for observation of instrument calibrations and field and audit sample analyses, and, under Regulation 61–62.1, subsection IV(I), the State may inspect the source(s) tested. Thus, the State has the authority and the ability to oversee the test plan and testing, to audit the tests, and to inspect the source(s) being tested.

As explained in the 2026 Source Testing and NO_X Control Proposed Rule, the State's added parametric monitoring requirements under Regulation 61–62.5, Standard No. 5.2 in Section IV, applicable to certain turbines, serve to demonstrate compliance with the NO_X emission limits and/or control requirements in Standard No. 5.2. With respect to the State's added source testing requirements and the PEMS requirements, to which it has committed to add for certain large boilers, in Section IV, if South Carolina fulfills its commitment in line with the May 13, 2026, commitment letter and supplement, and if the EPA approves the corrective SIP revision under CAA section 110(k)(4), those SIP-strengthening requirements would no longer be subject to the State's discretion. For the reasons described in the 2026 Proposed Rule and in this action, the EPA disagrees that: (1) it should ''push[ ] for 24/7 continuous monitoring'' and require the State to ''prioritize [CEMS] wherever technically and economically feasible,'' in lieu of other, *i.e.,* parametric monitoring and source testing, monitoring methods; (2) periodic testing requirements, such as those added to Regulation 61–62.5, Standard No. 5.2, in Section IV applicable to certain sources create ''an inherent compliance loophole'' whereby facilities can ''optimize operations, adjust fuel mixes, or throttle production specifically for the . . . day of a stack test, yielding emissions data that fails to reflect routine, variable operations''; and (3) for periodic stack testing or parametric monitoring, the State ''must incorporate mandatory, unannounced audit testing protocols.''

With respect to the commenter's statement that periodic testing requirements create ''an inherent compliance loophole,'' as explained above: (1) source testing is an established compliance tool used to determine a facility's compliance or capture or control efficiencies; (2) under Regulation 61–62.1, Section IV, source test conditions can dictate permit emission or production rate limits, and (3) under Regulation 61–62.5, Standard No. 5.2, Section IV, source tests ''will be used to show compliance with the NO_X standard[s].'' Furthermore, in Standard No. 5.2, certain sources, *i.e.,* certain turbines also subject to PEMS, as noted above, as well as internal combustion engines, are subject to additional source testing provisions. These provisions require, with respect to turbines, monitoring of continuously monitored parameters during testing ''to establish acceptable values and ranges'' which will be evaluated continuously, and, with respect to internal combustion engines, source owners or operators to operate affected engines within parameter(s) established during the most recent compliant source test. A State-issued summary of that test must be maintained with the engine's required permit.

With respect to the commenter's statement concerning unannounced audit testing for sources subject to periodic source testing or parametric monitoring requirements, as noted above, new affected sources subject to parametric monitoring under Standard No. 5.2 without concurrent applicable source testing requirements, *i.e.,* certain large boilers, are required to submit detailed excess emissions reports semiannually. For sources subject to source testing requirements in Standard No. 5.2, and therefore Regulation 61–62.1, Section IV, Regulation 61–62.1, subsection IV(E) provides for test method performance audits, if relevant samples are commercially available from an accredited provider. Furthermore, as described above, under Regulation 61–62.1, the State may request any test plan-related information not already provided and can inspect the source(s) tested; observe the test itself, as well as instrument calibrations, and field and audit sample analyses; and independently analyze test samples. Finally, Regulation 61–62.1, Section II(O) requires each facility to allow SC DES to: (1) ''enter the facility where emissions-related activity is conducted, or where records are kept under the conditions of the permit''; (2) ''have access to and copy . . . any records that must be kept under the conditions of the permit''; (3) ''[i]nspect any facilities, equipment (including

monitoring and air pollution control equipment), practices, or operations regulated or required''; and (4) ''sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.''

5. Comment 2c

The commenter cites ''the absence of rigorous, legally enforceable timelines to address and correct operational deficiencies identified during tune-ups'' and states that requirements to perform tune-ups are ''meaningless if a facility is not legally bound to fix sub-optimal combustion efficiency, high carbon monoxide markers, or elevated NO_X emissions within a strict window.'' The commenter claims that the ''EPA must require South Carolina to amend its rule to establish a hard, legally enforceable deadline, not to exceed 30 days from the completion of a tune-up report, for a facility to complete and verify corrective actions following any failed or sub-optimal diagnostic check.'' The commenter also claims that ''any exceedance discovered during a tune-up must be treated as a reportable deviation rather than corrected under a shroud of administrative discretion.''

6. Response 2c

The commenter's state that ''a recurring flaw across . . . SIP frameworks is the absence of rigorous, legally enforceable timelines to address and correct operational deficiencies during . . . tune-ups'' is outside the scope of 2026 Source Testing and Control of NO_X Proposed Rule. As explained in the 2026 Source Testing and NO_X Control Proposed Rule, the State's changes to its tune-up requirements applicable to new affected sources are consistent with or comparable to the SIP-approved tune-up requirements. The changes also clarify tune-up requirements applicable to existing affected sources. The EPA, therefore, evaluated the overall changes to the State's SIP-approved tune-up requirements for sources covered by Standard No. 5.2.

Regarding the commenter's claim that tune-up requirements are ''meaningless if a facility is not legally bound to fix sub-optimal combustion efficiency, high carbon monoxide markers, or elevated NOx emissions within a strict window,'' the EPA notes that the purpose of conducing tune-up activities is to optimize combustion efficiency, so the actions taken in support of this objective are generally completed during the process.[86] The State's tune-up requirements in Regulation 61–62.5, Standard No. 5.2 represent routine maintenance that helps to ensure optimal functioning of the combustion units,[87] so the EPA finds that the aim of the required tune-ups is to ''fix sub-optimal combustion efficiency.''

Moreover, and regarding the commenter's contention that ''any exceedance discovered during a tune-up must be treated as a reportable deviation,'' Standard No. 5.2 requires that all tune-up records be maintained on-site for inspection by DES for five years and tune-up plans be maintained.[88] Additionally, Regulation 61–62.1, Section V, *Credible Evidence,* provides at Section V(A), that ''[t]he monitoring data collected and records of operations would serve as the basis for a source to certify compliance, and could be used by the Department as direct evidence of an enforceable violation of the underlying emission limitation or standard.'' Therefore, the State has access to the records supporting those activities and the ability to review information generated during tune-ups. Furthermore, exceedances of emission limits are not allowed under the State's SIP. Additionally, as noted in the August 19, 2026, Proposed Rule and this action, the State's regulations at issue, *i.e.,* Regulation 61–62.1, Section IV and Regulation 61–62.5, Standard No. 5.2, contain MRR and source testing requirements for subject sources to demonstrate compliance with applicable requirements, including Federal and SIP requirements. Regulation 61–62.5, Standard No. 5.2 requires specific excess emissions reporting for units with CEMS. South Carolina also requires excess emissions reporting for units without CEMS via a required standard permit condition at Regulation 61–62.1, Section II, subparagraph (J)(1)(c). Therefore, to the extent a tune-up activity identifies a performance issue that has caused excess emissions, sources are required to include the relevant information in reporting.

For the reasons discussed above, the EPA rejects the commenter's contention that it ''must require South Carolina . . . to establish a . . . legally enforceable deadline, not to exceed 30 days from the completion of a tune-up report, for a facility to complete and verify corrective actions following any failed or sub-optimal diagnostic check'' and the inference that the State's tune-up requirements under Standard No. 5.2 reflect ''loopholes'' with respect to ''equipment tune-up timelines.'' As noted above, the corrective actions supporting the tune-up are generally conducted in sync with the required tune-up, and the State has established other monitoring and testing requirements more specifically intended to assess compliance with the requirements of Standard No. 5.2, although it has the ability to access and assess the tune-up records, as needed.

V. Incorporation by Reference

In this document, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, and as discussed in Sections I through IV of this preamble, the EPA is finalizing the incorporation by reference of South Carolina Regulation 61–62.1, Section II, *Permit Requirements,* State effective April 24, 2020,[89] [90] except the following: subsections II(D), II(E), II(F), II(I), and II(N); paragraphs II(B)(3), II(B)(5), and II(B)(6); and the following two sentences under subparagraph II(B)(2)(h): ''Unless otherwise exempt,

[86] *See, e.g., Small Entity Compliance Guide for Area Source Boilers, National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers, 40 CFR Part 63, Subpart JJJJJJ* (2016) at pp. 16–18, available at *https://www.epa.gov/sites/default/files/2017-01/documents/area-boiler-compliance-guide.pdf.*

[87] *See, e.g.,* Harrell, Greg, *Boiler Tune-up Guide for Natural Gas and Light Fuel Oil Operation,* (2005) at pp. 1–1, 2–1, available at *https://www.epa.gov/sites/default/files/2016-09/documents/boiler_tune-up_guide-v1.pdf.*

[88] Under Standard No. 5.2, new and existing sources are required to perform tune-ups every 24 months, maintain tune-up records on-site for five years, available for SC DES inspection, and retain a tune-up plan on file, except that boilers and internal combustion engines subject to Federal tune-up requirements in 40 CFR part 63 must comply with those requirements instead.

[89] In the January 21, 2025, Proposed Rule, the EPA proposed to approve administrative edits to Regulation 61–62.1, Section II, State effective April 24, 2020. In this final action, the Agency is finalizing those changes as proposed in the 2025 Proposed Rule for subsections II(A); II(C); II(H); II(J)–II(M); and II(O), in their entireties, and paragraphs II(B)(1); II(B)(2); subparagraphs II(B)(2)(a)–(g); and paragraphs II(B)(4) and II(B)(7), under subsection II(B). In this action, the EPA is also finalizing administrative edits to Regulation 61–62.1, Section II, subparagraph II(B)(2)(h), State effective April 24, 2020, except for the second and third sentences, proposed for approval in the August 19, 2026, Proposed Rule.

[90] Paragraph II(B)(1), under subsection II(B), *Operating Permit,* and subsection II(H), *Synthetic Minor Plant Permits,* State effective June 24, 2005, are also incorporated by reference into the SIP under South Carolina Regulation 61–62.1, Section II and are not affected by this action and the approval of subsection II(B), *Exemptions from the Requirement to Obtain a Construction Permit,* and subsection II(H), *Operating Permit Renewal Requests,* State effective April 24, 2020. Resultingly, with this final action, Regulation 61–62.1, Section II in the South Carolina SIP contains two subsections numbered II(B) and two subsections numbered II(H), with the State effective dates noted above.

sources may be exempted under this section at higher emission levels if there is a demonstration that there are no applicable limits or requirements. These applicable requirements include federally applicable limits or requirements,'' which are not incorporated into the SIP;[91] except for subsection II(G), which is incorporated by reference with a State effective date of June 24, 2005, except for subparagraphs II(G)(4)(a)–(e), which are also not incorporated into the SIP;[92] and except for paragraph II(K)(5), which is incorporated by reference with a State effective date of May 23, 2025. The EPA is also finalizing the incorporation by reference of South Carolina Regulation 61–62.1, Section IV, *Source Tests,* State effective April 24, 2020. Additionally, the EPA is finalizing the incorporation by reference of South Carolina Regulation 61–62.5, Standard No. 5.2, *Control of Oxides of Nitrogen (NO_X),* State effective April 24, 2020, except subsection II(K)[93] and subsection III(A),[94] which are incorporated by reference with a State effective date June 25, 2004, and paragraphs I(B)(2) and I(B)(3), which are not incorporated into the SIP.[95] The EPA has made, and will continue to make, these materials generally available through *www.regulations.gov* and at the EPA Region 4 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information). Therefore, these materials have been approved by the EPA for inclusion in the State Implementation Plan, have been incorporated by reference by the EPA into that plan, are fully federally enforceable under CAA sections 110 and 113 as of the effective date of the final rulemaking of the EPA's approval, and will be incorporated by reference in the next update to the SIP compilation.[96]

VI. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations.[97] Thus, in reviewing SIP submissions, the EPA's role is to approve State choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves State law as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law. For that reason, this action:

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

Because this action merely approves State law as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law, this action for the State of South Carolina does not have Tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). Therefore, this action will not impose substantial direct costs on Tribal governments or preempt Tribal law. The Catawba Indian Nation (CIN) Reservation is located within the boundary of York County, South Carolina. Pursuant to the Catawba Indian Claims Settlement Act, S.C. Code Ann. 27–16–120 (Settlement Act), ''all state and local environmental laws and regulations apply to the [Catawba Indian Nation] and Reservation and are fully enforceable by all relevant state and local agencies and authorities.'' The Catawba Indian Nation also retains authority to impose regulations applying higher environmental standards to the Reservation than those imposed by State law or local governing bodies, in accordance with the Settlement Act.

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

Under CAA section 307(b)(1), petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by January 15, 2027. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements.[98]

List of Subjects in 40 CFR Part 52

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

[91] In this action, the EPA is not finalizing changes to Regulation 61–62.1, Section II, subsections II(D), II(E), II(F), II(G), II(I), and II(N), submitted by SC DES in SIP revisions through April 24, 2020. The EPA proposed approval of Regulation 61–62.1, Section II, subsections II(D), II(E), II(F), II(G), II(I), and II(N) in a separate August 19, 2026, Proposed Rule, contingent on the EPA finalizing a proposed change to relevant national regulations. *See* 91 FR 53547. In this action, the EPA is also not finalizing changes to the second and third sentences within subparagraph II(B)(2)(h) and to paragraphs II(B)(3), II(B)(5), and II(B)(6), under subsection II(B) in Regulation 61–62.1, Section II, submitted by SC DES in SIP revisions through April 24, 2020. On July 21, 2026, SC DES submitted a letter removing from EPA consideration the second and third sentences within subparagraph II(B)(2)(h) and removing paragraphs II(B)(3), II(B)(5), and II(B)(6), as submitted through the April 24, 2020, SIP revision.

[92] Subparagraphs II(G)(4)(f) and (g) are incorporated by reference with a State effective date of June 24, 2005.

[93] As finalized, the June 25, 2004, state-effective version of the definition of ''Source'' under Standard No. 5.2, Section II, will remain in the SIP, unnumbered.

[94] As finalized, the June 25, 2004, state-effective version of subsection III(A), numbered III(a), will remain in the SIP.

[95] On May 13, 2026, SC DES submitted a letter removing from the EPA's consideration paragraph I(B)(3) and subsections II(K) and III(A), as submitted through the February 4, 2022, SIP revision. Additionally, on July 21, 2026, SC DES submitted a letter removing from the EPA's consideration paragraph I(B)(2), as submitted through the February 4, 2022, SIP revision. These materials are available in Docket No. EPA–R04–OAR–2025–0017.

[96] 62 FR 27968 (May 22, 1997).

[97] *See* 42 U.S.C. 7410(k); 40 CFR 52.02(a).

[98] *See* CAA section 307(b)(2).

Dated: November 6, 2026.

Kevin McOmber,

Regional Administrator, Region 4.

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

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart PP—South Carolina

■ 2. In § 52.2120(c), amend the table by revising the entries under ''Regulation No. 62.1'' for ''Section II'' and ''Section IV''; and under ''Regulation No. 62.5'' for ''Standard No. 5.2''.

The revisions read as follows:

§ 52.2120 Identification of plan.

* * * * *

(c) * * *

TABLE 1 TO PARAGRAPH (c)—EPA-APPROVED SOUTH CAROLINA LAWS AND REGULATIONS

State citation	Title/ subject	State effective date	EPA approval date	Explanation
Regulation No. 62.1	Definitions and General Requirements.			
*	*	*	*	* * *
Section II	Permit Requirements	4/24/2020	11/16/2026, 91 FR [Insert **Federal Register** page where the document begins].	Except paragraphs II(B)(3), II(B)(5), and II(B)(6); and the following two sentences under subparagraph II(B)(2)(h): ''Unless otherwise exempt, sources may be exempted under this section at higher emission levels if there is a demonstration that there are no applicable limits or requirements. These applicable requirements include federally applicable limits or requirements.'' which are not incorporated into the SIP. Except subsections II(D), II(E), II(F), II(I), and II(N), which are not incorporated into the SIP. Except subsection II(G), which is incorporated by reference with a State effective date of June 24, 2005, except for subparagraphs II(G)(4)(a)–(e), which are not incorporated into the SIP; subparagraphs II(G)(4)(f) and (g) are incorporated by reference with a State effective date of June 24, 2005. Except paragraph II(K)(5), approved on November 16, 2026 with a State effective date of May 23, 2025. The SIP contains, under subsection II(B), *Operating Permit,* paragraph II(B)(1), State effective June 24, 2005, and subsection II(B), *Exemptions from the Requirement to Obtain a Construction Permit,* approved on November 16, 2026 with a State effective date of April 24, 2020. The SIP contains subsection II(H), *Synthetic Minor Plant Permits,* state effective June 24, 2005, and subsection II(H), *Operating Permit Renewal Requests,* approved on November 16, 2026 with a State effective date of April 24, 2020.
*	*	*	*	* * *
Section IV	Source Tests	4/24/2020	11/16/2026, 91 FR [Insert **Federal Register** page where the document begins].	
*	*	*	*	* * *
Regulation No. 62.5	Air Pollution Control Standards.			
*	*	*	*	* * *
Standard No. 5.2	Control of Oxides of Nitrogen (NO_X).	4/24/2020	11/16/2026, 91 FR [Insert **Federal Register** page where the document begins].	Except subsection III(A) and the portion of Section II that defines ''Source'', which are State effective June 25, 2004; and paragraphs I(B)(2), I(B)(3), and (II)(K), which are not incorporated into the SIP.
*	*	*	*	* * *

* * * * *

■ 3. Add § 52.2132 to read as follows:

§ 52.2132 Identification of plan–conditional approval.

The EPA is conditionally approving the portions of the July 27, 2016, September 5, 2017, and February 4, 2022, SIP revisions that revise the following provisions of Regulation 61–62.5, Standard No. 5.2, *Control of Oxides of Nitrogen (NO_X),* Section IV, *Monitoring, Record Keeping, and Reporting Requirements for New Affected Sources:* paragraphs IV(A)(1) and IV(C)(1); the second prefatory paragraph of subsection IV(D); and subparagraphs IV(A)(1)(a)–(d), IV(A)(2)(a)–(c), IV(B)(2)(a)–(b), IV(C)(1)(a)–(d), IV(C)(3)(c)–(d), and IV(D)(2)(a)–(b). The conditional approval is based on a commitment included in a letter from the South Carolina Department of Environmental Services (SC DES) dated May 13, 2026, from Myra Reece, Director, SC DES, to Kevin J. McOmber, Regional Administrator, EPA Region 4, to adopt certain revisions to these rule provisions removing or bounding State discretion in setting the applicable monitoring, recordkeeping, reporting, and testing requirements specified in those provisions and to submit the amended rule provisions to the EPA within 12 months of the effective date of the final conditional approval. If SC DES fails to meet their commitment by December 16, 2026, the conditional approval is treated as a disapproval for those affected provisions.

[FR Doc. 2026–23219 Filed 11–13–26; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

45 CFR Part 1302

RIN 0970–AD21

Restoring Flexibility To Support Head Start Program Access

AGENCY: Office of Head Start (OHS), Administration for Children and Families (ACF), Department of Health and Human Services (HHS).

ACTION: Final rule.

SUMMARY: In this final rule, the Administration for Children and Families (ACF) removes requirements from the Head Start Program Performance Standards (Performance Standards) to restore local flexibility to Head Start programs and improve access to quality services. Specifically, this final rule removes requirements related to wages and benefits that the Administration believes are not in line with the plain language of the Head Start Act and are costly and overly prescriptive for Head Start programs and staff. ACF estimates these changes will result in over $2 billion in future cost savings for Head Start programs. The rescissions in this final rule impact the costliest parts of the final rule published by the Office of Head Start (OHS) in 2024, *Supporting the Head Start Workforce and Consistent Quality Programming.*

DATES: *Effective date:* January 15, 2027.

FOR FURTHER INFORMATION CONTACT: Shawna Pinckney, Office of Head Start, 866–763–6481, *OHS_Policy@acf.hhs.gov.*

I. Background

The Federal Head Start program provides early education and other comprehensive services to low-income pregnant women and children prenatal to age 5 in center- and home-based settings across the country. Since its inception in 1965 as part of the War on Poverty, Head Start has been a leader in providing high-quality services that support the development of children from low-income families, helping them enter kindergarten more prepared to succeed in school and in life. Research shows that the first five years of a child's life are pivotal for brain development, laying the foundation for all future learning, behavior, and health.[1] For children in poverty, this period is even more crucial, as they often face additional stressors—such as inadequate nutrition or limited access to educational resources—that can hinder brain development.[2] Research demonstrates that early intervention, including quality early education, is key to disrupting the cycle of poverty and supporting the development of young children so they are more prepared to succeed in school and in life. Indeed, a wealth of evidence supports the positive outcomes for low-income children and their families who participate in and graduate from Head Start programs.[3]

The Head Start Program Performance Standards (Performance Standards), first published in the 1970s, are the foundation on which Head Start programs design and deliver high-quality, comprehensive services to children and their families. They set forth the requirements local grant recipients must meet to support the cognitive, social, emotional, and healthy development of children enrolled in the program. They include requirements to provide education, health, mental health, nutrition, and family and community engagement services, as well as requirements for local program governance and Federal administration of the program.

The *Improving Head Start for School Readiness Act of 2007* (the 2007 Reauthorization), which amended the Head Start Act (the Act), required the Department of Health and Human Services (HHS) to ensure children and families receive quality Head Start services. The 2007 Reauthorization also required the Secretary of HHS to revise the Performance Standards, as needed. This authority has provided a basis for updates and changes made to the Performance Standards since 2007. HHS conducted a major revision of the Performance Standards through a final rule published in 2016 to implement the statutory changes in the 2007 Reauthorization and to enhance program requirements to reflect the latest science on child development. Subsequently, HHS published a final rule in 2024[4] that added a number of specific and costly requirements for programs related to supports for the Head Start workforce, among other changes. This final rule makes necessary changes to bring the Head Start regulations in line with the Head Start Act. It restores flexibility to local Head Start programs and improves access for children and families by removing the costly requirements added in 2024. These changes are explained in greater detail in the sections that follow.

II. Statutory Authority

This final rule is being issued under the authority granted to the Secretary of

[1] Institute of Medicine and National Research Council. (2000). *From Neurons to Neighborhoods: The Science of Early Childhood Development.* Washington, DC: The National Academies Press. *https://doi.org/10.17226/9824.*; Tierney A.L. & Nelson, C.A. (2009). *Brain Development and the Role of Experience in the Early Years.* Zero Three. 30(2):9–13.

[2] Blair, C. & Raver, CC. (2016). Poverty, Stress, and Brain Development: New Directions for Prevention and Intervention. *Academic Pediatrics,* 16(3 Suppl):S30–6.; Robinson L.R., Bitsko, R.H., & Thompson, R.A., et al. (2017). *CDC Grand Rounds: Addressing Health Disparities in Early Childhood.* MMWR Morb Mortal Wkly Rep 2017; 66:769–772. DOI: *http://dx.doi.org/10.15585/mmwr.mm6629a1.*

[3] Deming, D. (2009). Early Childhood Intervention and Life-Cycle Skill Development: Evidence from Head Start. American Economic Journal: Applied Economics, 1:3, 111–134.; Lipscomb, S.T., Pratt, M.E., Schmitt, S.A., Pears, K.C., and Kim, H.K. (2013). School readiness is children living in non-parental care: Impacts of Head Start. Journal of Applied Developmental Psychology, 31 (1), 28–37.

[4] See Supporting the Head Start Workforce and Consistent Quality Programming, 89 FR 67720 (August 21, 2024).

Health and Human Services by sections 641A, 645A, and 653 of the Act (42 U.S.C. 9836a, 9840a, and 9848), as amended by the Improving Head Start for School Readiness Act of 2007 (Public Law 110–134). Under these sections, the Secretary is required to establish performance standards and other regulations for Head Start and Early Head Start programs. Specifically, the Act requires the Secretary to ''modify, as necessary, program performance standards by regulation applicable to Head Start agencies and programs.'' [5] This final rule meets the statutory requirements Congress put forth in its 2007 bipartisan reauthorization of the Head Start program and addresses Congress's mandate that called for the Secretary to review and revise the Performance Standards. The Secretary has determined that the modifications to the Performance Standards contained in this regulation are appropriate and needed to effectuate the goals of the Performance Standards and the purposes of the Act.

III. Summary Description of Regulatory Provisions

The following is a summary of the regulatory changes included in this final rule. This rule removes the wage and benefit requirements in § 1302.90(e) and (f) that were introduced in the 2024 final rule, restoring greater flexibility to local Head Start programs. Specifically, it eliminates prescriptive requirements that would have required programs to develop or update a pay scale for all staff; provide education staff with wages comparable to public preschool teachers; provide all staff a salary sufficient to cover basic costs of living; and promote wage comparability across Head Start Preschool and Early Head Start. This final rule also eliminates requirements to provide staff with specified benefits.

The staff wage and benefit requirements introduced by ACF in the 2024 final rule were intended to address persistent workforce instability in Head Start programs. In the 2024 final rule, ACF cited that, at that time, Head Start programs faced historically high levels of staff turnover and vacancies, with low wages and limited benefits identified as key contributors to recruitment and retention challenges. ACF also explained that expectations and qualification requirements for Head Start staff had increased substantially without corresponding growth in compensation. Because staffing shortages may have been preventing some programs' ability to open classrooms and serve children, in the 2024 final rule, ACF identified improved compensation as key to stabilizing the workforce and maintaining program quality.

In the 2024 final rule, ACF recognized that, in the absence of sufficient additional appropriations from Congress, implementing these wage and benefit requirements would require some programs to reduce funded Head Start slots in order to increase staff compensation. ACF estimated that by the time the wage and benefit requirements were fully implemented in 2031, funded enrollment could decline by more than 100,000 slots. At the same time, ACF acknowledged substantial uncertainty in projecting future enrollment, including uncertainty about whether the significant under enrollment that existed at the time would persist. In other words, ACF recognizes that the ultimate impact of these requirements on the number of children served could be even greater than the estimates ACF presented in the 2024 final rule.

Although ACF recognizes that workforce challenges may persist for Head Start programs, the current Administration has reconsidered the approach adopted in the 2024 final rule and does not believe that a one size fits all approach to staff compensation is the appropriate way to address these challenges, particularly when doing so may reduce access to Head Start services. Instead, ACF has determined that programs should have maximum local flexibility to design compensation packages and provide services that best meet the needs of their communities. ACF encourages programs to provide compensation according to salary scales based on training and experience, per Sec. 653 of the Act.

Through this final rule, ACF is rescinding the 2024 wage and benefit requirements well in advance of the 2031 compliance deadline to avoid programs making further operational and financial changes in anticipation of requirements that will no longer apply. ACF recognizes that some programs have already begun taking steps to comply with these requirements, including through requests to reduce their funded Head Start enrollment slots. ACF also recognizes that some Head Start staff may have remained in their jobs in anticipation of receiving wage or benefit increases as part of implementation of the 2024 final rule. However, ACF anticipates that most programs have not yet undertaken substantial implementation efforts, given that multiple years remain before compliance is required. Recent PIR data indicate that, after adjusting for inflation, education staff wages have increased by a small amount since the 2024 final rule, suggesting some progress toward implementing the wage requirements.

Further, Head Start programs can still voluntarily choose to implement much of what the 2024 final rule required for staff wages and benefits, regardless of this final rule. For instance, if a program has determined that more competitive wages are necessary to retain their staff, they can choose to make these changes within their budgets regardless of these Federal regulatory requirements being removed. Additionally, there is no requirement that programs who have made salary increases for staff to reduce those increases as a result of this rule.

As discussed in the Regulatory Impact Analysis (RIA) of this final rule, ACF considered and assessed several policy alternatives to this final rule. Alternatives such as extending the implementation timeline for the 2024 wage and benefit requirements would delay, but not resolve, ACF's concerns that prescriptive Federal compensation requirements limit local flexibility and could require programs to reduce the number of funded slots or otherwise redirect resources from services to children and families. For this reason, ACF determined that rescinding the 2024 wage and benefit requirements is the appropriate approach. This final rule reduces regulatory burden, provides local programs with more discretion over compensation and benefits, and preserves funding for services to children and families.

ACF has evaluated this final rule against Sec. 641A(a)(2)(C)(ii) of the Act which requires that any revision to the Performance Standards will not result in the elimination of or any reduction in quality, scope, or types of health, educational, parental involvement, nutritional, social, or other services required to be provided under such standards as in effect on December 12, 2007. Congress did not provide that every regulation later promulgated by HHS becomes independently protected against revision. While the provisions implicated in this rule were added nearly 17 years after the protected baseline, HHS none-the-less reviewed them and considered the substance of the underlying 2007 service obligation. The 2007 standards did not include any Federal regulations related to staff wages and benefits, and therefore HHS has determined this rescission does not reduce the 2007 level of quality, scope, or types standard.

[5] See section 641A(a)(1) and (2) of the Act.

IV. Discussion of Comments and Regulatory Provisions

General Comments

ACF received nearly 300 public comments on the proposed changes in the NPRM. Several of these comments include signatories from multiple individuals or large organizations, including two multi-signatory letters from Members of Congress. Some commenters expressed strong support for the NPRM and appreciated the flexibility it offers programs, the relief from burdensome Federal regulation, and the removal of an unfunded mandate. Many comments expressed concern about the proposed removal of wage and benefit requirements in § 1302.90, including the two multi-signatory congressional letters. These comments reflected several themes including concerns about workforce stability, compensation, equity with public schools, and overall advocacy for teachers and the Head Start workforce. We heard from a variety of commenters about the specific impacts this final rule will have on their communities.

Commenters who wrote in support, opposition, or neutrally about the policy changes outlined in the NPRM consistently reflected value for Head Start and deep care for the future of the program. Commenters including staff, parents, alumni and community members expressed the deep and lasting impact Head Start has had on individuals and communities. While no response to these comments is needed, ACF acknowledges and appreciates these comments.

ACF thanks commenters that responded to ACF's invitation to comment on other changes from the 2024 final rule that ACF should consider for rescission or modification in a future NPRM, particularly changes that were burdensome for programs. These comments have been reviewed and will be used to inform future regulatory action but are not discussed in detail in this final rule.

Below we summarize the comments that pertain to the proposed rule, organized by topic, and respond to them accordingly.

Wages and Benefits

Comment: Many commenters stated that Head Start educators deserve higher pay, livable wages, and benefits. Commenters emphasized that compensation should reflect the important role Head Start staff play in supporting children's learning and development and expressed concern that current compensation levels make it difficult to attract and retain qualified staff.

Response: ACF recognizes the important contributions of the Head Start workforce, particularly that a stable workforce is essential to delivering high-quality Head Start services and that competitive wages and benefits are important tools for recruiting and retaining that workforce. At the same time, Head Start grant recipients operate in diverse labor markets, face different workforce needs and must balance investments in compensation with the resources necessary to maintain enrollment and deliver comprehensive services to children and families. The compensation requirements established in the 2024 final rule would have required, among other provisions, specified wage benchmarks for education staff, pay structures for all staff, and minimum standards related to wages and benefits. ACF has determined that maintaining these prescriptive Federal requirements without corresponding additional increases in appropriations would place substantial financial pressure on Head Start programs. ACF estimates that absent additional appropriations, approximately 106,000 funded Head Start slots would need to be eliminated for programs to meet the requirements by the applicable compliance deadline. Accordingly, retaining the requirements could force many grant recipients to make significant tradeoffs among increasing compensation, reducing staffing or funded enrollment, and maintaining existing levels of service. This rule removes a burdensome unfunded mandate that would impact programs' ability to continue operating at current levels and would have necessitated laying off staff.

This final rule provides grant recipients with greater flexibility to determine compensation approaches that reflect local workforce conditions, organizational priorities, and available funding while continuing to meet applicable statutory requirements. To be clear, the final rule does not prohibit the maintenance of current compensation structures, nor does it encourage grant recipients to reduce compensation for program staff. Through this rule, ACF merely seeks to give programs the ability to make compensation decisions that impact their staff with maximum flexibility, while still complying with Federal law.

Comment: Some commenters stated that improving compensation supports higher-quality services by strengthening workforce stability, improving child and family outcomes, and increasing trust among families served by Head Start programs.

Response: The changes to the Performance Standards through this final rule do not diminish the importance of program quality. Rather, this final rule removes Federal requirements that prescribe specific approaches and provides grant recipients with greater discretion to determine how best to support program quality and their workforce based on local needs, resources, and circumstances.

Comment: A number of commenters emphasized that Head Start educators should be valued as professionals and expressed support for greater equity with other early childhood educators and public school personnel. Several commenters noted the education, qualifications, and expertise required of the Head Start workforce.

Response: This final rule does not alter the important role that Head Start staff play in delivering quality education and comprehensive services to children and families. By reducing prescriptive Federal requirements, the rule provides grant recipients with greater discretion to make personnel and workforce decisions that reflect their organizational needs and local priorities. This final rule does not remove the requirements found in 2 CFR 200.430 Compensation—personal services, which states that wages paid to staff hired by Federal recipients will be considered reasonable to the extent that it is comparable to that paid for similar work in the labor market in which the recipient or subrecipient competes for the kind of employees involved. ACF also reminds grant recipients of the statutory requirement in Sec. 653 of the Act which states that the Secretary shall take such action as necessary to assure that people employed to carry out the Head Start program are not paid in excess of the average rate of compensation in the same area where the program is carried out to a substantial number of persons providing comparable services; nor are paid less than the minimum wage rate prescribed in section 6(a)(1) of the Fair Labor Standards Act of 1938. Programs that operate in areas where there is significant competition for staff, from other early childhood or kindergarten programs, may establish pay scales and benefits packages that are competitive based on their local labor market. This final rule reflects trust in Head Start program leaders to run their programs, value staff, and make decisions on staff compensation given the local context and on their own timeline, meaning Head Start programs may choose to

implement wage and benefit increases in a more extended timeframe, or not at all.

Comment: Many commenters discussed the economic pressures facing Head Start staff, including rising costs of living, increased financial hardship, strains on employee well-being, and the importance of competitive benefits to address these challenges.

Response: ACF recognizes the economic challenges affecting the Head Start workforce, including rising costs of living, financial hardship, and the impact these challenges can have on employee well-being, recruitment, and retention. ACF also recognizes that offering competitive compensation and benefits can be an important strategy for supporting and sustaining a qualified workforce. At the same time, local labor markets, costs of living, and program resources vary considerably across communities, and grant recipients are best positioned to determine how to structure compensation and benefits within their available funding. Therefore, this final rule reduces Federal requirements thereby providing grant recipients with greater flexibility to respond to changing local economic and workforce conditions and to make staffing and resource allocation decisions that best meet the needs of their programs and communities. However, this flexibility does not relieve programs of their obligation to comply with applicable Federal, State, and local minimum wage laws. ACF further notes that, subject to available appropriations, programs have discretion in using annual cost-of-living adjustment (COLA) funding to support staff salaries.

ACF acknowledges that while Head Start staff face economic pressures, so too do families eligible for Head Start services. Implementing rigid Federal standards without increased appropriations would have limited the number of children and families that have access to Head Start services; this trade off was not one ACF is willing to make at a national level, using a one-size fits all approach. Instead, with the implementation of this final rule, local communities have the ability to weigh these factors to determine a path forward.

Comment: Several commenters expressed concern that the proposed rule would result in reductions to current staff wages or otherwise require grant recipients to decrease employee compensation. Commenters stated that lowering wages would exacerbate existing workforce challenges and negatively affect recruitment, retention, and program quality.

Response: This final rule does not require or encourage grant recipients to reduce wages or compensation of current Head Start employees. ACF knows it is important to maintain a qualified and stable Head Start workforce. Several commenters appear to have misunderstood the effect of these changes. This final rule does not require programs to reduce current wages; the rule removes certain Federal regulatory requirements and provides grant recipients with greater flexibility in making workforce and operational decisions consistent with applicable law and available resources. Compensation decisions remain the responsibility of individual grant recipients, and nothing in this final rule requires changes to current employee wages or benefits.

Comment: A few commenters addressed the NPRM's statement that the proposed requirements ''would likely exceed'' the requirements of the Fair Labor Standards Act (FLSA). Commenters expressed concern that the statement reflects that teacher wages would be tied to minimum wage benchmarks. Other commenters requested clarification regarding the relationship between the proposed requirements and existing Federal labor laws.

Response: The statement in the NPRM was intended to distinguish the proposed regulatory requirements from the baseline requirements established under the FLSA. This final rule does not modify, supersede, or affect the rights and obligations established under the FLSA or any other applicable Federal, State, Tribal, or local labor law. Grant recipients remain responsible for complying with all applicable employment and labor laws. By removing the regulatory requirements, this final rule eliminates Federal requirements that would have gone beyond existing statutory labor protections while leaving all underlying legal obligations unchanged.

Comment: Several commenters stated that, over many years, Head Start has encouraged and, in some cases, required increased educational qualifications and professional credentials for its workforce, including bachelor's degrees, Child Development Associate (CDA) credentials, and other specialized training. These commenters expressed concern that compensation has not kept pace with these increasing expectations and argued that removing the compensation provisions would further widen the gap between the qualifications expected of Head Start staff and their compensation. Commenters encouraged OHS to maintain regulatory provisions that support compensation commensurate with the education, credentials, and expertise required of the Head Start workforce.

Response: This final rule does not modify the qualification or credentialing requirements applicable to Head Start staff or diminish the importance of maintaining a qualified workforce. Rather, it removes Federal regulatory requirements related to compensation and benefits while providing grant recipients with greater flexibility to determine workforce policies that reflect local labor market conditions, organizational priorities, and available resources. Decisions regarding employee compensation remain the responsibility of individual grant recipients, consistent with applicable law and the Head Start Act.

Workforce Stability and Access

Comment: A large number of commenters, including both congressional letters, described ongoing challenges related to recruiting and retaining qualified staff, workforce shortages, and employee turnover. Commenters expressed concern that these challenges affect program operations and the ability to keep classrooms open.

Response: ACF recognizes that workforce recruitment and retention remain significant challenges across the early childhood sector. However, ACF does not believe this final rule will impede programs from addressing recruitment and retention issues as it gives programs flexibility to implement wages and benefits that meet the needs of their specific communities. Workforce conditions vary considerably across communities, and grant recipients are best positioned to assess local labor markets and develop strategies that respond to those conditions. This final rule reduces Federal regulatory requirements and provides programs with increased flexibility to address workforce challenges in ways that are appropriate for their individual circumstances. This final rule prevents the enactment of an unfunded mandate that would destabilize the sector and likely force many classrooms and programs to close. Through this final rule, ACF has weighed the tradeoffs, and has decided ensuring access to services for children and families is more important than enforcing a one-size fits all approach to national requirements on wages and compensation.

Comment: Several commenters emphasized that stable relationships between children and caregivers are fundamental to healthy development

and expressed concern that workforce turnover disrupts continuity of care for children and families. Commenters stated that maintaining compensation requirements supports workforce stability and, in turn, promotes continuity of care and positive child outcomes.

Response: This final rule does not alter the statutory mission of the Head Start program or programs' responsibility to provide high-quality services to enrolled children and families. ACF remains committed to the principles of continuity of care that are fundamental to early childhood education. Instead, the rule removes Federal requirements prescribing specific workforce practices and provides grant recipients with greater discretion to determine the strategies that best support workforce stability and program operations in their communities. ACF believes that prioritizing access to stable, high-quality early care and education services through Head Start that offer continuity of care is more critical than implementing a one-size fits all wage and compensation policy that would limit access to those services for children and families.

Comment: Commenters emphasized the importance of maintaining access to comprehensive Head Start services for children and families and expressed support for the removal of regulatory requirements that could affect program capacity or enrollment.

Response: We agree; by reducing Federal regulatory requirements, this final rule provides grant recipients with additional flexibility to manage available resources and make operational decisions that support continued delivery of services consistent with statutory requirements and community needs. By enacting this final rule, ACF is prioritizing access to comprehensive services for as many children and families as possible.

Comment: Commenters expressed concern that removing the compensation provisions could have unintended long-term effects on the early childhood education workforce by affecting educators' access to degree pathways or student aid. Commenters expressed concern that these effects could reduce the future pipeline of qualified Head Start educators.

Response: This final rule does not modify the education or qualification requirements applicable to Head Start staff, nor does it affect Federal student aid programs or the eligibility of institutions of higher education to participate in those programs. Rather, this rule removes Federal regulatory requirements related to compensation and benefits within the Performance Standards and provides grant recipients with greater flexibility to make workforce and operational decisions consistent with applicable law and available resources.

Comment: Several commenters expressed concern that rescinding the compensation and benefits provisions could contribute to workforce instability, resulting in classroom closures, reduced program capacity, or the loss of Head Start services in some communities. Commenters stated that disruptions to Head Start availability could impact family integrity by reducing access to reliable early care and education, limiting parents' ability to work or attend school, and diminishing an important source of support for children and families. Both congressional letters included detailed statements on these themes, particularly the importance of access to services for Head Start children and families.

Response: This final rule is intended to reduce Federal regulatory requirements and provide grant recipients with greater flexibility to make workforce and operational decisions based on local needs and available resources. ACF continues to recognize the importance of maintaining access to Head Start services and believes that allowing grant recipients greater discretion in allocating resources and managing their workforce best supports their ability to respond to local conditions while continuing to fulfill the Head Start mission consistent with applicable law. If programs need to make adjustments to their wages and compensation in order to ensure classrooms can continue to operate, they can work with their Regional Office to modify their budgets and make those changes under this final rule.

Funding and Program Investment

Comment: Many commenters stated that the wage and benefit requirements included in the 2024 final rule constituted an unfunded mandate. Other commenters also stated that additional Federal funding is necessary to support workforce investments and expressed concern that regulatory requirements should not impose costs that exceed available resources.

Response: It is the role of Congress to make decisions regarding Federal appropriations for Head Start. In developing this final rule, ACF has sought to reduce Federal regulatory requirements and associated compliance obligations, providing grant recipients with greater flexibility to determine how best to allocate available resources in support of their programs and workforce. Further, ACF agrees with the important goal of removing unrealistic, unfunded mandates through this final rule.

Comment: Several commenters expressed concern about uncertainty regarding the future sustainability of Head Start programs and the operational challenges programs face in a changing fiscal and workforce environment.

Response: This final rule reduces Federal regulatory requirements that currently limit local decision-making and therefore this action provides programs with greater discretion to adapt to evolving circumstances while continuing to carry out the Head Start mission consistent with applicable law.

Comment: Some commenters framed their feedback in terms of broader values, emphasizing the importance of investing in children, families, and the early childhood workforce. Other commenters expressed views regarding the policy rationale underlying the proposed requirements.

Response: We appreciate the thoughtful perspectives shared by commenters regarding the mission of the Head Start program and the importance of supporting children, families, and the workforce. In developing this final rule, ACF carefully considered these perspectives while focusing on its objectives of maximizing access to Head Start services for eligible children and families, reducing unnecessary Federal regulation and providing grant recipients with greater flexibility to administer their programs consistent with statutory requirements.

Flexibility and Reduced Burden

Comment: Many commenters supported increased flexibility for grant recipients, reduced administrative burden, and greater local decision-making. Commenters stated that local programs are best positioned to determine how to meet the needs of their communities.

Response: We agree that grant recipients benefit from flexibility to respond to local circumstances. One of the primary objectives of this final rule is to reduce unnecessary Federal requirements and administrative burden while preserving the statutory framework of the Head Start program. We believe that providing greater local discretion allows grant recipients to make decisions that best reflect community needs and organizational priorities.

Comment: Several commenters questioned the assertion that the proposed rule would increase program flexibility. These commenters stated

that, absent additional Federal funding, programs would continue to face significant constraints in addressing workforce challenges while maintaining access to comprehensive services for children and families. Commenters expressed concern that limited resources restrict the practical ability of grant recipients to make meaningful operational changes, regardless of regulatory flexibility.

Response: ACF recognizes the workforce challenges many Head Start grant recipients continue to face. This final rule reduces Federal regulatory requirements that currently limit local decision-making and therefore this action provides grant recipients with greater discretion to determine how best to allocate available resources based on their unique circumstances, workforce needs, and community priorities. ACF recognizes that regulatory flexibility does not itself increase available funding; however, reducing prescriptive Federal requirements affords programs greater latitude to make operational and resource decisions consistent with statutory requirements and the needs of the communities they serve. ACF encourages recipients to work with their Regional Offices to work within their budgets to make decisions on wages and benefits that are best for their community.

Policy Pathways

Comment: Both commenters in support of the rule and those opposed spoke about the ability to implement the proposed regulatory action in accordance with the Act. Commenters supportive of the proposed rule described ways the Act is conducive to such regulatory action. Commenters that wrote in objection to the proposed rule stated that this regulatory action was not in accordance with the Act.

Response: After considering the comments received, ACF has determined that this final rule appropriately removes the regulatory provisions related to compensation and benefits and restores greater flexibility for grant recipients to make workforce decisions consistent with the Act.

Comment: Many commenters recommended alternatives to rescinding the compensation and benefits provisions. Rather than removing the requirements, commenters suggested revising them to provide greater flexibility while preserving Federal expectations related to workforce compensation and benefits. Specific recommendations included revising the requirements to be less prescriptive, delaying implementation, phasing in the requirements over time, conditioning implementation on future appropriations, developing regional or locally adjusted compensation models, establishing wage floors or clearer compensation benchmarks, and providing additional technical assistance to support implementation.

Response: Many of these recommendations reflect a shared interest in supporting the Head Start workforce while providing programs with sufficient flexibility to respond to local circumstances. After considering these comments, and given the resources currently allocated to Head Start, ACF has determined that removing the compensation and benefits requirements is the most appropriate approach to achieving the objectives of this rulemaking. While commenters proposed various modifications that would retain or revise the existing regulatory framework, these approaches would continue to impose Federal regulatory requirements in areas where ACF has concluded that grant recipients are better positioned to make decisions based on local workforce conditions, organizational priorities, and available resources.

ACF does not agree with the idea that this is an area that should be regulated at the Federal level. Even with some of the caveats proposed by commenters, establishing a Federal requirement does not allow local programs to make the choices that are best for their settings. Any Federal requirement would inherently limit access to children and families in areas that may not need to be limited if each program makes their own decisions with the flexibility this final rule allows. This final rule does not prohibit or discourage grant recipients from developing or maintaining wage structures that support their organizational goals. Rather, it removes the Federal regulatory requirement to do so, allowing grant recipients to determine whether and how to structure compensation policies based on their local workforce needs, organizational priorities, and available resources.

Effective Dates

This final rule is effective 60 days after it is published in the **Federal Register**.

Compliance With Sec. 641A(a)(2) of the Act

In developing this final rule, ACF considered feedback from the field, from external organizations that represent Head Start programs, and from Head Start grant recipients. ACF also received feedback related to ongoing concerns from external organizations about the implications of the wages and benefits requirements on access to Head Start services.[6]

Severability

HHS intends that the changes arising from this final rule to remove the provisions in § 1302.90(e) are severable from the removal of the provisions in § 1302.90(f). These provisions are capable of operating intelligibly on their own, and to the extent that any portion of either of these changes were to be declared invalid by a court, HHS intends that the remaining change remain in effect.

V. Regulatory Process Matters

ACF examined the impacts of the final rule under Executive Order 12866, Executive Order 13563, Executive Order 13132, Executive Order 14192, the Regulatory Flexibility Act (5 U.S.C. 601–612), the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4), and the Congressional Review Act (5 U.S.C. 801, Pub. L. 104–121). Executive Orders 12866 and 13563 direct us to assess all benefits, costs, and transfers of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits.

Section 3(f) of Executive Order 12866 defines a ''significant regulatory action'' as an action that is likely to result in a rule: (1) Having an annual effect on the economy of $100 million or more, or adversely affecting 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) creating a serious inconsistency or otherwise interfering with an action taken or planned by another agency; (3) materially altering the budgetary impacts of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raising novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in Executive Order 12866. The Office of Information and Regulatory Affairs (OIRA) has designated this final rule as a significant action and the Regulatory Impact Analysis (RIA) for this final rule identifies economic impacts that exceed the threshold for significance under Section 3(f)(1) of Executive Order 12866. This final rule is expected to be

[6] National Head Start Association (2024). Supporting the Head Start Workforce and Consistent Quality Programming: NHSA's Summary of the Final Rule. Retrieved from: Final Rule Summary.

a deregulatory action under Executive Order 14192.

Congressional Review Act

Pursuant to subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996 (also known as the Congressional Review Act), OIRA has determined that this action meets the criteria set forth in 5 U.S.C. 804(2).

Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA), see 5 U.S.C. 605(b), as amended by the Small Business Regulatory Enforcement Fairness Act, requires Federal agencies to determine, to the extent feasible, a rule's impact on small entities, explore regulatory options for reducing any significant impact on a substantial number of such entities, and explain their regulatory approach. The term ''small entities,'' as defined in the RFA, comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. Under this definition, some Head Start grant recipients may be small entities. A rule is considered to have a significant impact on a substantial number of small entities if it has at least a three percent impact on revenue on at least five percent of small entities. However, the Secretary certifies, under 5 U.S.C. 605(b), as enacted by the Regulatory Flexibility Act (Pub. L. 96–354), that this final rule will not have a significant impact on a substantial number of small entities.

Unfunded Mandates Reform Act of 1995

The Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4, section 202(a)) requires us to prepare a written statement, which includes estimates of anticipated impacts, before publishing ''any rule that includes any Federal mandate that may result in the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector, of $100,000,000 or more (adjusted annually for inflation) in any one year.'' The current threshold after adjustment for inflation is $193 million, using the most current (2025) Implicit Price Deflator for the Gross Domestic Product. This final rule will not result in unfunded mandates that meet or exceed this amount. Head Start grant recipients receive over $12 billion annually in Federal funding to implement the requirements of the program, including policy changes as a result of this final rule.

Federalism Assessment Executive Order 13132

Executive Order 13132 requires Federal agencies to consult with State and local government officials if they develop regulatory policies with Federalism implications. Federalism is rooted in the belief that issues that are not national in scope or significance are most appropriately addressed by the level of government close to the people. This final rule will not have substantial direct impact on the states, on the relationship between the Federal government and the states, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with section 6 of Executive Order 13132, it is determined that this action does not have sufficient Federalism implications to warrant the preparation of a Federalism summary impact statement.

Treasury and General Government Appropriations Act of 1999

Section 654 of the Treasury and General Government Appropriations Act of 1999 requires Federal agencies to determine whether a policy or regulation may negatively affect family well-being. If the agency determines a policy or regulation negatively affects family well-being, then the agency must prepare an impact assessment addressing seven criteria specified in the law. ACF determined it is not necessary to prepare a family policymaking assessment (see Pub. L. 105–277) because the action it takes in this final rule will not have any impact on the autonomy or integrity of the family as an institution.

Paperwork Reduction Act of 1995

The Paperwork Reduction Act (PRA) of 1995, 44 U.S.C. 3501 *et seq.,* minimizes government-imposed burden on the public. In keeping with the notion that government information is a valuable asset, it also is intended to improve the practical utility, quality, and clarity of information collected, maintained, and disclosed.

The PRA requires that agencies obtain OMB approval, which includes issuing an OMB number and expiration date, before requesting most types of information from the public. Regulations at 5 CFR part 1320 implemented the provisions of the PRA and § 1320.3 defines a ''collection of information,'' ''information,'' and ''burden.'' PRA defines ''information'' as any statement or estimate of fact or opinion, regardless of form or format, whether numerical, graphic, or narrative form, and whether oral or maintained on paper, electronic, or other media (5 CFR 1320.3(h)). This includes requests for information to be sent to the Government, such as forms, written reports and surveys, recordkeeping requirements, and third-party or public disclosures (*5 CFR 1320.3(c)*). ''Burden'' means the total time, effort, or financial resources expended by persons to collect, maintain, or disclose information.

In the 2024 final rule, ACF estimated a paperwork burden of 5 hours per respondent [7] to track wages for Head Start staff and school district staff. This paperwork burden is removed as a result of this final rule. This change impacts the existing information collection approved under OMB control number 0970–0148. The removal of the wage and benefit requirements reduces the overall estimated burden on respondents to adhere to the information collection and recordkeeping requirements subject to the PRA.

The following table outlines the recordkeeping requirement that is removed.

Recordkeeping standard	Annual number of respondents	Average burden hours per response	Annual burden hours
Tracking wages for Head Start staff and staff in local school districts	2,900	5	14,500

[7] See section *VII. Regulatory Process Matters* of Supporting the Head Start Workforce and Consistent Quality Programming, 89 FR 67720 (August 21, 2024).

VI. Regulatory Impact Analysis

Need for Regulatory Action

The Performance Standards, established and updated as needed through regulation, are the foundation on which Head Start programs design and deliver high-quality, comprehensive services to children and families. The Performance Standards set forth the requirements that local grant recipients must meet to support the cognitive, social, emotional, and healthy development of children enrolled in the program. In August 2024, ACF published in the **Federal Register** a final rule that revised and updated the Performance Standards.

Most notably, OHS added a series of new requirements in the 2024 final rule related to staff wages and benefits in an attempt to support and stabilize the Head Start workforce. However, these requirements were too prescriptive for all communities that Head Start programs serve according to feedback received from stakeholders, both through the public comment process and through other ongoing stakeholder engagement. Therefore, this final rule removes these wage and benefit requirements from the Performance Standards. These changes restore more local flexibility to grant recipients and provide them the ability to determine the compensation packages that best meet the unique needs of their workforce. Furthermore, without additional appropriations from Congress, approximately 106,000 funded Head Start slots would have needed to be cut in order for programs to meet these requirements by the specified deadline.

Establishing one-size-fits-all wage and benefit requirements at the expense of reducing access to high-quality program services may not be most beneficial, especially at a time when access to child care is already lacking.[8] Furthermore, both under enrollment and classroom teacher turnover across Head Start programs have decreased nationally since the 2024 final rule. More specifically, under enrollment was approximately 8 percent nationally in 2025, as compared to 13 percent nationally, as discussed in the 2024 final rule. Similarly, classroom teacher turnover decreased from 19 percent as of the 2024 final rule to 17 percent by 2025.

Comment and Response

In this section, we summarize and respond to comments we received on the Regulatory Impact Analysis (RIA) in the NPRM.

Comment: Several commenters questioned the estimate in the RIA of the proposed rule that approximately 106,000 slots would be retained by rescinding the staff wage and benefit requirements. Commenters stated that recent enrollment reductions and classroom closures have been driven primarily by workforce shortages, and they argued that removing the wage and benefit requirements would not improve programs' ability to recruit and retain staff or result in additional children being served.

Response: We recognize the workforce challenges many Head Start programs continue to experience. The estimate of approximately 106,000 preserved slots reflects the potential effects on future funded enrollment capacity associated with avoiding projected compliance costs under the 2024 final rule. It is not intended to predict actual future enrollment or classroom operations, which depend on a variety of factors, including workforce availability, local labor market conditions, and funding levels.

Comment: Several commenters stated that the estimate in the RIA of the proposed rule of approximately $2.1 billion in future cost savings is misleading because it does not represent actual Federal expenditures or additional funding available to programs. Commenters asserted that the estimate reflects avoided future compensation costs rather than realized fiscal savings and therefore does not provide programs with additional resources to increase wages, expand services, or address rising operating costs.

Response: To clarify, the RIA estimates that removing the wage and benefit requirements will yield approximately $2.1 billion in future annual cost savings for programs. This impact is not characterized as reductions in appropriated funding for Head Start or as reductions to overall program funding levels. Instead, this impact represents an eventual annual transfer of $2.1 billion, encompassing effects among Head Start staff (transfers to those who would avoid losing hours or losing employment entirely, from those who would have received higher remuneration per hour in accordance with the 2024 rule) and among Head Start children and families (including transfers to children and families for whom slot unavailability would have been a consequence of the 2024 rule). This approach aligns with Circular A–4 (2003), OMB's guidance to Federal agencies on the development of regulatory analysis and is generally consistent with the findings and the modeling approach of the RIA of the 2024 final rule. Although this final rule removes regulatory requirements, grant recipients retain the flexibility to determine compensation packages consistent with applicable law, available funding, and local circumstances.

Comment: A few commenters requested that ACF clarify whether the estimated 106,000 slots that would be preserved as a result of this final rule refers to funded enrollment slots or actual children served.

Response: To clarify, in the absence of an increase in appropriations from Congress, ACF estimates that approximately 106,000 funded Head Start slots would have needed to be cut in order for programs to meet the wage and benefit requirements by the specified deadline in the 2024 final rule.

Transfer Analysis

The Performance Standards as revised through a final rule[9] published in August 2024 included requirements for Head Start programs to provide competitive wages and benefits for staff to address staff recruitment and retention challenges. Without additional regulatory action, programs would have been required to comply with these requirements by August 2028 (for benefits) and August 2031 (for wages). However, this final rule rescinds these requirements from the Performance Standards.

In conducting the regulatory impact analysis for this final rule, we use the same approach used in the NPRM. We adopt the assumptions contained in the RIA of the 2024 final rule as the baseline scenario. This final rule removes the wage and benefit requirements from the Performance Standards due to their prescriptiveness and the excessive fiscal resources that would have been needed to fully fund the requirements without significant impacts on slots. Thus, we report the economic impact of this final rule as the reversal of some of the benefits, costs, and transfers of the 2024 final rule.

With the wage and benefit requirements rescinded, programs will no longer have to implement them by the compliance dates described above. This ultimately results in averting the

[8] Friedman-Krauss, A.H., Barnett, W.S., Hodges, K.S., Garver, K.A., Duer, J., Weisenfeld, G., & Siegel, J. (2025). The State of Preschool 2024: State Preschool Yearbook. New Brunswick, NJ: National Institute for Early Education Research.

[9] See Supporting the Head Start Workforce and Consistent Quality Programming, 89 FR 67720 (August 21, 2024).

anticipated expenditures needed to implement the wage and benefit requirements for Head Start staff; or, alternatively, averting the loss of services to children under the requirements of the 2024 final rule. The 2024 final rule RIA estimated that the wage requirements would cost approximately $1.2 billion in nominal dollars when fully implemented in 2031. The RIA estimated that the staff benefit requirements would cost approximately $877 million in nominal dollars in 2031. ACF combines these figures to estimate the total transfers associated with removing these wage and benefit requirements—resulting in a transfer of approximately $2.1 billion in future expenditures.

In order to estimate the number of Head Start slots that are saved by removing these staff wage and benefit requirements, ACF determined the proportion of FY 2024 funded enrollment that are Head Start Preschool slots (73.7 percent), and Early Head Start slots (26.3 percent), respectively. Next, ACF applied this proportion to the total monetary cost associated with this rule in FY 2024 dollars ($1.7 billion) and divided the cost that would be borne by the average cost per slot for Head Start Preschool in FY 2024 ($15,187) and the cost that will be borne in Early Head Start by the average cost per slot for Early Head Start in FY 2024 ($20,460). ACF uses cost per child because it is the best indicator for the number of slots programs will be able to retain following the removal of the staff wages and benefits requirements from the Performance Standards in this final rule.

These calculations result in $1.3 billion in transfers attributed to Head Start Preschool slots and $452 million in transfers attributed to Early Head Start slots (in FY 2024 dollars). When divided by average cost per slot, this results in approximately 84,000 Head Start Preschool slots and 22,000 Early Head Start slots saved. Collectively, the net transfers associated with this final rule reflect a retention of approximately 106,000 Head Start slots (number of children served) nationally. In other words, by removing the wage and benefit requirements from the Performance Standards, and in the absence of appropriation increases for Head Start, programs could save as many as 106,000 slots that would otherwise have been cut in order to implement these wage and benefit requirements in the future. However, ACF also acknowledges that programs may choose to reduce slots, subject to ACF approval, in order to increase staff compensation, which is no longer required, but could result in lower cost savings and fewer slots saved than estimated in this RIA.

Transfers Summary

Table 1 summarizes the quantified transfers associated with this final rule and the present value and annualized values corresponding to a 3% and 7% discount rate, with all monetary estimates reported in millions of constant 2024 dollars. Table 2 reports the same impacts in nominal dollars.

TABLE 1—TRANSFERS ASSOCIATED WITH THE FINAL RULE

[Millions of constant 2024 dollars]

Year	Wage	Benefit	Total
2027	$247	$78	$325
2028	395	125	520
2029	592	587	1,179
2030	789	661	1,450
2031 [1]	987	735	1,722
2032	987	735	1,722
2033	987	735	1,722
2034	987	735	1,722
Present Value, 3%	5,115	3,745	8,860
Annualized, 3%	729	534	1,262
Present Value, 7%	4,212	3,065	7,276
Annualized, 7%	705	513	1,219

[1] The wage and benefit requirements in the 2024 final rule would be fully implemented by 2031.

TABLE 2—TRANSFERS ASSOCIATED WITH THE FINAL RULE

[Millions of nominal dollars]

Year	Wage	Benefit	Total
2027	$264	$84	$348
2028	432	138	570
2029	663	666	1,329
2030	905	769	1,674
2031 [1]	1,157	877	2,034
2032	1,184	900	2,084
2033	1,211	924	2,135
2034	1,239	948	2,187
Present Value, 3%	6,027	4,514	10,541
Annualized, 3%	859	643	1,502
Present Value, 7%	4,945	3,682	8,626
Annualized, 7%	828	617	1,445

[1] The wage and benefit requirements in the 2024 final rule would be fully implemented by 2031.

Non-Quantified Impacts of Certain Elements of the Final Rule

In addition to the transfers quantified in this RIA, removing the staff wage and benefit requirements from the Performance Standards restores local flexibility for individual programs to design services that are responsive to the individual needs of the communities in which they operate. Many programs continue to face staffing shortages that impact their ability to serve as many children as possible;[10] however, the changes in this final rule provide programs more discretion to determine how to best address staff recruitment and retention challenges based on their local contexts. The rescission of the wage and benefit requirements restores needed flexibility and autonomy to local programs so they may determine the best path forward for their program. By removing several costly requirements related to staff wages and benefits, these changes will alleviate unnecessary regulatory burden placed on Head Start programs.

Alternatives to the Final Rule

ACF considered and assessed several policy alternatives to this final rule. In the analysis below, we model a full rescission of the 2024 final rule, which included the following policies with quantified economic impacts: staff wages, staff benefits, staff breaks, family service worker family assignments, mental health supports, and preventing and addressing lead exposure, as well as associated administrative costs. All other policies beyond these from the 2024 final rule were not associated with quantified effects. Our modeling approach of separately estimating and reporting the costs associated with each of these policies enabled ACF to assess additional policy alternatives, such as rescinding subsets of policies included with the 2024 final rule.

As noted in our main analysis, in this final rule, ACF is rescinding a particular subset of those policies, rather than a full rescission.[11] Table 3 and Table 4 summarize the total expenditures needed to implement the 2024 final rule that would represent reductions in expenditures if the 2024 final rule were rescinded, reporting yearly estimates, and present value and annualized values corresponding to a 3% and 7% discount rate (updated from a 2% discount rate applied in the 2024 final rule RIA) for each of the policies. Collectively, the net reduction in expenditures associated with a full rescission of the 2024 final rule reflects a retention of approximately 96,000 Head Start Preschool slots and 25,000 Early Head Start slots nationally. In other words, by rescinding all policies from the 2024 final rule that had economic impacts, Head Start programs would retain approximately 121,000 slots that would otherwise have been cut in order to implement these policies. This represents an additional 15,000 slots that would be saved beyond the 106,000 retained by rescinding the staff wage and benefit policies. The tables below, as well as the additional analyses documented in this RIA, enabled ACF to appropriately consider a range of feasible policy alternatives.

TABLE 3—REDUCTIONS IN EXPENDITURES OF RESCINDING THE 2024 FINAL RULE

[Millions of constant 2024 dollars]

Year	Wage	Benefit	Breaks	Family services	Mental health	Lead	Other	Total
2027	$247	$78	$64	$125	$64	$5	$0	$583
2028	395	125	64	125	64	5	0	778
2029	592	587	64	125	64	2	0	1,435
2030	789	661	64	125	64	4	0	1,708
2031	987	735	64	125	64	3	0	1,978
2032	987	735	64	125	64	2	0	1,977
2033	987	735	64	125	64	2	0	1,977
2034	987	735	64	125	64	3	0	1,978
Present Value, 3%	5,115	3,745	449	877	449	23	0	10,661
Annualized, 3%	729	534	64	125	64	3	0	1,519
Present Value, 7%	4,212	3,065	382	746	382	20	0	8,809
Annualized, 7%	705	513	64	125	64	3	0	1,475

TABLE 4—REDUCTIONS IN EXPENDITURES OF RESCINDING THE 2024 FINAL RULE

[Millions of nominal dollars]

Year	Wage	Benefit	Breaks	Family services	Mental health	Lead	Other	Total
2027	$264	$84	$69	$135	$69	$5	$0	$625
2028	432	138	70	138	70	6	0	854
2029	663	666	72	141	72	3	0	1,616
2030	905	769	74	144	73	5	0	1,970
2031	1,157	877	75	147	75	3	0	2,335
2032	1,184	900	77	151	77	3	0	2,391
2033	1,211	924	79	154	79	3	0	2,449
2034	1,239	948	81	158	80	4	0	2,509
Present Value, 3%	6,027	4,514	522	1,021	520	28	0	12,629
Annualized, 3%	859	643	74	145	74	4	0	1,799
Present Value, 7%	4,945	3,682	442	865	441	25	0	10,395
Annualized, 7%	828	617	74	145	74	4	0	1,741

[10] National Head Start Association (2025). An Update on Head Start's Ongoing Workforce Challenges. National Head Start Association. Retrieved from: *https://nhsa.org/wp-content/uploads/2025/08/OngoingWorkforceChallengesJan2025.pdf.*

[11] ACF acknowledges however that it may consider further rescissions in separate rulemakings.

List of Subjects in 45 CFR Part 1302

Early education, Grant programs, Head Start, Workforce, Wages, Benefits.

For reasons stated in the preamble, ACF amends 45 CFR part 1302 as follows.

PART 1302—PROGRAM OPERATIONS

■ 1. The authority for part 1302 continues to read as follows:

Authority: 42 U.S.C. 9801 *et seq.*

§ 1302.90 [Amended]

■ Amend § 1302.90 by removing paragraph (e) and paragraph (f).

Robert F. Kennedy, Jr.,

Secretary, Department of Health and Human Services.

[FR Doc. 2026–23279 Filed 11–13–26; 8:45 am]

BILLING CODE 4184–40–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 1

[OI Docket No. 24–523, MD Docket No. 24–524; FCC 25–49; FR ID 377177]

Review of Submarine Cable Landing License Rules and Procedures To Assess Evolving National Security, Law Enforcement, Foreign Policy, and Trade Policy Risks

AGENCY: Federal Communications Commission.

ACTION: Final rule; correcting amendment.

SUMMARY: On July 8, 2026, the Federal Communications Commission announced the effective date of the Commission's rules. That document inadvertently failed to update the effective date in amendatory instructions 13, 17, and 19. This document corrects the final regulations.

DATES:

Effective Date: November 16, 2026.

Applicable Date: Instructions 13 (§ 1.70007), 17 (§ 1.70017), and 19 (§§ 1.70023 and 1.70024), published at 90 FR 48648 on October 27, 2025, became effective on July 8, 2026.

FOR FURTHER INFORMATION CONTACT: Gabrielle Kim of the Office of International Affairs, at *Gabrielle.Kim@fcc.gov* or 202–418–0730.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's document in OI Docket No. 24–523, MD Docket No. 24–524; FCC 25–49, published July 8, 2026 (91 FR 42137). This document corrects the amendatory instructions in the final rule sections published in the **Federal Register** on October 27, 2025 (90 FR 48648).

List of Subjects in 47 CFR Part 1

Communications, Communications common carriers, Communications equipment, Cuba, internet, Security measures, Reporting and recordkeeping requirements, Telecommunications.

Accordingly, 47 CFR part 1 is corrected by making the following correcting amendments:

PART 1—PRACTICE AND PROCEDURE

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

Authority: 47 U.S.C. chs. 2, 5, 9, 13; 28 U.S.C. 2461 note; 47 U.S.C. 1754, unless otherwise noted.

■ 2. Amend § 1.70007 by revising paragraph (x) to read as follows:

§ 1.70007 Routine conditions.

* * * * *

(x) Cable landing licensees with a license granted prior to July 8, 2026, must submit a route position list consistent with the requirement under § 1.70005(e)(7)(iv) under the relevant license file number in the Commission's International Communications Filing System (ICFS), or any successor system, no later than sixty (60) days after July 8, 2026. Licensees may petition the Commission for waiver of the requirement, which may be granted only to the extent the licensee demonstrates that the required information is unavailable by the submission deadline.

* * * * *

■ 3. Amend § 1.70017 by revising paragraph (d) to read as follows:

§ 1.70017 Foreign adversary annual report for licensees.

* * * * *

(d) *Reporting deadlines.* Licensees shall submit their initial Foreign Adversary Annual Report within six months of July 8, 2026, and each year. OIA shall establish and modify, as appropriate, the filing manner and associated deadlines for the Foreign Adversary Annual Report. OIA may, if needed, consult with the relevant Executive Branch agencies concerning the filing manner and associated deadlines for the annual reports. Licensees shall file the Foreign Adversary Annual Report pursuant to the deadlines.

* * * * *

■ 4. Revise § 1.70023 to read as follows:

§ 1.70023 Covered list certification for cable landing licensees.

Each cable landing licensee shall submit a certification, within sixty (60) days of July 8, 2026, that it will not add to its submarine cable system(s) under its respective license(s) equipment or services identified on the Covered List that the Commission maintains on its website pursuant to the Secure Networks Act, 47 U.S.C. 1601 through 1609; except, this condition shall not apply to a licensee that is identified on the Covered List whose cable landing license was or is granted prior to July 8, 2026.

■ 5. Amend § 1.70024 by revising the introductory text of paragraph (a), paragraphs (a)(1), (a)(2), and (b) to read as follows:

§ 1.70024 One-time cybersecurity and physical security certification.

(a) *Existing licensees.* Each licensee whose cable landing license was granted before July 8, 2026, must:

(1) Implement a cybersecurity and physical security risk management plan consistent with the requirements in § 1.70006(c) within one year of July 8, 2026. To the extent the licensee does not commence service on the submarine cable by this timeframe, the licensee must implement a cybersecurity and physical security risk management plan as of the date the submarine cable is placed into service.

(2) Submit a certification to the Commission within thirty (30) days of July 8, 2026, that it will implement a cybersecurity and physical security risk management plan consistent with the requirements in § 1.70006(c).

* * * * *

(b) *Pending application for cable landing license.* If an application for a cable landing license is filed prior to July 8, 2026, and remains pending on or after July 8, 2026, the applicant(s) must submit a certification, within thirty (30) days of July 8, 2026, attesting that it will create and implement a cybersecurity and physical security risk management plan as of the date the submarine cable is placed into service.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2026–23255 Filed 11–13–26; 8:45 am]

BILLING CODE 6712–01–P

Proposed Rules

Federal Register
Vol. 91, No. 219
Monday, November 16, 2026

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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2026–13814; Project Identifier MCAI–2026–00037–R]

RIN 2120–AA64

Airworthiness Directives; Airbus Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to supersede Airworthiness Directive (AD) 2025–24–01, which applies to all Airbus Helicopters Model EC 155 B and EC 155 B1 helicopters. AD 2025–24–01 requires replacement of the jettisonable windows and seals on the sliding doors and fixed panels on the left-hand (LH) and right-hand (RH) sides and the installation of new labels. Since the FAA issued AD 2025–24–01, the manufacturer determined the applicable service information was missing procedures for the tinted windows. This proposed AD would require the same actions as AD 2025–24–01 and would additionally require new actions to include helicopters with the modification of tinted windows. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this NPRM by December 31, 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–2026–13814; 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 European Union Aviation Safety Agency (EASA) material identified in this proposed 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 view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 10101 Hillwood Parkway, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110.

FOR FURTHER INFORMATION CONTACT: Anthony Kenward, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 222–5257; email: *anthony.b.kenward@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–2026–13814; Project Identifier MCAI–2026–00037–R'' 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 the 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 Anthony Kenward, 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 FAA issued AD 2025–24–01, Amendment 39–23196 (90 FR 56666, December 8, 2025) (AD 2025–24–01), for all Airbus Helicopters Model EC 155 B and EC 155 B1 helicopters. AD 2025–24–01 was prompted by an MCAI originated by EASA, which is the Technical Agent for the Member States of the European Union. EASA issued AD 2024–0173, dated September 4, 2024 (EASA AD 2024–0173), to correct an unsafe condition identified as the required forces to jettison the windows exceeding the maximum jettisoning effort requirements.

AD 2025–24–01 requires replacement of the jettisonable windows and seals on the sliding doors and fixed panels on the LH and RH sides and the installation of new labels. The FAA issued AD 2025–24–01 to prevent the inability to jettison the window(s) during an emergency. The unsafe condition, if not addressed, could result in a reduced capability to evacuate helicopter occupants during an emergency and injury to helicopter occupants.

Actions Since AD 2025–24–01 Was Issued

Since the FAA issued AD 2025–24–01, EASA superseded AD 2024–0173 and issued EASA AD 2026–0011, dated January 15, 2026 (EASA AD 2026–0011) (also referred to as the MCAI). The MCAI states the manufacturer revised the applicable material for the helicopter, to incorporate instructions for helicopters having tinted windows installed through Airbus Helicopters mod OP52C38.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2026–13814.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2026–0011, which specifies procedures for replacement of the jettisonable windows and seals on the sliding doors and fixed panels on the LH and RH sides, including procedures for helicopters with tinted windows. The MCAI also specifies procedures for installation of new labels on the sliding doors and fixed panels.

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 (CAA) 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 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 EASA AD 2026–0011, described previously, as incorporated by reference, except for any differences identified as exceptions in the regulatory text of this proposed AD.

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some CAA ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate EASA AD 2026–0011 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2026–0011 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in EASA AD 2026–0011 does not mean that operators need comply only with that section. For example, where the AD requirement refers to ''all required actions and compliance times,'' compliance with this AD requirement is not limited to the section titled ''Required Action(s) and Compliance Time(s)'' in EASA AD 2026–0011. Material required by EASA AD 2026–0011 for compliance will be available at *regulations.gov* under Docket No. FAA–2026–13814 after the FAA final rule is published.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 16 helicopters 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
Replace windows and seals and install labels.	24 work-hours × $85 per hour = $2,040.	Up to $53,553	Up to $55,593	Up to $889,488.
Replace tinted windows and seals and install labels.	24 work-hours × $85 per hour = $2,040.	Up to $60,000	Up to $62,040	Up to $992,640.

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 that the 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:

■ a. Removing Airworthiness Directive 2025–24–01, Amendment 39–23196 (90 FR 56666, December 8, 2025); and
■ b. Adding the following new airworthiness directive:

Airbus Helicopters: Docket No. FAA–2026–13814; Project Identifier MCAI–2026–00037–R.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by December 31, 2026.

(b) Affected ADs

This AD replaces AD 2025–24–01, Amendment 39–23196 (90 FR 56666, December 8, 2025) (AD 2025–24–01).

(c) Applicability

This AD applies to all Airbus Helicopters Model EC 155 B and EC 155 B1 helicopters, certificated in any category, as identified in European Union Aviation Safety Agency (EASA) AD 2026–0011, dated January 15, 2026 (EASA AD 2026–0011).

(d) Subject

Joint Aircraft System Component (JASC) Code 5620, Passenger compartment windows; 5630, Door windows.

(e) Unsafe Condition

This AD was prompted by a determination that the required forces to jettison the windows exceed the maximum jettisoning effort requirements. The FAA is issuing this AD to prevent the inability to jettison the window(s) during an emergency. The unsafe condition, if not addressed, could result in a reduced capability to evacuate helicopter occupants during an emergency and injury to helicopter occupants.

(f) Compliance

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

(g) Required Actions

Except as specified in paragraphs (h) and (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2026–0011.

(h) Exceptions to EASA AD 2026–0011

(1) Where EASA AD 2026–0011 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where EASA AD 2026–0011 refers to September 18, 2024 (the effective date of EASA AD 2024–0173), this AD requires using January 12, 2026 (the effective date of AD 2025–24–01).

(3) Where EASA AD 2026–0011 refers to flight hours, this AD requires using hours time-in-service (TIS).

(4) This AD does not adopt the ''Remarks'' section of EASA AD 2026–0011.

(i) No Reporting Requirement

Although the material referenced in EASA AD 2026–0011 specifies to submit certain information to the manufacturer, this AD does not include that requirement.

(j) Alternative Methods of Compliance (AMOCs)

(1) 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*.

(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.

(k) Additional Information

For more information about this AD, contact Anthony Kenward, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (817) 222–5257; email: *anthony.b.kenward@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 2026–0011, 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 material on the EASA website at *ad.easa.europa.eu*.

(4) You may view this material at FAA, Airworthiness Products Section, Operational Safety Branch, 10101 Hillwood Parkway, Fort Worth, TX 76177. 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 November 10, 2026.

Steven W. Thompson,

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

[FR Doc. 2026–23212 Filed 11–13–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2026–13815; Project Identifier MCAI–2026–00009–T]

RIN 2120–AA64

Airworthiness Directives; Dassault Aviation Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for certain Dassault Aviation Model FALCON 6X airplanes. This proposed AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. This proposed AD would require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by December 31, 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–2026–13815; 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 European Union Aviation Safety Agency (EASA) material identified in this proposed AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221

8999 000; email *ADs@easa.europa.eu.* You may find this material on the EASA website at *ad.easa.europa.eu.* It is also available at *regulations.gov* under Docket No. FAA–2026–13815.

• You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA 98198. For information on the availability of this material at the FAA, call 206–231–3195.

FOR FURTHER INFORMATION CONTACT: Kimi Kim, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 781–238–7693; email: *9-AVS-AIR-BACO-COS@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments using a method listed under the **ADDRESSES** section. Include ''Docket No. FAA–2026–13815; Project Identifier MCAI–2026–00009–T'' at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

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

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Kimi Kim, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 781–238–7693; email: *9-AVS-AIR-BACO-COS@faa.gov.* Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2026–0002, dated January 12, 2026 (EASA AD 2026–0002) (also referred to as the MCAI), to correct an unsafe condition for all Dassault Aviation Model FALCON 6X airplanes. Airplanes with an original airworthiness certificate or original export certificate of airworthiness issued after November 17, 2025, must comply with the airworthiness limitations specified as part of the approved type design and referenced on the type certificate data sheet; this proposed AD therefore does not include those airplanes in the applicability. The MCAI states that new or more restrictive airworthiness limitations have been developed.

The FAA is proposing this AD to address reduced structural integrity and reduced control of the airplane due to the failure of system components. You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2026–13815.

Material Incorporated by Reference Under 1 CFR Part 51

EASA AD 2026–0002 specifies new or more restrictive airworthiness limitations for airplane structures and safe life limits.

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

Proposed AD Requirements in This NPRM

This proposed AD would require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations, which are specified in EASA AD 2026–0002 described previously, as incorporated by reference. Any differences with EASA AD 2026–0002 are identified as exceptions in the regulatory text of this proposed AD.

This proposed AD would require revisions to certain operator maintenance documents to include new actions (*e.g.,* inspections) and Critical Design Configuration Control Limitations (CDCCLs). Compliance with these actions and CDCCLs is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by this proposed AD, the operator may not be able to accomplish the actions described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance (AMOC) according to paragraph (j)(1) of this proposed AD.

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate EASA AD 2026–0002 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2026–0002 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in EASA AD 2026–0002 does not mean that operators need comply only with that section. For example, where the AD requirement refers to ''all required actions and compliance times,'' compliance with this AD requirement is not limited to the section titled ''Required Action(s) and Compliance Time(s)'' in EASA AD 2026–0002. Material required by EASA AD 2026–0002 for compliance will be available at *regulations.gov* under Docket No. FAA–2026–13815 after the FAA final rule is published.

Airworthiness Limitation ADs Using the New Process

The FAA's process of incorporating by reference MCAI ADs as the primary source of information for compliance with corresponding FAA ADs has been limited to certain MCAI ADs (primarily those with service bulletins as the primary source of information for accomplishing the actions required by the FAA AD). However, the FAA is now expanding the process to include MCAI ADs that require a change to airworthiness limitation documents, such as airworthiness limitation sections.

For these ADs that incorporate by reference an MCAI AD that changes airworthiness limitations, the FAA requirements are unchanged. Operators must revise the existing maintenance or inspection program, as applicable, to incorporate the information specified in the new airworthiness limitation document. The airworthiness limitations must be followed according to 14 CFR 91.403(c) and 91.409(e).

The previous format of the airworthiness limitation ADs included a paragraph that specified that no alternative actions (*e.g.,* inspections), intervals, or CDCCLs may be used unless the actions, intervals, and CDCCLs are approved as an AMOC in accordance with the procedures specified in the AMOC paragraph under ''Additional AD Provisions.'' This new format includes a ''Provisions for Alternative Actions, Intervals, and CDCCLs'' paragraph that does not specifically refer to AMOCs, but operators may still request an AMOC to use an alternative action, interval, or CDCCL.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 5 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

The FAA has determined that revising the existing maintenance or inspection program takes an average of 90 work-hours per operator, although the agency recognizes that this number may vary from operator to operator. Since operators incorporate maintenance or inspection program changes for their affected fleet(s), the FAA has determined that a per-operator estimate is more accurate than a per-airplane estimate. Therefore, the FAA estimates the average total cost per operator to be $7,650 (90 work-hours × $85 per work-hour).

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 has 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:

Dassault Aviation: Docket No. FAA–2026–13815; Project Identifier MCAI–2026–00009–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by December 31, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Dassault Aviation Model FALCON 6X airplanes, certificated in any category, with an original airworthiness certificate or original export certificate of airworthiness issued on or before November 17, 2025.

(d) Subject

Air Transport Association (ATA) of America Code 05, Time Limits/Maintenance Checks.

(e) Unsafe Condition

This AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. The FAA is issuing this AD to address reduced structural integrity and reduced control of the airplane due to the failure of system components.

(f) Compliance

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

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency (EASA) AD 2026–0002, dated January 12, 2026 (EASA AD 2026–0002).

(h) Exceptions to EASA AD 2026–0002

(1) This AD does not adopt the requirements specified in paragraphs (1) and (2) of EASA AD 2026–0002.

(2) Paragraph (3) of EASA AD 2026–0002 specifies revising the approved aircraft maintenance program (AMP) within 12 months after its effective date, but this AD requires revising the existing maintenance or inspection program, as applicable, within 90 days after the effective date of this AD.

(3) The initial compliance time for doing the tasks specified in paragraph (3) of EASA AD 2026–0002 is at the applicable limitations and associated thresholds as incorporated by the requirements of paragraph (3) of EASA AD 2026–0002, or within 90 days after the effective date of this AD, whichever occurs later.

(4) This AD does not adopt the provisions specified in paragraphs (4) and (5) of EASA AD 2026–0002.

(5) This AD does not adopt the ''Remarks'' section of EASA AD 2026–0002.

(i) Provisions for Alternative Actions, Intervals, and Critical Design Configuration Control Limitations (CDCCLs)

After the existing maintenance or inspection program has been revised as required by paragraph (g) of this AD, no alternative actions (*e.g.,* inspections), intervals, and CDCCLs are allowed unless they are approved as specified in the provisions of the ''Ref. Publications'' section of EASA AD 2026–0002.

(j) Additional AD Provisions

The following provisions also apply to this AD:

(1) *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 responsible Flight Standards 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.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Validation Branch, FAA; or EASA; or Dassault Aviation's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(k) Additional Information

For more information about this AD, contact Kimi Kim, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 781–238–7693; email: *9-AVS-AIR-BACO-COS@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 this AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2026–0002, dated January 12, 2026.

(ii) [Reserved]

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

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA 98198. For information on the availability of this material at the FAA, call 206–231–3195.

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

Issued on November 10, 2026.

Steven W. Thompson,

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

[FR Doc. 2026–23229 Filed 11–13–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2026–13816; Project Identifier AD–2026–00521–R]

RIN 2120–AA64

Airworthiness Directives; Airbus Helicopters Deutschland GmbH (AHD) Helicopters

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 Helicopters Deutschland GmbH (AHD) Model MBB–BK 117 C–1 and MBB–BK 117 C–2 helicopters with a certain air conditioning system installed in accordance with FAA Supplemental Type Certificate (STC) No. SR00601DE. This proposed AD was prompted by reports of corrosion on the condenser inlet duct, which caused the internal support wire helix to impinge the tail rotor (TR) drive shaft. This proposed AD would require repetitively inspecting the TR drive shaft; repetitively inspecting the exterior of the Air Comm Corporation (ACC) condenser duct assembly (duct assembly); repetitively inspecting (using a borescope) the interior of the ACC duct assembly; and depending on the results of these inspections, replacing certain parts. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by December 31, 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–2026–13816; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, any comments received, and other information. The street address for Docket Operations is listed above.

FOR FURTHER INFORMATION CONTACT: Arbi Keshishian, Aviation Safety Engineer, FAA, 3960 Paramount Boulevard, Lakewood, CA 90712; phone: (562) 627–5334; email: *WCB-COS@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–2026–13816; Project Identifier AD–2026–00521–R'' 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 revise 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 Arbi Keshishian, Aviation Safety Engineer, FAA, 3960 Paramount Boulevard, Lakewood, CA 90712. 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 FAA received reports of excessive corrosion on the condenser inlet duct of AHD Model MBB–BK 117 C–1 and MBB–BK 117 C–2 helicopters with an ACC air-conditioning system part number (P/N) EC145–7040–1 installed in accordance with FAA Supplemental Type Certificate (STC) No. SR00601DE. This excessive corrosion allowed the internal support wire helix to break and protrude from the duct silicone shell, which caused impingement on the TR drive shaft. This condition, if not addressed, could result in failure of the TR drive shaft and loss of control of the helicopter.

FAA's Determination

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

Proposed AD Requirements in This NPRM

This proposed AD would require repetitively inspecting the TR drive shaft; repetitively inspecting the exterior of the ACC duct assembly; repetitively borescope inspecting the interior of the ACC duct assembly, and depending on the results of these inspections, replacing certain parts.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 54 helicopters 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 the TR drive shaft and the ACC duct assembly.	1 work-hour × $85 per hour = $85 (per inspection).	$0	$85	$4,590
Inspect (using a borescope) the ACC duct assembly.	1 work-hour × $85 per hour = $85 (per inspection).	0	85	4,590

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

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Replace ACC duct assembly	1 work-hour × $85 per hour = $85	$300	$385
Replace TR drive shaft	6 work-hour × $85 per hour = $510	10,503	11,013

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 Helicopters Deutschland GmbH (AHD): Docket No. FAA–2026–13816; Project Identifier AD–2026–00521–R.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by December 31, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Airbus Helicopters Deutschland GmbH (AHD) Model MBB–BK 117 C–1 and MBB–BK 117 C–2 helicopters, certificated in any category, with Air Comm Corporation (ACC) air-conditioning system part number (P/N) EC145–7040–1 installed in accordance with FAA Supplemental Type Certificate No. SR00601DE.

(d) Subject

Joint Aircraft System Component (JASC) Code 2100, Air conditioning system.

(e) Unsafe Condition

This AD was prompted by reports of excessive corrosion on the condenser inlet duct, which caused the internal support wire helix to break and protrude and impinge the tail rotor (TR) drive shaft. The FAA is issuing this AD to detect and prevent failure of the TR drive shaft. The unsafe condition, if not addressed, could result in failure of the TR drive shaft and loss of control of the helicopter.

(f) Compliance

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

(g) Required Actions

Within 7 days after the effective date of this AD and thereafter at intervals not to exceed 50 hours time-in-service or 3 months, whichever occurs first, accomplish the following actions:

(1) Inspect the TR drive shaft in the location below the ACC condenser air inlet duct assembly (duct assembly) for any protruding wire helix or wear. If there is any protruding wire helix or any wear on the TR drive shaft, before further flight, replace the TR drive shaft, in accordance with a method approved by the Manager, International Validation Branch, FAA; or European Union Aviation Safety Agency; or AHD's Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(2) Inspect the exterior and interior installation and condition of the ACC duct assembly by accomplishing the following actions:

(i) Inspect the exterior of the ACC duct assembly for broken helix wire and bulging. If the helix wire is broken, or if there is any bulging at the bottom areas over the TR drive shaft, before further flight, replace the ACC duct assembly with a new, zero-hour, and never installed ACC duct assembly.

(ii) With moderate pressure, squeeze and flex the duct by hand to ensure the duct returns to its circular shape. If the duct does not return to the original circular shape, before further flight, replace the ACC duct assembly with a new, zero-hour, and never installed ACC duct assembly.

(iii) Inspect (using a borescope) the interior of the ACC duct assembly for corrosion of the wire helix, or if the inner silicone lining is separating, bubbling, or peeling away from the wire helix. If there is any corrosion of the wire helix, or if the inner silicone lining is separating, bubbling, or peeling away from the wire helix, before further flight, replace the ACC duct assembly with a new, zero-hour, and never installed ACC duct assembly.

(h) Special Flight Permits

Special flight permits as described in 14 CFR 21.197 and 21.199, are not allowed.

(i) 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 local Flight Standards District 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 (j) 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.

(j) Additional Information

For more information about this AD, contact Arbi Keshishian, Aviation Safety Engineer, FAA, 3960 Paramount Boulevard, Lakewood, CA 90712; phone: (562) 627–5334; email: *WCB-COS@faa.gov*.

(k) Material Incorporated by Reference

None.

Issued on November 10, 2026.

Steven W. Thompson,

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

[FR Doc. 2026–23213 Filed 11–13–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Part 7

[NPS–CAMO–CRMO–NPS0043954; 277P103601, PPWOVPADU0]

RIN 1024–AF13

Castle Mountains National Monument and Craters of the Moon National Monument; Hunting

AGENCY: National Park Service, Interior.

ACTION: Proposed rule.

SUMMARY: The National Park Service (NPS) proposes to promulgate special regulations to allow hunting in Castle Mountains National Monument and Craters of the Moon National Monument. The regulations would recognize the authority of the States to manage wildlife while also allowing for appropriate management of hunting by the NPS to protect public health and safety, objects of historic and scientific interest that the Monuments were established to protect, and endangered or threatened species. Allowing hunting in these National Monuments is directed by Executive Order 14429, ''Reinvigorating America's Hunting Heritage,'' and advances the policy of the Trump Administration to reinvigorate, protect, and expand America's hunting heritage to benefit our people and our land.

DATES: Comments must be received by 11:59 p.m. ET on December 16, 2026.

ADDRESSES: You may submit comments by any of the following methods:

(1) *Electronically:*

- Go to the **Federal Register** website: *https://www.federalregister.gov.* In the search box, enter 1024–AF13, the regulation identifier number (RIN) for this rulemaking. Click on the green ''Submit a Public Comment'' button at the top of the document and follow the instructions for submitting comments; or
- Go to the Federal eRulemaking Portal: *https://www.regulations.gov.* In the Search box, enter 1024–AF13, the RIN for this rulemaking. On the resulting page, select the Dockets tab and then click on the title of the rule. Next, click the ''Open for Comments'' box, then click the blue ''Comment'' box and follow the instructions for submitting comments.

(2) *By hard copy:*

- *Mail to:* National Park Service Division of Regulations, 7206 National Seashore Lane, Berlin, MD 21811.

Instructions: Comments will not be accepted by fax, email, or in any way other than those specified above. All submissions received must include the words ''National Park Service'' or ''NPS'' and must include the docket number or RIN (1024–AF13) for this rulemaking. Comments received may be posted without change to *https://www.regulations.gov,* including any personal information provided.

Docket: For access to the docket to view the proposed rule and comments received, go to *https://www.regulations.gov* and search for ''1024–AF13.'' Be sure to check the Dockets Tab, Documents Tab, and Comments Tab for possible results.

FOR FURTHER INFORMATION CONTACT: Kevin Schluckebier, Superintendent, Castle Mountains National Monument;

(402) 973–0872; *kevin_schluckebier@nps.gov;* Wade Vagias, Superintendent, Craters of the Moon National Monument and Preserve; (208) 527–1310; *wade_vagias@nps.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. In compliance with the Providing Accountability Through Transparency Act of 2023, the plain language summary of the proposal is available on *Regulations.gov* in the docket for this rulemaking.

SUPPLEMENTARY INFORMATION:

Background

Castle Mountains National Monument

On February 16, 2016, President Obama exercised authority provided in 54 U.S.C. 320301 (known as the ''Antiquities Act'') to establish Castle Mountains National Monument (CAMO) for the purpose of protecting the historic and scientific objects in the Castle Mountains area, as further described in Proclamation 9394. CAMO consists of 20,920 acres and is located in the eastern Mojave Desert in northeastern San Bernardino County, California, along the Nevada state line. CAMO is bounded on three sides by Mojave National Preserve, which also is administered by the NPS. The Castle Mountains area provides a critical linkage for plants, animals, and water between two mountain ranges within the Preserve, the New York Mountains to the northwest and the Piute Mountains to the southeast. The area's high-quality desert habitat includes some of the finest Joshua tree forest in the Mojave Desert, as well as pinyon pine and juniper forest at the upper elevations. The area's native desert grassland is a hotspot of botanical diversity. The relatively intact and undisturbed habitat within CAMO connects water flow and wildlife corridors of the Preserve and its habitat is important to the long-term survival of significant wildlife populations, including a herd of desert bighorn sheep that lives on the steep, rocky slopes of the Castle Mountains. They and other wildlife traverse the area between the Piute Mountains and the New York Mountains. Numerous bat species live in rock crevices and mine remnants in the area. Wildlife species of special concern include the Townsend's big-eared bat, California leaf-nosed bat, Swainson's hawk, golden eagle, desert tortoise, Bendire's thrasher, and gray vireo. CAMO contains cultural resources that reflect a long history of prehistoric and historic human use, including prehistoric rock art and archeological sites. Within the external boundaries of CAMO is an area referred to as the ''Castle Mountain Mine Area,'' which contains a commercial mining operation. This area is administered by the Bureau of Land Management (BLM) and mining activities are governed by a plan of operations issued by BLM.

Hunting is currently prohibited within CAMO by NPS regulations in 36 CFR 2.2, which prohibit hunting in units of the National Park System except where specifically mandated or authorized by Federal statutory law, which does not exist for CAMO.

Craters of the Moon National Monument

President Calvin Coolidge exercised authority provided by the Antiquities Act to establish Craters of the Moon National Monument (CRMO) on May 2, 1924, for the purpose of protecting the unusual landscapes of the Craters of the Moon Lava Field, as further described in Proclamation 1694. CRMO is located in south central Idaho in Blaine and Butte counties. As further described in Proclamation 1694, the ''lunar'' landscape within CRMO was thought to resemble that of the moon and was described in the presidential proclamation as ''a weird and scenic landscape peculiar to itself.'' Presidential Proclamations issued in 1928 (Proclamation 1843), 1930 (Proclamation 1916), 1941 (Proclamation 2499), and 1962 (Proclamation 3506) made minor boundary adjustments, as did Section 205 of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333). On November 9, 2000, President Clinton issued Proclamation 7373 which expanded CRMO from roughly 54,000 acres to approximately 753,000 acres to ensure protection of the Great Rift volcanic rift zone and its associated features. The expanded monument includes almost all the features of basaltic volcanism, including the craters, cones, lava flows, caves, and fissures of the 65-mile-long Great Rift, a geological feature that is comparable to the great rift zones of Iceland and Hawaii. It comprises the most diverse and geologically recent part of the lava terrain that covers the southern Snake River Plain, a broad lava plain made up of innumerable basalt lava flows that erupted during the past 5 million years. Isolated islands of older terrain surrounded by new lava are known as ''kipukas.'' These areas represent some of the last nearly pristine and undisturbed vegetation in the Snake River Plain.

Proclamation 7373 placed lands within the expanded CRMO under the administration of both the NPS and BLM, with each agency having primary management authority over separate portions. The NPS was given primary management authority over the portion of CRMO that includes the exposed lava flows, with BLM given primary management authority over the remaining portion. On August 21, 2002, Public Law 107–213 designated the NPS-administered portion of the monument expansion area as a National Preserve. The area within the CRMO as it existed before the 2000 expansion is referred to in this rule as the ''Original CRMO.''

Public Law 107–213 requires the NPS to allow hunting within the NPS-administered National Preserve in accordance with Federal and State law, except that the NPS, in consultation with the State of Idaho, may designate zones where, and establish periods when, no hunting may be permitted for reasons of public safety, protection of resources, administration, or public use and enjoyment. Hunting also is allowed in the BLM-administered portion of CRMO pursuant to authorities applicable to BLM-administered lands. Hunting is currently prohibited within Original CRMO by NPS regulations in 36 CFR 2.2, which prohibits hunting in units of the National Park System except where specifically mandated or authorized by Federal statutory law, which does not exist for Original CRMO.

Reinvigorating America's Hunting Heritage

On September 17, 2026, President Trump issued Executive Order 14429, ''Reinvigorating America's Hunting Heritage,'' which announced that it is a policy of the Administration to reinvigorate, protect, and expand America's hunting heritage to benefit our people and our land. E.O. 14429 recognizes that American hunters, anglers, and landowners are the greatest conservationists the world has ever known, and that hunting promotes healthy and robust animal populations, conserves our beautiful wildlife for future generations, and ensures that every American can enjoy our rugged, diverse, and untamed frontier areas. E.O. 14429 directs Federal agencies to institute various reforms to pull back on the Federal Government's regulatory overreach that has led to a decline in hunting opportunities, confusing and

inconsistent access policies, and heavy-handed restrictions on hunter education and recruitment efforts. E.O. 14429 reverses this overreach by applying a presumption of accessibility to federally managed lands so that the next generation of Americans shall once again have the opportunity to share in our Nation's rich sporting heritage. Consistent with these policies, Section 2(a) of E.O. 14429 states that within 90 days the Secretary of the Interior is directed to allow for hunting of species that are not subject to 16 U.S.C. 1533 (the Endangered Species Act) within CAMO and Original CRMO. E.O. 14429 states that President Trump has determined that appropriately managed hunting would not put the objects of historic and scientific interest that these monuments protect at risk.

Proposed Rule

This rule would implement the directive in Section 2(a) of E.O. 14429 by allowing hunting within CAMO and Original CRMO. The proposed regulations for each System unit recognize the primary role of the States in managing fish and wildlife, while at the same time allowing the NPS to appropriately manage hunting, consistent with E.O. 14429, to meet its statutory mandates to protect resources and visitors within park areas. The NPS believes the regulations in this proposed rule would promote cooperative federalism as directed in Section 1 of E.O. 14429. The NPS has developed these rules in coordination with the California Department of Fish & Wildlife (CDFW) for CAMO and the Idaho Department of Fish and Game (IDFG) for Original CRMO.

Elements Common to Both Monuments

This proposed rule would establish special regulations for CAMO and Original CRMO that relax the general NPS regulatory prohibition on hunting that applies in these Monuments.[1] Special regulations for CAMO would be codified in a new § 7.98 and special regulations for Original CRMO would be codified in a new § 7.101. This rule proposes several regulatory provisions that are common to the special regulations for each Monument. Paragraph (a) would state that notwithstanding any other provision contained in this chapter, hunting shall be allowed in each Monument. This would establish that the special regulations preempt the otherwise applicable prohibition in 36 CFR 2.2 and allow hunting in each Monument. Paragraph (b) would state that where hunting is authorized, such activities shall be conducted in accordance with Federal law and the laws of the State, with the effect that State law would govern hunting in each Monument unless specifically preempted by Federal law, including NPS regulations and closures and restrictions deemed necessary by the Superintendent. Paragraph (c) would prohibit the hunting of species subject to 16 U.S.C. 1533, notwithstanding any provision in State law. This provision implements part of the directive in Section 2(a) of E.O. 14429 and ensures that endangered or threatened species receive the protections provided by Federal law. Paragraph (d) would allow the superintendent to establish closures, restrictions, and conditions on hunting that are the minimum necessary to prevent a significant impact to public health and safety, objects of historic and scientific interest that the Monument was established to protect, or endangered or threatened species. Except in emergencies, the Superintendent would be required to consult with appropriate State agencies, such as CDFW and IDFG, before taking those actions, and to notify the public of any such closures, restrictions or conditions through appropriate methods listed in 36 CFR 1.7, including publication in the Superintendent's Compendium (or written compilation) of discretionary actions referred to in paragraph (b) of § 1.7. Providing the superintendents with this authority is consistent with the Federal statutory authority provided to the NPS for the administration of Mojave National Preserve, which allows the NPS, after consultation with the State except in emergencies, to designate areas where, and establish periods when no hunting, fishing, or trapping will be permitted for reasons of public safety, administration, or compliance with provisions of applicable law. 16 U.S.C. 410aaa-46. It also is consistent with the Federal statutory authority provided to the NPS in Public Law 107–213 for the NPS-administered Craters of the Moon National Preserve, which allows the NPS, after consultation with the State except in emergencies, to designate zones where, and establish periods when, no hunting may be permitted for reasons of public safety, protection of resources, administration, or public use and enjoyment. The similar authorities in the rule for both Monuments would allow the superintendents to respond to unforeseen circumstances that require mitigation in order to protect resources and visitors. These authorities also would help ensure that hunting in either Monument does not jeopardize the President's determination in E.O. 14429 that hunting will not put the objects of historic and scientific interest that the Monuments protect at risk.

Mitigations Specific to Castle Mountains National Monument

In addition to regulatory provisions described above that would apply to both Monuments, this proposed rule would establish specific mitigation measures for hunting in Original CRMO that are the minimum necessary to protect resources and visitors. These mitigations were developed in coordination with CDFW.

First, the rule would prohibit hunting within 200 yards of a wildlife watering place within CAMO. ''Wildlife watering place'' would be defined, consistent with State law, as a waterhole, spring, seep, or a man-made watering device for wildlife such as a guzzler (a self-filling, in-the-ground water storage tank), horizontal well, or small impoundment of less than one surface acre in size. See CCR Title 14 § 730. Wildlife watering places within CAMO include natural watering holes and artificial water sources used by wildlife. This prohibition is necessary to prevent human disturbance that cuts off wildlife from scarce, life-sustaining water. Water in arid desert biomes is extremely limited. Game and non-game species—such as desert bighorn sheep, mule deer, and desert tortoises—frequently rely on isolated springs, seeps, or man-made guzzlers set up for wildlife watering. Human presence within 200 yards spooks animals away, forcing them to avoid drinking, which can cause dehydration or death. Concentrated human activities, such as hunting, within immediate riparian and waterhole zones trample fragile soil crusts, destroy native vegetative shelter, and cause contamination to limited pools of water. Finally, ambushing thirsty animals concentrated around artificial or natural watering holes is considered unsporting. Enforcing a 200-yard buffer prevents hunters from executing easy ambushes on distressed wildlife using vital watering holes. The second mitigation in the rule would prohibit hunting within one mile of the Castle Mountain Mine. This prohibition is necessary to protect the safety of employees of the mine. The rule would state that these mitigations do not prevent an individual from retrieving lawfully taken wildlife from within the restricted areas, provided the wildlife

[1] NPS regulations in 36 CFR 1.2(a)(c) state that regulations in part 7 and part 13 are special regulations prescribed for specific park areas that may amend, modify, relax, or make more stringent the regulations contained in parts 1 through 5 and part 12.

was not otherwise hunted within those areas. Penalizing this conduct would not further the policy purpose of the restrictions, which is to protect wildlife while using those places for survival.

Mitigations Specific to Craters of the Moon National Monument

In addition to regulatory provisions described above that would apply to both Monuments, this rule would establish specific mitigation measures for hunting in Original CRMO that are the minimum necessary to protect resources and visitors. These mitigations were developed in coordination with IDFG.

First, the rule would prohibit the use of weapons other than short range weapons, which would be defined consistent with State law as (1) any shotgun using any slug or double-aught (#00) or larger buckshot; (2) any muzzleloader that is at least forty-five (0.45) caliber for deer, pronghorn, mountain lion, or gray wolf, or at least fifty (0.50) caliber for elk, moose, bighorn sheep, mountain goat, or black bear; (3) any bow having a peak draw weight of not less than forty (40) pounds up to or at a draw of twenty-eight (28) inches; (4) any crossbow having a peak draw weight of not less than one hundred fifty (150) pounds; (5) any handgun using straight wall centerfire cartridges not originally developed for rifles; (6) any airgun using pre-charged pneumatic power to propel a projectile (excluding shot and arrows) with unignited compressed air or gas and projectiles at least thirty-five (0.35) caliber for deer and pronghorn antelope or at least forty-five (0.45) caliber for elk and moose. See IAC 13.01.08.407. Other weapons, such as modern centerfire rifles, have effective ranges of hundreds of yards, and projectiles can travel considerably farther. The open nature of the Original CRMO landscape provides relatively few natural backstops or other obstructions to reduce the risk posed by errant rounds. Because the definition is codified in State law, the NPS believes this restriction will be relatively straightforward to communicate to hunters. Prohibiting centerfire rifles and other long-range weapons would substantially reduce concerns about the safety of visitors and NPS employees and volunteers.

Second, the rule would prohibit hunting in NPS-administered areas in the Original CRMO located north and northwest of Highway 20/93. This area is currently restricted to administrative use and contains two developed areas, the Yurt Campground and Administrative Campground, both of which receive substantial use by NPS personnel, partners, and cooperators throughout the year, including during the fall hunting season. The area also contains critical park infrastructure, including the park's entire potable water system and associated wellheads, electrical distribution infrastructure, a photovoltaic solar array, a pumphouse, and a chlorinator building. Additionally, the area contains numerous sensitive archeological sites and a historic trail listed on the National Register. The area's relatively narrow, linear configuration, combined with the concentration of developed facilities, critical infrastructure, sensitive cultural resources, and ongoing administrative activities, presents significant challenges and risks to safely accommodate recreational hunting. At approximately 5,000 acres, this area represents less than 10% of the total acreage that would otherwise be available to hunting under the proposed rule. Accordingly, the prohibition would provide substantial protection for park operations and resources while imposing a relatively modest limitation on the overall hunting opportunities that would be authorized elsewhere within the Monument.

Compliance With Other Laws, Executive Orders, and Department Policy

Regulatory Planning and Review (Executive Orders 12866 and 14192)

This rule has been determined to be significant for purposes of Executive Order 12866. This proposed rule is expected to have minor economic effects. It would generate benefits for current and potential hunters by authorizing hunting in two NPS-administered Monuments for the first time, subject to appropriate management. However, these Monuments represent a relatively small portion of the lands currently available for hunting in the surrounding areas. Hunting is already authorized on hundreds of thousands of acres of adjacent BLM- and NPS-administered lands surrounding Craters of the Moon National Monument and on more than one million acres of NPS-administered lands surrounding Castle Mountains National Monument. Further, no changes to State hunting seasons or tag quotas for specific species are anticipated. As a result, this action is expected to have minimal effects on overall hunter-days in the areas, but may increase the value of the hunting experience by providing hunters with additional locations in which to hunt.

This proposed rule could impose costs on some current non-hunting visitors due to noise or other adverse effects associated with allowing this new use. However, these costs are expected to be minimal due to mitigations such as restrictions on types of weapons and distance restrictions from populated areas. The NPS may experience a small increase in costs associated with implementation and enforcement.

This rule is a ''one-time'' enabling regulation that would expand consumption options for the American public by increasing opportunities for access and recreation at each Monument. As a result, this rule qualifies as an E.O. 14192 deregulatory action pursuant to M–25–20, ''Guidance Implementing Section 3 of Executive Order 14192, Titled 'Unleashing Prosperity Through Deregulation' '' issued by the Office of Management and Budget, Office of Information and Regulatory Affairs, on March 26, 2025.

Regulatory Flexibility Act

This proposed rule would not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). No small entities would be directly regulated by this rule, which would authorize hunting by the general public within each Monument, subject to appropriate management. This action is expected to have minimal effects on visitation and is not expected to adversely affect local businesses or other small entities. For these reasons, the NPS certifies that this rule would not have a significant economic impact on a substantial number of small entities; therefore, a regulatory flexibility analysis is not required.

Congressional Review Act

This proposed rule, if finalized, is not expected to be a major rule under 5 U.S.C. 804(2). This proposed rule:

(a) Would not have an annual effect on the economy of $100 million or more.

(b) Would not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions.

(c) Would not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

Unfunded Mandates Reform Act

Section 202 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531) requires that agencies assess whether a rule would impose a Federal mandate that may result in the

expenditure by State, local, and Tribal governments in the aggregate, or by the private sector of $100,000,000 or more (adjusted annually for inflation) in any 1 year. As of 2025, that threshold is approximately $206 million (2024 dollars). This rule would not result in expenditures 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.''

Takings (Executive Order 12630)

This proposed rule would not effect a taking of private property or otherwise have takings implications under Executive Order 12630. A takings implication assessment is not required.

Federalism (Executive Order 13132)

Under the criteria in section 1 of Executive Order 13132, this proposed rule would not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement. This rule would only affect use of federally administered lands and waters. It would have no direct effects on other areas. A federalism summary impact statement is not required.

Civil Justice Reform (Executive Order 12988)

This proposed rule complies with the requirements of Executive Order 12988. This proposed rule:

(a) Meets the criteria of section 3(a) requiring that all regulations be reviewed to eliminate errors and ambiguity and be written to minimize litigation; and

(b) Meets the criteria of section 3(b)(2) requiring that all regulations be written in clear language and contain clear legal standards.

Consultation With Indian Tribes (Executive Order 13175 and Department Policy)

The Department of the Interior strives to strengthen its government-to-government relationship with Indian Tribes through a commitment to consultation with Indian Tribes and recognition of their right to self-governance and Tribal sovereignty. The NPS has evaluated this proposed rule under the criteria in Executive Order 13175 and under the Department's consultation policy and has concluded that this rule would not have substantial direct effects on Indian Tribes. Cultural resources staff at CRMO have provided Executive Order 14429 to the Shoshone-Bannock Tribes of Fort Hall and the Shoshone-Paiute Tribes of the Duck Valley Reservation for their awareness. Staff will also send formal consultation letters to consulting tribes, which consist of the two aforementioned tribes and the Northwestern Band of the Shoshone Nation, to initiate consultation pursuant to Section 106 of the National Historic Preservation Act. The Superintendent of CRMO has met with the Shoshone-Bannock Tribes of Fort Hall's Section 106 representative to discuss any concerns the Tribe may have regarding treaty rights under the Fort Bridger Treaty of 1868. The tribal liaison for CAMO will meet with the Fort Mojave and Chemehuevi tribes to inform them of this proposed rule and the opportunity for comment.

Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.)

This proposed rule contains no new information collections. All information collections require approval under the Paperwork Reduction Act of 1995 (PRA; 44 U.S.C. 3501 *et seq.*). The NPS may not conduct or sponsor, and you are not required to respond to a collection of information unless it displays a currently valid OMB control number.

National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 et seq.)

The NPS does not expect a detailed statement under the National Environmental Policy Act of 1969 (NEPA) would be required because the NPS anticipates that the rule would be covered by a categorical exclusion and will not involve any of the extraordinary circumstances listed in 43 CFR 46.215 that would require further analysis under NEPA. The NPS will document the application of a categorical exclusion to this rule if applicable.

Effects on the Energy Supply (Executive Order 13211)

This proposed rule is not a significant energy action under the definition in Executive Order 13211; this proposed rule is not likely to have a significant adverse effect on the supply, distribution, or use of energy, and this proposed rule has not otherwise been designated by the Office of Information and Regulatory Affairs as a significant energy action. A Statement of Energy Effects in not required.

Public Comment Period

Department of the Interior policy states that the bureaus should allow at least 60 calendar days for public comments on proposed rules but that shorter periods may be used in special cases requiring more timely action. 318 DM HB Section 5.4. The NPS has determined that the direction in Section 2(a) of E.O. 14429 that the NPS allow hunting in the Monuments within 90 days of the date of the order is a special case that requires more timely action. E.O. 14429 was issued on September 17, 2026. A 60-day comment period would leave only 15 days to develop and complete internal review and approval of the proposed and final rules, including public comment analysis, and publish each in the **Federal Register**. This would be an insufficient amount of time. As a result, the NPS has shortened the public comment period to 30 days in order to complete the rulemaking process in a sufficient and timely manner.

List of Subjects in 36 CFR Part 7

National parks, Reporting and recordkeeping requirements.

In consideration of the foregoing, the National Park Service proposes to amend 36 CFR part 7 as set forth below:

PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM

■ 1. The authority citation for part 7 continues to read as follows:

Authority: 54 U.S.C. 100101, 100751, 320102; Sec. 7.96 also issued under DC Code 10–137 and DC Code 50–2201.07.

■ 2. Add § 7.98 to read as follows:

§ 7.98 Castle Mountains National Monument.

(a) *Hunting.* Notwithstanding any other provision contained in this chapter, hunting shall be allowed in Castle Mountains National Preserve.

(b) *State law.* Where hunting is authorized, such activities shall be conducted in accordance with Federal law and the laws of the State of California.

(c) *Appropriate management.* Notwithstanding any provision in State law, hunting shall be subject to the following requirements.

(1) Hunting species subject to 16 U.S.C. 1533 is prohibited.

(2) Hunting within 200 yards of a wildlife watering place is prohibited. For purposes of this § 7.98, a wildlife watering place is defined as a waterhole, spring, seep or man-made watering device for wildlife such as a guzzler (a self-filling, in-the-ground water storage tank), horizontal well, or small impoundment of less than one surface acre in size.

(3) Hunting within one mile of the Castle Mountain Mine.

(4) None of the provisions in this section may be enforced to prohibit an individual from retrieving lawfully taken wildlife from within the restricted areas identified in paragraphs (c)(1) and

(c)(2) of this section, provided the wildlife was not otherwise hunted within those areas.

(d) *Superintendent's authority.*

(1) The Superintendent may establish closures, restrictions, and conditions on hunting that are the minimum necessary to prevent a significant impact to public health and safety, objects of historic and scientific interest that the Monument was established to protect, or endangered or threatened species.

(2) Except in emergencies, the Superintendent shall consult with appropriate State agencies before invoking the authority provided in paragraph (d)(1) of this section and notify the public of any such closures, restrictions or conditions through one or more methods listed in § 1.7 of this chapter, including publication in the Superintendent's Compendium (or written compilation) of discretionary actions referred to in § 1.7(b).

(3) Violating a closure, restriction, or condition established by the Superintendent under this paragraph (d) is prohibited.

■ 3. Add § 7.101 to read as follows:

§ 7.101 Craters of the Moon National Monument.

(a) *Hunting.* Notwithstanding any other provision contained in this chapter, hunting shall be allowed in Craters of the Moon National Monument.

(b) *State law.* Where hunting is authorized, such activities shall be conducted in accordance with Federal law and the laws of the State of Idaho.

(c) *Appropriate management.* Notwithstanding any provision in State law, hunting shall be subject to the following requirements.

(1) Hunting species subject to 16 U.S.C. 1533 is prohibited.

(2) The use of a weapon other than a short-range weapon is prohibited. For purposes of this § 7.101, a short-range weapon is:

(i) Any shotgun using any slug or double-aught (#00) or larger buckshot.

(ii) Any muzzleloader that is at least forty-five (0.45) caliber for deer, pronghorn, mountain lion, or gray wolf, or at least fifty (0.50) caliber for elk, moose, bighorn sheep, mountain goat, or black bear.

(iii) Any bow having a peak draw weight of not less than forty (40) pounds up to or at a draw of twenty-eight (28) inches.

(iv) Any crossbow having a peak draw weight of not less than one hundred fifty (150) pounds.

(v) Any handgun using straight wall centerfire cartridges not originally developed for rifles.

(vi) Any airgun using pre-charged pneumatic power to propel a projectile (excluding shot and arrows) with unignited compressed air or gas and projectiles at least thirty-five (0.35) caliber for deer and pronghorn antelope or at least forty-five (0.45) caliber for elk and moose.

(3) Hunting in the north end section of the Monument is prohibited. For purposes of this § 7.101, the north end section is defined as the NPS-administered lands within the Monument located north and northwest of Highway 20/93. Maps showing the location of the north end section will be made available at the Monument visitor center.

(d) *Superintendent's authority.*

(1) The Superintendent may establish closures, restrictions, and conditions on hunting that are the minimum necessary to prevent a significant impact to public health and safety, objects of historic and scientific interest that the Monument was established to protect, or endangered or threatened species.

(2) Except in emergencies, the Superintendent shall consult with appropriate State agencies before invoking the authority provided in paragraph (d)(1) of this section and notify the public of any such closures, restrictions or conditions through one or more methods listed in § 1.7 of this chapter, including publication in the Superintendent's Compendium (or written compilation) of discretionary actions referred to § 1.7(b).

(3) Violating a closure, restriction, or condition established by the Superintendent under this paragraph (d) is prohibited.

Kevin J. Lilly,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 2026–23228 Filed 11–13–26; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 85

[Docket No. VA–2026–VBA–0397]

RIN 2900–AS68

Dole State and Tribal Outreach Grant Program

AGENCY: Department of Veterans Affairs.

ACTION: Proposed rule.

SUMMARY: The Department of Veterans Affairs (VA) is proposing regulations to implement the Dole State and Tribal Outreach Grant Program (DSTOGP), as authorized under the Senator Elizabeth Dole 21st Century Veterans Healthcare and Benefits Improvement Act. This program aids veterans and their families by awarding funding to eligible organizations to carry out programs to improve covered outreach and assistance to ensure that veterans and their families are fully informed about, and assisted in applying for, any veterans and veterans-related benefits and programs (including veterans programs of a State or Indian Tribe) for which they may be eligible.

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

ADDRESSES: You may submit comments through *www.regulations.gov* under RIN 2900–AS68. That website includes a plain-language summary of this rulemaking. Comments will be posted for viewing by the public on *www.regulations.gov,* including any personally identifiable information (*e.g.,* a social security number or address) within a comment and its supporting materials. However, VA retains discretion to redact personal or sensitive information, including but not limited to personal or sensitive information pertaining to third parties. Additionally, VA will not post public comments that make threats to individuals or institutions or suggest that the commenter will take actions to harm an individual. Instructions for accessing agency documents, submitting comments, and viewing the rulemaking docket, are available on *www.regulations.gov* under ''FAQ.'' Any public comment received after the comment period's closing date is considered late and will not be considered in the final rulemaking.

FOR FURTHER INFORMATION CONTACT: Stacy Valenti, Veterans Benefits Administration (VBA), 504–460–9138 or *VBACOM2CRPostSepn@va.gov.*

SUPPLEMENTARY INFORMATION: The Senator Elizabeth Dole 21st Century Veterans Healthcare and Benefits Improvement Act (the Act), Public Law (Pub. L.) 118–210, was enacted on January 2, 2025. Section 302 of the Act, codified at title 38 United States Code (U.S.C.) 6307, authorizes the Secretary of Veterans Affairs to establish the DSTOGP to provide assistance to States and Indian Tribes to carry out programs that improve covered outreach and assistance to veterans and their spouses, children, and parents; to ensure that such individuals are fully informed about, and assisted in applying for, any veterans and veterans-related benefits and programs (including veterans programs of a State or Indian Tribe) for which they may be eligible; and to

facilitate opportunities for such individuals to receive competent, qualified services in the preparation, presentation, and prosecution of veterans benefits claims. The Secretary delegated implementation authority to the Office of Military to Civilian Readiness (M2CR) within VBA. VA proposes to amend its regulations by adding a new part 85 to title 38, Code of Federal Regulations (CFR) to establish the requirements and procedures needed to administer this grant program in accordance with 38 U.S.C. 6307.

Purpose of the DSTOGP

As part of the implementation of section 302 of the Act, the DSTOGP would provide funding to States and Indian Tribes to improve proactive outreach, benefits education, and claims assistance for veterans and their families. Pursuant to the Act, this could include but not limited to using funds to:

- Reach out to recently separated or long-discharged veterans—and their spouses, children, and parents—to identify those who may be unaware of VA, State, or Tribal benefits.
- Explain veterans benefits by delivering clear briefings on compensation, education, housing, and other entitlements, and by tailoring information to each family's circumstances.
- Develop and advance VA, State, and Tribal claims by pairing veterans and family members with accredited or other representatives, as appropriate, who can compile evidence, complete applications, and represent claimants through every stage of the decision-making process.
- Increase the number of county or Tribal veterans service officers (VSO) serving in the State by hiring new, additional such officers.

To apply applicants must submit a proposal to VA. Part of that proposal must demonstrate a documented need in their target communities and explain how their proposed project would track and achieve certain outcome measures established by VA. (for example, these could include metrics such as outreach contacts, benefit enrollments, and claim outcomes). Proposals that devote the bulk of the requested resources to informing, guiding, and advocating for veterans and their families fall within the Act's primary intent. Complementary services (such as, coordinated transportation to VA medical centers and onsite legal aid clinics for discharge upgrades) could also be considered. VA would further prioritize proposals that serve areas with a critical shortage of county or Tribal VSOs, or areas with high rates of suicide among veterans or referrals to the Veterans Crisis Line. See 38 U.S.C. 6307(f).

Applications for DSTOGP funding must present a clear, evidence-based narrative that shows how the applicant will locate hard-to-reach veterans and family members, inform them of every benefit for which they may be eligible, and guide them through the full lifecycle of a VA or similar claim. A strong proposal describes step-by-step outreach channels (such as, Tribal radio spots, faith community briefings, and social media geo-targeting), intake and needs assessment tools, accredited claims prep support, and follow-up contacts that confirm benefits enrollment or payment. Applicants must also detail any wraparound supports (such as, translation, transportation, and legal aid for discharge upgrades) that remove barriers to successful claims completion.

Proposals must include a detailed, cost-justified budget tied to these proposed activities. The budgets must show costs associated with staff time, travel, technology, and evaluation costs, while demonstrating how resources are tied to outreach, benefits education, and claims development for the targeted veteran population and their families. Applicants may include participant flow chart, Gantt chart, or similar graphic may illustrate the sequence from initial outreach to claim decision and post-award check-ins. Examples of proven outreach activities include mobile ''benefits buses,'' community benefits fairs cohosted with State and Tribal agencies, virtual claims workshops, and embedded VSOs in rural county offices.

Grantees would be required to carry out proactive outreach, intake, and needs assessments to identify veterans and family members who may not be receiving the benefits they have earned. They must deliver individualized benefits counseling and claims assistance, guiding participants through each stage of the claims process, including the initial application, evidence gathering, and appeals processes. Grantees are expected to track and confirm benefit awards, then address any economic, benefits, or healthcare gaps that remain. To ensure participants can fully leverage their benefits, programs should also provide, or coordinate, wraparound supports such as employability skills workshops, financial literacy coaching, or referrals to medical services.

Part 85 of Title 38, Code of Federal Regulations

VA proposes to establish and implement, in new 38 CFR part 85, the DSTOGP authorized by section 302 of the Act. Establishment of this new part ensures organization and clarity for implementation of this new grant program. Consistent with the Act, VA proposes to title part 85 the ''Dole State and Tribal Outreach Grant Program.''

85.1 Purpose and Scope

Proposed § 85.1 would set forth the purpose and scope of DSTOGP. Paragraph (a) would state that this part implements the DSTOGP with the purpose of improving covered outreach and assistance to veterans and their families to ensure such individuals are fully informed of, and assisted in applying for, any veteran and veterans-related benefits and programs (including veterans' programs of a State or Indian Tribe). This is consistent with the purpose noted in 38 U.S.C. 6307(a). Paragraph (b) would outline the scope of VA's authority, consistent with § 6307(b). Specifically, it would make clear that VA may provide grants to eligible organizations to provide outreach services and intensive client-centered case management services tailored to the unique needs of veterans and their families and that these services may include, but are not limited to, benefits assistance, claims navigation, local resource referrals, and engagement activities that improve access to services and support.

85.2 Definitions

As this is a new VA authority, VA proposes to define terms in § 85.2 that would be referenced in the new part. First, VA proposes to define the terms ''applicant,'' ''grantee,'' ''Notice of Funding Opportunity (NOFO),'' and ''grant agreement'' in a manner consistent with other VBA regulations for outreach assistance grant programs. See, *e.g.,* 38 CFR 80.2.

Section 6307(b) authorizes VA to award grants to States and Indian Tribes. Thus, VA proposes to define the term ''eligible recipient (organization)'' to mean: a ''State government,'' which would be defined as any of the fifty States of the United States, the District of Columbia, Commonwealths, territories, or possessions of the United States, or any agency or instrumentality of a State government; or a ''Tribal organization'' or an organization with the meaning given in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

VA's proposed definition of State government is consistent with how VA has previously defined State entities eligible for outreach assistance grant programs. See, *e.g.,* 38 CFR 80.2. As for VA's proposed definition of ''Tribal organization,'' VA believes specifying a ''Tribal organization'' (as defined at 25 U.S.C. 5304) as an eligible organization is consistent with 38 U.S.C. 6307(n)(3), which defines ''Indian tribe'' to have the meaning given such term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e)).

VA also proposes to define the term ''veterans-related benefits and programs'' to clarify the scope of services supported under this authority. For purposes of this part, ''veterans-related benefits and programs'' would mean benefits, services, and assistance administered by VA under the authority of the Under Secretary for Benefits, as well as comparable benefits, services, and assistance provided by State and Tribal governments that support veterans, their dependents, and beneficiaries. This definition aligns with VA's statutory authority while allowing flexibility for State and Tribal partners to deliver similar outreach, benefits, and services within their respective jurisdictions.

Finally, VA proposes to define the term ''participant'' as a veteran, or a spouse, child, or parent of a veteran, who receives services for which a DSTOGP grant is awarded. The purpose of the DSTOGP is to improve outreach to veterans and their spouses, children, and parents; therefore, VA proposes to use a definition that captures additional family members within the expanded scope of the DSTOGP, compared to the term ''participant'' as used in another veteran grant program (see 38 CFR 80.2(n)).

85.3 Grants—General

In § 85.3, VA proposes to provide general information about DSTOGP grants. Paragraph (a) would state that VA would award DSTOGP grants to applicants selected in accordance with this part. Paragraph (b) would state that the maximum amount to be awarded to each grantee and the total maximum amount for all grants would be specified in the NOFO. Paragraph (c) would specify that the number of grants VA would award would depend on the total amount of grant funding available at VA's discretion and the funding amount awarded to each grantee, which is based on each grantee's proposal.

Paragraph (d) would clarify that VA would award only one DSTOGP grant in any one location, as specified in the NOFO. This limitation ensures VA compliance with section 6307(d), requiring the Secretary to equitably distribute grants among States and Indian Tribes with varying levels of urbanization. Paragraph (e) would provide that DSTOGP grant awards last for a maximum period of 2 years, beginning on the date of the award. Awards will not be extended; however, this limitation would not preclude an entity from subsequent award grants under a separate NOFO. Paragraph (f) would specify that a grant under this part should not exceed the amount required by the organization to provide the services described in § 85.1. Finally, paragraph (g) would prohibit a grantee from charging fees to a participant or requiring participation in other activities sponsored by the grantee as a condition of receiving services under the DSTOGP grant.

85.4 Notice of Funding Opportunity

VA will notify the public, through a NOFO, when funds for this grant program are available. Proposed § 85.4 would explain that when funds are available for DSTOGP grants, VA would publish a NOFO on *Grants.gov* website. It would include the location for obtaining grant applications; submission deadlines; any preferences for priority population(s); the estimated amount of funding available, in total and per grantee; the minimum number of total points and points per category that an applicant must receive to be considered for a DSTOGP grant; any timeframes and manner for grant payments; a description of eligible organizations; and any other information necessary for the application process, as determined by VA. This could include, but is not limited to, a description of the program, including the program goals and objectives, a reference to the relevant Assistance Listings (''detailed public descriptions of Federal programs that provide grants, loans, scholarships, insurance, and other types of assistance awards,'' per *SAM.gov*), and a description of how the award will contribute to the achievement of the program's goals and objectives. These components are consistent with the requirements and recommendations within 2 CFR part 200 regarding notices of funding opportunity (see 2 CFR 200.204).

Additionally, proposed § 85.4 would state that the NOFO would include a description of outcome measures developed by the Secretary that would be used to assess grantee performance. In addition to requirements under 2 CFR part 200 to establish and include performance goals in any Federal award (see 2 CFR 200.211), section 6307(j) directs the Secretary to develop and provide to grantees outcome measures for the DSTOGP that consider specific goals outlined in the statute. Applicants must describe how their proposal would meet such outcome measures, as required under section 6307(c)(2)(B). Thus, VA would need to identify these measures in the NOFO.

85.5 Applications

VA proposes to describe in § 85.5 that, to apply for a DSTOGP grant, an applicant must submit a complete application package to VA, as described in the NOFO posted at *Grants.gov.* VA intends to define a complete application in the NOFO as including those application items expressly required under section 6307(c)(2) and any other information the Secretary may need to make in selecting grantees. See 38 U.S.C. 6307(c)(1). This information would likely include a well-articulated project narrative that describes program design (including outreach), recruitment and engagement plans, assessment process, identification of local area network providers, and the applicant's ability and capacity to administer the grant.

85.6 Additional Factors for Selecting Applications

In addition to the scoring criteria published in the NOFO, VA proposes to outline, in § 85.6, additional factors VA may consider when selecting grantees. These factors would include evaluation of certain financial factors, such as performance on previous Federal grants, ability to demonstrate standards of fiscal integrity, per 2 CFR 200.206, and financial capability and internal controls. VA would also specify in proposed § 85.6 that priority would be given to projects that would serve areas with a critical shortage of county or Tribal VSOs or areas with high rates of suicide among veterans or referrals to the Veterans Crisis Line. Finally, VA would include in proposed paragraph (e) a requirement that at least five percent of any total amount of grants awarded under a NOFO must be made to Tribal organizations, as required under 38 U.S.C. 6307(e).

85.7 Scoring and Selection

Under proposed § 85.7, VA would evaluate each DSTOGP application, submitted on time and in full compliance with the NOFO, against clear, benefit-centric scoring criteria specified in the NOFO. The NOFO announcement would specify the relative weight (point value) for each scoring criterion. Point totals would

emphasize an applicant's capacity to perform targeted outreach, deliver accurate benefits education, and provide claims preparation and follow-through. VA would rank applications by score, in order of highest to lowest total score, then weigh additional factors outlined in proposed § 85.6 to ensure each grantee can responsibly expand veterans' access to earned benefits.

85.8 Disposition of Applications

Proposed § 85.8 states that VA would assign one of three dispositions to an application reviewed under § 85.7 and notify applicants via a written notice of the decision. The first potential disposition would be to approve the application, in whole or in part. The second would be to disapprove an application because, while minimally acceptable, it does not rank high enough in relation to other applications based on the level of funding available, or for another reason as provided in the decision document. Finally, VA could disapprove an application because it was not complete. As noted under proposed § 85.18, VA application decisions would be discretionary and not subject to appeal.

85.9 Withdrawal of Grant Application

VA proposes to include a withdrawal provision in § 85.9. Applicants would be able to request to withdraw their application from consideration by writing to the VA point of contact specified in the published NOFO. While not required, VA recommends that applicants provide a rationale for the withdrawal request.

85.10 Grant Agreement

For grant awards, VA proposes in § 85.10 that VA would memorialize awards in an agreement to be drafted by VA and executed by VA and the grantee. Grantees and subrecipients would be required to agree to operate the project in accordance with proposed 38 CFR part 85, 2 CFR part 200, and any terms outlined in the grant agreement. Part 200 offers uniform guidance and conditions for the management and administration of Federal grants. VA also proposes to require grantees and subrecipients to comply with such other terms and conditions as VA may establish for purposes of carrying out DSTOGP, including those concerning recordkeeping and reports for program monitoring and evaluation purposes, in an effective and efficient manner; and provide any necessary additional information requested by VA in the manner and timeframe specified by VA. These proposed requirements are consistent with other VA grant programs. Finally, VA proposes to include a paragraph stating that VA will include in the grant agreement any outcome measures, consistent with the NOFO, that must be met in order to qualify for subsequent DSTOGP grants.

85.11 Payments Under the Grant

Proposed § 85.11 would specify that payments would follow the schedule described in the NOFO and that grantees would not be reimbursed for costs resulting from obligations incurred before the effective date of the award.

85.12 Grantee Reporting Requirements

Under proposed § 85.12(a), grantees would be required to submit to VA quarterly reports no later than 30 days after the quarter ends. Such reports would be required to include information outlined in the grant agreement, including but not limited to outreach activity, participant numbers, expenditures, and outcomes. Proposed paragraph (b) would require grantees, within 120 days after the last day of the grant period, to submit a final report to VA complying with the NOFO requirements. Finally, proposed paragraph (c) would specify that additional reports may be required for accountability, program evaluation, and compliance with the Foundations for Evidence-Based Policymaking Act of 2018 (Evidence Act), Public Law 115–435. The Evidence Act requires agencies to ''advance program evaluation as an essential component of Federal evidence building.'' Program evaluation is defined as ''an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency.'' While specific program evaluations are required in various applicable laws and Congressional reports, VA may also evaluate major acquisition programs, other programs, and policies that in the judgment of VA leaders are significant and are likely to benefit from such evaluation.

85.13 Remediation Plan; Subsequent Grants

Section 6307(m) prohibits VA from awarding a subsequent grant under the DSTOGP to any grantee who fails to meet the outcome measures developed by the Secretary, unless the Secretary approves a remediation plan submitted by the grantee. As discussed above, VA would announce such outcome measures in the NOFO, providing applicants an opportunity to describe how their proposal would accomplish such measures. VA would then incorporate such measures into the DSTOGP agreement, consistent with the Act and the Office of Management and Budget (OMB) guidance under 2 CFR part 200. Proposed § 85.13 would inform grantees that, in the event the grantee does not meet the outcome measures developed by the Secretary, the grantee would not be eligible for a subsequent DSTOGP grant unless the grantee submits and VA approves a remediation plan describing how and when the grantee plans to meet such outcome measures.

85.14 Withholding, Suspension, Deobligation, Termination, and Recovery of Funds by VA

Upon execution of the grant agreement, VA would obligate grant funds to the extent authorized by VA in the NOFO or the grant agreement or subsequently authorized by VA in writing. Proposed § 85.14(a) explains that VA would enforce part 85 through such actions as may be appropriate. Appropriate actions would include withholding, suspension, deobligation, termination, recovery of funds by VA, and actions in accordance with 2 CFR part 200. VA also proposes to define withholding to mean that payment of DSTOGP grant funds would not be paid until such time as VA determines that the grantee provides sufficiently adequate documentation or takes actions to correct a deficiency.

The specific sections of 2 CFR part 200 on withholding, suspension, deobligation, termination, and recovery of funds are 2 CFR 200.208, 200.305, and 200.339 through 200.343, and 200.346. VA would refer to 2 CFR part 200 rather than include those requirements in this section as those requirements in 2 CFR part 200 may change. Referring to 2 CFR part 200 provides VA the ability to implement those changes without having to conduct further rulemaking.

VA acknowledges that when certain actions (such as suspension and termination) are taken against grantees pursuant to this section and 2 CFR part 200, a disruption in services to participants may occur. While VA would not be regulating responsibilities for grantees to continue to provide services or to coordinate the transfer of participants to other sources of support, VA would include such requirements and responsibilities in the grant agreement entered into by VA and the grantee pursuant to this part. This arrangement would ensure that the disruption and impact upon participants is minimized as much as possible.

85.15 Compliance Review Requirements

VA would further ensure fiscal responsibility by proposing in § 85.15 to conduct site visits and inspections to review grantee accomplishments, management systems, and records. All visits would be performed with minimal disruption to the grantee to the extent practicable.

85.16 Financial Management

Proposed § 85.16 would ensure compliance with Federal grant regulations (that is, 2 CFR part 200) by requiring all grantees and subgrantees to comply with the Single Audit Act Amendments of 1996 and to use financial management systems based on OMB cost principles outlined at 2 CFR 200.400 through 200.475.

85.17 Recordkeeping

Proposed § 85.17 would state that grantees must maintain records per 2 CFR 200.334–200.338 and produce them upon VA's request.

85.18 Non-Appealability of Grant Award Decisions

Grant decisions under this part do not award benefits and are at the discretion of the Secretary. As such, proposed § 85.18 would specify that any decisions under this part are final and not subject to appeal.

Executive Orders 12866, 13175, 13563, and 14192

VA examined the impact of this rulemaking as required by Executive Orders 12866 (Sept. 30, 1993) and 13563 (Jan. 18, 2011), which direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. The Office of Information and Regulatory Affairs has determined that this rulemaking is a significant regulatory action under Executive Order 12866, as supplemented by Executive Order 13563. This proposed rule is expected to be neither a regulatory nor deregulatory action under Executive Order 14192 due to costs being no more than *de minimis.* The regulatory impact analysis associated with this rulemaking can be found as a supporting document at *www.regulations.gov.*

Executive Order 12866 directs agencies to ''in most cases . . . include a comment period of not less than 60 days.'' This rulemaking proposes to establish regulations that govern the newly authorized DSTOGP with funds appropriated in fiscal years 2026 and 2027. However, OMB has issued government-wide guidance regarding Federal grant assistance outlined at 2 CFR part 200, with agencies required to issue implementing regulations for specific grant programs that are consistent with that part. As such, VA generally receives few, if any, substantive comments regarding its program-specific grant assistance regulations. Thus, we believe there is nothing in this proposed rule that would be unfamiliar to the public and that providing 30 days would still be sufficient for the public to meaningfully comment on this rule. For these reasons, the Secretary issues this rule with a 30-day public comment period. VA will consider and address comments that are received within 30 days of the date this proposed rule is published in the **Federal Register**.

Executive Order 13175 provides that Federal agencies may not issue a regulation that has Tribal implications, that imposes substantial direct compliance costs on Tribal governments, and that is not required by statute, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the Tribal Organizations or the Federal agency consults with Tribal officials early in the process of developing the proposed regulation and develops a Tribal summary impact statement. VA's DSTOGP is required by statute, but participation is voluntary and 100 percent of the costs for an approved project may be provided by VA. Thus, Executive Order 13175 requirements are not applicable.

However, in the spirit of the Executive Order, VA has communicated with the Tribal Organizations regarding the implementation of this grant program. Senior VA officials and representatives continue to meet with and communicate with Tribal Organizations that are interested in the grant program. VA has not received any written comments regarding the subject of this proposed regulation from Tribal Organizations, but welcomes their input during the 30-day comment period following publication of the proposed rule.

Regulatory Flexibility Act

The Secretary hereby certifies that this proposed rule would not have a significant economic impact on a substantial number of small entities as defined by the Regulatory Flexibility Act (5 U.S.C. 601–612). The Secretary acknowledges that this proposed rule may affect some Tribal governments that may be considered small entities; however, VA does not believe it would impact a substantial number of small entities. Further, even if a substantial number of small entities were affected, the economic impact of this rule is not significant. This proposed rule would not impose any mandatory requirements or costs on small entities as a whole and will only affect those that choose to participate in the DSTOGP. To the extent this proposed rule would have any impact on small entities, the impact of this amendment is both minimal and entirely beneficial. Therefore, under 5 U.S.C. 605(b), the initial and final regulatory flexibility analysis requirements of 5 U.S.C. 603 and 604 do not apply.

Unfunded Mandates

This proposed rule would not result in the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector, of $100 million or more (adjusted annually for inflation) in any one year.

Paperwork Reduction Act

This proposed rule includes provisions constituting a new collection of information under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3521). Under the PRA, Federal agencies must obtain approval from OMB for each collection of information they conduct or sponsor.

Comments on this new collection of information should be submitted through *www.regulations.gov* during the public comment period for this rulemaking. VA invites comments on: (1) whether the proposed collection of information is necessary for the proper performance of VA's functions, including whether the information will have practical utility; (2) the accuracy of VA'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 respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Dole State and Tribal Outreach Grant Program (DSTOGP) Application.

OMB Control No: 2900–NEW.

CFR Provisions: 38 CFR 85.5.

Type of Review: New collection.

Abstract: The collection of information in proposed 38 CFR 85.5 would require DSTOGP grant applicants to submit the SF–424, *Application for Federal Assistance,* SF–424A, *Budget Information—Non-Construction Programs,* SF–LLL, *Disclosure of Lobbying Activities,* and the *Project/Performance Site Location(s)* forms available from *Grants.gov.* The purpose of this collection is to determine

applicant eligibility for a DSTOGP grant. VA would use this information to score and evaluate grant applications.

Affected Public: Eligible recipients interested in applying for a DSTOGP grant.

Estimated Annual Burden: 867 hours.

Estimated Average Burden per Respondent: 260 minutes.

Frequency of Response: Annually.

Estimated Number of Respondents: 200.

Title: Dole State and Tribal Outreach Grant Program (DSTOGP) Grantee Reporting and Recordkeeping.

OMB Control No: 2900–NEW.

CFR Provisions: 38 CFR 85.12 and 85.17.

Type of Review: New collection.

Abstract: The collection of information in proposed 38 CFR 85.12 would require DSTOGP grantees to submit quarterly performance reports; SF–425, *Federal Financial Report;* and additional reports, as determined by VA. The collection of information in proposed 38 CFR 85.17 would require DSTOGP grantees to comply with applicable recordkeeping requirements outlined in 2 CFR part 200. The purpose of this collection is to support program implementation and ensure adequate oversight, transparency, and accountability under the Act.

Affected Public: Eligible recipients interested in applying for a DSTOGP grant.

Estimated Annual Burden: 560 hours.

Estimated Average Burden per Respondent: 1 hour.

Frequency of Response: Quarterly.

Estimated Number of Respondents: 35.

Assistance Listing

The Assistance Listing number and title for the program affected by this document is 64.061, Dole State and Tribal Outreach Grant Program (DSTOGP).

List of Subjects in 38 CFR Part 81

Administrative practice and procedure, Armed Forces, Employment, Grant programs—veterans, Indians, Indians—tribal government, Reporting and recordkeeping requirements, Outreach, Veterans.

Signing Authority

Douglas A. Collins, Secretary of Veterans Affairs, approved this document on November 9, 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.

Gabriela DeCuir,

Alternate Federal Register Liaison Officer, Department of Veterans Affairs.

For the reasons stated in the preamble, VA proposes to amend title 38 by adding part 85 as set forth below:

PART 85—DOLE STATE AND TRIBAL OUTREACH GRANT PROGRAM

85.1 Purpose and scope.
85.2 Definitions.
85.3 Grants—general.
85.4 Notice of Funding Opportunity (NOFO).
85.5 Applications.
85.6 Additional factors for selecting applications.
85.7 Scoring and selection.
85.8 Disposition of applications.
85.9 Withdrawal of grant application.
85.10 Grant agreement.
85.11 Payments under the grant.
85.12 Grantee reporting requirements.
85.13 Remediation plan; subsequent grants.
85.14 Withholding, suspension, deobligation, termination, and recovery of funds by VA.
85.15 Compliance review requirements.
85.16 Financial management.
85.17 Recordkeeping.
85.18 Non-appealability of grant award decisions.

Authority: 38 U.S.C. 501, 512, 6307.

§ 85.1 Purpose and scope.

(a) *Purpose.* This part implements the Dole State and Tribal Outreach Grant Program (DSTOGP) with the purpose of improving covered outreach and assistance to veterans and their families to ensure such individuals are fully informed about, and assisted in applying for, any veterans and veterans-related benefits and programs (including veterans programs of a State or Indian Tribe).

(b) *Scope.* Under this program, VA may provide grants to eligible organizations to provide outreach services and intensive client-centered case management services tailored to the unique needs of veterans and their families. These services may include, but are not limited to, benefits assistance, claims navigation, local resource referrals, and engagement activities that improve access to services and support.

§ 85.2 Definitions.

For purposes of this part and any Notice of Funding Opportunity (NOFO) issued pursuant to this part:

(a) *Applicant* means an organization that submits an application for a DSTOGP grant as announced in a NOFO.

(b) *Eligible recipient (organization)* means one of the following:

(1) State government; or

(2) Tribal organization.

(c) *State government* means any of the fifty States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, any territory or possession of the United States, or any agency or instrumentality of a State government.

(d) *Tribal organization* has the same meaning given in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

(e) *Grantee* means an applicant that is awarded a grant under this part.

(f) *Participant* means a veteran or a spouse, child, or parent of a veteran who receives services for which a DSTOGP grant is awarded.

(g) *Notice of Funding Opportunity (NOFO)* means a Notice of Funding Opportunity published at *Grants.gov* in accordance with § 85.4.

(h) *Grant agreement* means a legal instrument of financial assistance between a Federal awarding agency or pass-through entity and a non-Federal entity that is consistent with 31 U.S.C. 6302 and 6304.

(i) *Veterans-related benefits and programs benefits* means services and assistance administered by VA under the authority of the Under Secretary for Benefits, as well as comparable benefits, services, and assistance provided by State and Tribal governments that support veterans, their dependents, and beneficiaries.

§ 85.3 Grants—general.

(a) *Grants.* VA will award DSTOGP grants to applicants selected in accordance with this part.

(b) *Maximum amounts.* The maximum amount to be awarded to each grantee and the total maximum amount for all grants will be specified in the NOFO.

(c) *Number of grants awarded.* The number of grants VA will award will depend on the total amount of grant funding available at VA's discretion and the funding amount awarded to each grantee, which is based on each grantee's proposal.

(d) *Grant award limitation.* Only one DSTOGP grant will be awarded in any one location, as specified in the NOFO.

(e) *Period of performance.* DSTOGP grants will be awarded for a maximum period of 2 years, beginning on the date on which the DSTOGP grants are awarded. They will not be extended. This does not preclude an entity from subsequent award grants under a separate NOFO.

(f) *Amount of grant.* A grant under this part shall not exceed the amount required by the organization to provide the services described in § 85.1.

(g) *No participant charges.* A grantee may not charge any participants a fee for services provided by the grantee or require participation in other activities sponsored by the grantee as a condition of receiving services under the DSTOGP grant.

§ 85.4 Notice of Funding Opportunity (NOFO).

When funds are available for DSTOGP grants, VA will publish a NOFO at *Grants.gov* (*https://www.grants.gov*). The NOFO will include:

(a) The location for obtaining DSTOGP grant applications, including the specific forms required;

(b) The date, time, and place for submitting completed DSTOGP grant applications;

(c) Priority population categories;

(d) The estimated total amount of funds available and the maximum funds available to a single grantee;

(e) The minimum number of total points and points per category that an applicant must receive to be considered for a grant and information regarding the scoring process;

(f) Any timeframes and manner for payments under the DSTOGP grant;

(g) A description of eligible organizations or other eligibility requirements;

(h) A description of outcome measures developed by the Secretary that will be used to assess grantee performance; and

(i) Other information necessary for the DSTOGP grant application process, as determined by VA.

§ 85.5 Applications.

To apply for a grant, an applicant must submit a complete application package to VA, as described in the NOFO. Applications will be accepted only through *www.grants.gov.*

(Approved by the Office of Management and Budget under control number 2900–NEW)

§ 85.6 Additional factors for selecting applications.

(a) *Applicant's performance on prior award.* VA may consider the applicant's noncompliance with requirements applicable to prior VA or other agency awards.

(b) *Applicant's fiscal integrity.* Applicants must meet and maintain standards of fiscal integrity, per 2 CFR 200.206.

(c) *Priority preference.* Priority will be given to applicants whose proposals will serve:

(1) Areas with a critical shortage of county or Tribal veterans service officers; or

(2) Areas with high rates of—

(A) suicide among veterans; or

(B) referrals to the Veterans Crisis Line.

(d) *Risk assessment evaluation.* VA will evaluate the applicant's financial capability and internal controls.

(e) *Set-aside.* VA must ensure that at least five percent of any total amount of grants awarded under a NOFO is made to Tribal organizations.

§ 85.7 Scoring and selection.

(a) *Scoring.* VA will only score complete applications received from eligible applicants by the deadline established in the NOFO. The applications must meet the minimum criteria set forth in the NOFO and will be scored as specified in the NOFO.

(b) *Selection.* Applications will be ranked by score and selected accordingly, also considering factors in § 85.6.

§ 85.8 Disposition of applications.

(a) Based on application review and funding availability, VA will:

(1) Approve the application for funding, in whole or in part;

(2) Determine the application is acceptable but not fund the proposed program because it does not rank sufficiently high in relation to other applications to qualify for an award based on the level of funding available, or for another reason as provided in the decision document; or

(3) Determine the application was not complete and therefore VA did not evaluate the application pursuant to § 85.7.

(b) Applicants will receive written notice of the decision.

§ 85.9 Withdrawal of grant application.

Applicants may withdraw a DSTOGP application submitted via *Grants.gov* by writing to the VA contact specified in the NOFO.

§ 85.10 Grant agreement.

(a) VA will draft a DSTOGP grant agreement to be executed by VA and the grantee.

(b) The DSTOGP grant agreement will provide that the grantee agrees to, and will ensure that each subgrantee (if applicable) agrees to:

(1) Operate the project in accordance with this part, 2 CFR part 200, and the terms of the grant agreement.

(2) Comply with such other terms and conditions as VA may establish for purposes of carrying out DSTOGP, including those concerning recordkeeping and reports for program monitoring and evaluation purposes, in an effective and efficient manner; and

(3) Provide any necessary additional information requested by VA in the manner and timeframe specified by VA.

(c) VA will include in the grant agreement any outcome measures, consistent with the NOFO, that must be met in order to qualify for subsequent DSTOGP grants.

§ 85.11 Payments under the grant.

(a) Payments will follow the schedule described in the NOFO.

(b) Grantees will not be reimbursed for costs resulting from obligations incurred before the effective date of the award.

§ 85.12 Grantee reporting requirements.

(a) Quarterly reports are due 30 days after the quarter ends and must include information outlined in the grant agreement, including but not limited to outreach activity, participant numbers, expenditures, and outcomes.

(b) Final reports are due 120 days after the end of the grant period.

(c) Additional reports may be required for accountability, program evaluation, and compliance with the Foundations for Evidence-Based Policymaking Act of 2018.

(Approved by the Office of Management and Budget under control number 2900–NEW)

§ 85.13 Remediation plan; subsequent grants.

In the event a grantee does not meet the outcome measures outlined in the DSTOGP grant agreement, VA will not approve a subsequent DSTOGP grant unless the grantee submits and VA approves a remediation plan describing how and when the grantee plans to meet such outcome measures.

§ 85.14 Withholding, suspension, deobligation, termination, and recovery of funds by VA.

VA will enforce this part through such actions as may be appropriate. Appropriate actions include withholding, suspension, deobligation, termination, recovery of funds by VA, and actions in accordance with 2 CFR part 200. For purposes of this section, withholding means that payment of DSTOGP grant funds will not be paid until such time as VA determines that the grantee provides sufficiently adequate documentation or takes actions to correct a deficiency for the grant.

§ 85.15 Compliance review requirements.

(a) VA may conduct site visits, as needed, to review grantee

accomplishments and management control systems.

(b) VA may inspect grantee records to determine compliance with the provisions of this part.

§ 85.16 Financial management.

(a) All grantees (and subgrantees) must comply with the applicable requirements of the Single Audit Act Amendments of 1996, as implemented by 2 CFR part 200.

(b) Grantees must use financial management systems that comply with 2 CFR 200.400–200.475.

§ 85.17 Recordkeeping.

Grantees must maintain records per 2 CFR 200.334–200.338 and produce them upon VA request.

(Approved by the Office of Management and Budget under control number 2900–NEW)

§ 85.18 Non-appealability of grant award decisions.

VA grant award decisions under this part are final and not subject to appeal.

[FR Doc. 2026–23220 Filed 11–13–26; 8:45 am]

BILLING CODE 8320–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[EPA–R10–OAR–2026–8551; FRL–13545–01–R10]

Air Plan Approval; AK; Fairbanks $PM_{2.5}$ Boundary Redesignation and Clean Data Determination

AGENCY: The Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a request from Alaska to revise the boundary designation of the existing Fairbanks North Star Borough nonattainment area for the 2006 primary 24-hour fine particulate matter ($PM_{2.5}$) National Ambient Air Quality Standard (NAAQS). The EPA is proposing to split the existing nonattainment area into two distinct nonattainment areas, an area covering Fairbanks and the Goldstream Valley, and an area covering North Pole. The proposed new areas cover the same geographic area as the existing area. The EPA is also proposing to issue a clean data determination (CDD), for the proposed Fairbanks and Goldstream Valley area (''proposed Fairbanks nonattainment area'') based on a determination that the area is attaining the 2006 $PM_{2.5}$ NAAQS. If the EPA finalizes this CDD, certain Clean Air Act (CAA) requirements that apply to the proposed Fairbanks nonattainment area will be suspended for so long as the area continues to meet the 2006 24-hour $PM_{2.5}$ NAAQS. The EPA is taking this action pursuant to Clean Air Act sections 107, 110, 172, and 189.

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

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R10–OAR–2026–8551, at *https://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov.* The EPA may publish any comment received to its public docket. Do not electronically submit any information you consider to be Confidential Business Information (CBI) or other information the disclosure of which is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Matthew Jentgen, EPA Region 10, 1200 Sixth Avenue, Suite 155, Seattle, WA 98101; by telephone at (206) 553–0340, or by email at *jentgen.matthew@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document, the use of ''we,'' ''us,'' or ''our'' is intended to refer to the EPA. We use multiple abbreviations and terms in this proposed rule. While this list may not be exhaustive, for ease of reading and for reference purposes, the EPA defines the following terms and acronyms here:

Alaska DEC Alaska Department of Environmental Conservation
AQS Air Quality System
CAA Clean Air Act
CDD Clean Data Determination
EPA U.S. Environmental Protection Agency
NAAQS National Ambient Air Quality Standards
$PM_{2.5}$ Fine Particulate Matter
SIP State Implementation Plan
SLAMS State and Local Air Monitoring Station
TSD Technical Support Document

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I. Executive Summary

A. What action is the EPA taking?

The EPA is proposing to approve a request from Alaska to revise the boundary designation of the Fairbanks North Star Borough nonattainment area for the 2006 primary 24-hour $PM_{2.5}$ NAAQS.[1] The Agency is proposing to split the existing nonattainment area into two distinct nonattainment areas, a Fairbanks and Goldstream Valley area (''Fairbanks nonattainment area'') and a North Pole area (''North Pole nonattainment area'), that cover the same geographic area as the existing nonattainment area. The EPA is also proposing to issue a CDD for the proposed Fairbanks nonattainment area for the 2006 24-hour $PM_{2.5}$ NAAQS.

B. What is the legal authority and what are the requirements?

The EPA is proposing to revise the existing nonattainment area boundary pursuant to CAA section 107. CAA section 107(d)(3)(D) authorizes the Governor of any State to submit to the Administrator a revised designation of any area or portion thereof within the State. The Agency must approve or deny such proposed redesignation within 18 months. Under CAA section 107(d)(1)(A), any area that does not meet (or that contributes to ambient air quality in a nearby area that does not meet) the NAAQS must be designated as a nonattainment area.

The EPA is proposing the CDD pursuant to CAA sections 172 and 189 and 40 Code of **Federal Register** (CFR) 51.1015 for the proposed Fairbanks nonattainment area. These statutory and regulatory provisions authorize the Agency to suspend certain nonattainment planning obligations if a $PM_{2.5}$ nonattainment area has attained the $PM_{2.5}$ NAAQS. If finalized, the CDD would relieve the State from the

[1] *See* 40 CFR 81.302.

requirements to submit an attainment demonstration, reasonable further progress plan, quantitative milestones and quantitative milestone reports, and contingency measures until the proposed Fairbanks nonattainment area is redesignated to attainment, after which such requirements are permanently discharged; or the EPA determines that the area has re-violated the $PM_{2.5}$ NAAQS, at which time the State shall submit such attainment plan elements for the Serious nonattainment area by a future date to be determined by the Agency and announced through publication in the **Federal Register** at the time the EPA determines the area is violating the $PM_{2.5}$ NAAQS.[2]

II. Background

Under CAA section 109, the EPA has established primary and secondary NAAQS for certain air pollutants (referred to as ''criteria pollutants'') and conducts periodic reviews of the NAAQS to determine whether they should be revised or whether new NAAQS should be established. The primary NAAQS represent ambient air quality standards which the Agency has determined are necessary to protect the public health with an adequate margin of safety. The secondary NAAQS represent ambient air quality standards which the EPA has determined are requisite to protect the public welfare from any known or anticipated adverse effects associated with the presence of such air pollutant in the ambient air. $PM_{2.5}$ is one such NAAQS.

Following promulgation of a new or revised NAAQS, the EPA is required by CAA section 107(d)(1) to designate areas throughout the United States as attainment, nonattainment, or unclassifiable for the NAAQS. Effective December 18, 2006, the EPA revised the primary and secondary 24-hour $PM_{2.5}$ NAAQS to 35 $\mu g/m^3$.[3]

On November 13, 2009, the EPA designated a portion of the Fairbanks North Star Borough as nonattainment for the 2006 24-hour $PM_{2.5}$ NAAQS (hereafter referred to as the ''existing Fairbanks nonattainment area'') upon evaluation of monitored air quality data for 2006–2008.[4] Based on the 43 $\mu g/m^3$ 2006–2008 design value at the State Office Building monitoring site,[5] the Alaska Department of Environmental Conservation (Alaska DEC) and the EPA determined that a portion of the Fairbanks North Star Borough was violating the NAAQS or contained sources contributing to a violation of the NAAQS. Alaska DEC noted that exceedances of the standard occur during cold and stagnant weather patterns in the winter season and in the summer months as the result of wildfires which Alaska DEC flagged as ''exceptional events'' in accordance with the EPA's Exceptional Events Rule at 40 CFR 50.14.

The ambient air monitoring network has continued to evolve since initial designation, with a focus on monitoring areas of expected maximum $PM_{2.5}$ concentrations throughout the existing Fairbanks nonattainment area.[6] In November of 2009, Alaska DEC established a multipollutant monitoring station at 907 Terminal Street in downtown Fairbanks, Alaska. This station eventually became the Fairbanks National Core multipollutant monitoring station (NCore), with an Air Quality System (AQS) site identification of 02–090–0034.[7]

On March 1, 2012, Alaska DEC established a special purpose monitor near the North Pole Fire Station on Hurst Road (AQS ID: 02–090–0035).[8] Originally, this monitoring station only operated during the winter. However, measured $PM_{2.5}$ concentrations from this station indicated it was located in the area of maximum $PM_{2.5}$ concentration in the nonattainment area.[9] Therefore, on January 1, 2015, the EPA and Alaska DEC converted this monitor from a special purpose monitor to a state or local air monitoring station (SLAMS) year-round monitor. SLAMS are required by the Agency network design regulations and are used for comparison to the NAAQS.[10]

In 2019, Alaska DEC established a new SLAMS $PM_{2.5}$ monitoring station to characterize expected maximum concentration in the Fairbanks and Goldstream Valley portion of the nonattainment area at the A Street location[11] (AQS ID: 02–090–0040).[12]

Regarding the nonattainment planning requirements, on September 8, 2017, the EPA approved the nonattainment plan for the existing Fairbanks nonattainment area as meeting the Moderate area plan requirements under CAA section 189(a).[13] However, the area failed to attain the NAAQS by the Moderate area attainment date, so the nonattainment area was classified as a Serious nonattainment area on May 10, 2017.[14]

Subsequently, on September 2, 2020, the EPA determined that the area failed to attain by the Serious area attainment date and denied the State's Serious area attainment date extension request.[15] As a result, Alaska was required to submit a revised SIP submission to meet both the Serious area attainment plan requirements and the additional requirements set forth in CAA section 189(d) by December 31, 2020.[16] Alaska submitted the revised plan on December 15, 2020 (Fairbanks 189(d) Plan). The Fairbanks 189(d) Plan updated a number of chapters of the narrative portion of the State Air Quality Control Plan, adopted and incorporated by reference into State law at 18 AAC 50.030(a).

On September 24, 2021, the EPA approved the 2013 base year emissions inventory and the $PM_{2.5}$ precursor demonstration elements of the Fairbanks Serious Plan as meeting the Serious area planning requirements.[17] In the same action, the Agency approved other plan components as SIP strengthening, including: (1) the updated Fairbanks Emergency Episode Plan[18] that the State adopted on November 18, 2020, and submitted on December 15, 2020; and (2) the regulatory control measures included in the SIP submissions on October 25, 2018, and November 28, 2018 (in addition to the December 13, 2019, submission).[19] The EPA did not determine as part of the September 24,

[2] 40 CFR 51.1015(b).

[3] 71 FR 61224 (Oct. 17, 2006).

[4] 74 FR 58688 (Nov. 13, 2009).

[5] Located at 675 7th Avenue, Fairbanks, within the proposed Fairbanks nonattainment area.

[6] For a map of the locations of air quality monitors in Fairbanks, see Figure 2 of the EPA's Technical Support Document in the docket for this action.

[7] Letter from Debra Suzuki, Acting Manager, State and Tribal Program Unit, EPA Region 10, to Barbara Trost, Air and Water Quality Division, Alaska DEC, EPA approval of Alaska DEC's 2010 Air Monitoring Network Plan, Oct. 13, 2010.

[8] Letter from Debra Suzuki, Manager, Air Planning Unit, EPA Region 10, to Barbara Trost, Air and Water Quality Division, Alaska DEC, EPA approval of Alaska DEC's 2015 Air Monitoring Network Plan, Oct. 28, 2015.

[9] Alaska Department of Environmental Conservation Annual Air Quality Monitoring Network Plan, June 2015.

[10] 40 CFR 58.1.

[11] Located at 397 Hamilton Avenue, Fairbanks, within the proposed Fairbanks nonattainment area.

[12] Letter from Debra Suzuki, Manager, Air Planning Unit, EPA Region 10, to Ms. Barbara Trost, Division of Air Quality, Alaska DEC, *Approval of Alaska DEC 2019 Annual Monitoring Network Plan,* Nov. 21, 2019.

[13] 82 FR 42457 (Sept. 8, 2017).

[14] 82 FR 21711 (May 10, 2017).

[15] 85 FR 54509 (Sept. 2, 2020).

[16] 40 CFR 51.1003(c).

[17] 86 FR 52997 (Sept. 24, 2021).

[18] State Air Quality Control Plan, Vol. II, section III.D.7.12 (*i.e.,* Alaska's planning chapter related to air quality forecasting and curtailment levels).

[19] For a description of the specific control measures addressed across the State's SIP submissions, see 86 FR 52997 (Sept. 24, 2021).

2021, approval whether these SIP strengthening components met specific nonattainment plan requirements, including control strategy requirements in CAA section 189 and 40 CFR 51.1010 or the contingency measure requirements in CAA section 172(c)(9) and 40 CFR 51.1014.

On December 5, 2023, the EPA acted on the remaining elements required for a Serious nonattainment area that failed to attain by the Serious area attainment date, approving in part and disapproving in part the Fairbanks Serious Plan and Fairbanks 189(d) Plan.[20]

On December 4, 2024, Alaska made a SIP submission (Fairbanks Revised 189(d) Plan) intended to address the nonattainment requirements that were disapproved as part of the EPA's December 5, 2023, final rule. On November 18, 2025, the EPA fully approved the nonattainment plan for the existing Fairbanks nonattainment area as meeting Serious area requirements under CAA section 189(b) and the requirements for failing to attain as a Serious area under CAA section 189(d).[21] The current applicable attainment date for the existing Fairbanks nonattainment area is December 31, 2027.

III. Summary of Alaska's Redesignation Request

On May 18, 2025, the Governor of Alaska submitted a request and accompanying supporting analysis for the EPA to revise the boundary designation of the existing Fairbanks nonattainment area.[22] Alaska requested, under CAA section 107(d)(3)(D), to revise the boundary for the existing Fairbanks nonattainment area by splitting it into two distinct nonattainment areas: a Fairbanks and Goldstream Valley area and a North Pole area.[23]

The boundaries of the two areas follow the existing air quality control zone boundaries. In 2016, Alaska DEC established three air quality control zones for the purposes of implementing burn bans: a Goldstream zone located on the northwestern portion of the nonattainment area, a Fairbanks zone principally consisting of downtown Fairbanks and surrounding residential and commercial areas, and a North Pole zone principally consisting of the city of North Pole and surrounding residential areas.[24] The proposed Fairbanks nonattainment area combines the Goldstream zone and Fairbanks zone. The proposed North Pole nonattainment area consists of the North Pole zone.

The regulatory air quality monitors in the proposed Fairbanks nonattainment area demonstrate a decrease of $PM_{2.5}$ levels since 2014. The design values at the NCore and A Street monitors in the Fairbanks portion of the nonattainment area are well below the 2006 NAAQS for the 2022–2024 and 2023–2025 monitoring periods (particularly when excluding state-flagged exceedances likely due to summer wildfires). Alaska DEC has also demonstrated that the proposed Fairbanks nonattainment area does not contribute to a violation of the 2006 $PM_{2.5}$ NAAQS in the proposed North Pole nonattainment area, based on consideration of air quality data, emissions and emissions-related data, meteorology, geography/topography, and jurisdictional boundaries.

The EPA is using the technical information contained in Alaska DEC's May 18, 2026, submittal and the most recent complete, quality-assured, and certified air quality data for the 2023–2025 monitoring period to support this proposed action.

IV. Proposed Action

The Agency is proposing to take two actions. Under the authority of CAA section 107(d)(3)(D), the Agency is proposing to approve Alaska's requested revisions to the existing Fairbanks nonattainment area boundary designation to create two separate nonattainment areas that together cover the same geographic area as the existing nonattainment area. Second, pursuant to 40 CFR 51.1015, the EPA is proposing to make a CDD for the proposed Fairbanks nonattainment area for the 2006 $PM_{2.5}$ NAAQS.

A. Revisions to the Existing Fairbanks Nonattainment Area Boundary

In determining whether to approve or deny a State's request for a revision to the designation of an area under CAA section 107(d)(3)(D), the EPA considers the same factors when the Agency initiates a revision to a designation of an area on its own motion under CAA section 107(d)(3)(A). These CAA section 107(d)(3)(A) factors include ''air quality data, planning and control considerations, or any other air quality related considerations the Administrator deems appropriate.'' Using CAA section 107(d)(3)(A) as a framework, the EPA considers five factors when evaluating requests under CAA section 107(d)(3)(D): air quality data, emissions and emissions-related data, meteorology, geography/topography, and jurisdictional boundaries.

If the EPA finalizes this action as proposed, the existing Fairbanks nonattainment area would be split into two distinct nonattainment areas that together cover the same geographic area as the existing area. One of the proposed separate areas, to be called the ''Fairbanks nonattainment area,'' would consist of the Fairbanks and Goldstream zones of the current area. The other proposed separate area, to be called the ''North Pole nonattainment area,'' would consist of the North Pole zone. All areas would continue to be designated nonattainment and classified as Serious for the 2006 $PM_{2.5}$ NAAQS.

CAA section 107(d)(1)(A)(i) defines ''nonattainment'' as ''any area that does not meet (or that contributes to ambient air quality in a nearby area that does not meet)'' the NAAQS. Therefore, consistent with the statute, the EPA will not redraw the boundaries of nonattainment areas where one portion of the area, though monitoring clean data, contributes to the nonattainment of another portion of the area.

1. Proposed Fairbanks Nonattainment Area for the 2006 $PM_{2.5}$ NAAQS

Based on a consideration of the information submitted by Alaska and other available information discussed in the EPA's technical support document (TSD) included in the docket for this action, the Agency is proposing to find that the air quality data, emissions and emissions-related data, meteorology, geography/topography, jurisdictional boundaries, other air quality related considerations, as well as planning and control considerations, support the State's request to revise the existing Fairbanks nonattainment area boundary.

Alaska's May 18, 2026, submittal requested that the EPA split the Fairbanks nonattainment area for the 2006 $PM_{2.5}$ NAAQS and create a distinct nonattainment area for the Fairbanks and Goldstream portion of the existing nonattainment area.[25] In this action, the Agency is proposing to revise the existing nonattainment area boundary and create two separate nonattainment areas, acknowledging the differences in the factors contributing to $PM_{2.5}$ levels

[20] 88 FR 84626 (Dec. 5, 2023).

[21] 90 FR 51529 (Nov. 18, 2025).

[22] Alaska's submittal can be found in the docket for this action.

[23] For a map of the proposed nonattainment areas, see Figure 1 of the accompanying Technical Support Document (TSD). For a map of the air quality control zones, see Figure 8 of the TSD. The TSD is available in the docket for this action.

[24] Alaska Administrative Code, 18 AAC 50.025.

[25] Alaska submitted a request to the EPA to split the nonattainment area on November 20, 2015. In a June 12, 2018, letter, Alaska DEC requested that the EPA hold the November 20, 2015, split request in abeyance. Alaska DEC requested that the 2026 Split Request supersede the 2015 request that was held in abeyance.

in the separate areas, and thus providing Alaska DEC with additional flexibility in meeting the CAA's nonattainment area planning and emissions control requirements. This includes the ability to account for differences in air quality in the separate areas in the event that one of the new, separate areas attains the $PM_{2.5}$ standards faster than the other.

The EPA proposes in this action that, based on consideration of the five CAA section 107(d)(3)(A) factors, the proposed Fairbanks nonattainment area does not contribute to a violation of the 2006 $PM_{2.5}$ NAAQS in the proposed North Pole nonattainment area, and thus it is appropriate that the two areas be considered separate for implementation and planning purposes. An analysis of the five factors and a weight-of-evidence approach supports this conclusion. The air quality data in the proposed Fairbanks nonattainment area indicate that the 2022–2024 and 2023–2025 design values are below the 2006 $PM_{2.5}$ NAAQS.[26] An analysis of emissions data, considering meteorological and geographical/topographical factors, support the conclusion that the emissions from this area are not contributing to the violations in the proposed North Pole nonattainment area. A detailed analysis supporting this demonstration may be found in the TSD in the docket for this action.

Because this action also proposes to find that the proposed Fairbanks nonattainment area is attaining the 2006 $PM_{2.5}$ NAAQS, it is not necessary to consider whether the proposed North Pole nonattainment area contributes to a violation of the 2006 $PM_{2.5}$ NAAQS in the proposed Fairbanks nonattainment area, as no such violation exists.

2. Proposed North Pole Nonattainment Area for the 2006 $PM_{2.5}$ NAAQS

The Agency is proposing to approve Alaska's request to create a distinct nonattainment area for the North Pole portion of the current nonattainment area based on air quality data, emissions and emissions-related data, meteorology, geography/topography, jurisdictional boundaries, other air quality related considerations, as well as planning and control considerations.

The air quality data in the proposed North Pole nonattainment area remains above the 2006 $PM_{2.5}$ NAAQS. However, the proposed North Pole nonattainment area does not contribute to a violation of the 2006 $PM_{2.5}$ NAAQS in the proposed Fairbanks nonattainment area. Likewise, based on consideration of the five CAA section 107(d)(3)(A) factors, the proposed Fairbanks nonattainment area does not contribute to a violation of the 2006 $PM_{2.5}$ NAAQS in the proposed North Pole nonattainment area. Thus, it is appropriate that the two areas be considered separate for implementation and planning purposes. An analysis of the five recommended factors and a weight-of-evidence approach supports this conclusion.

B. Clean Data Determination for the Proposed Fairbanks Nonattainment Area

As determined in accordance with 40 CFR 50.18 and Appendix N to 40 CFR part 50, an area is attaining the 2006 $PM_{2.5}$ NAAQS if it meets the 2006 $PM_{2.5}$ NAAQS, based on three complete, consecutive calendar years of quality-assured air quality data for all monitoring sites in the area. To attain the 2006 24-hour $PM_{2.5}$ NAAQS, the three-year average of the annual 98th percentile of the daily 24-hour average $PM_{2.5}$ concentrations ($PM_{2.5}$ design values) at each site must not exceed 35 $\mu g/m^3$.[27] The air quality data must be collected and quality-assured in accordance with 40 CFR part 58 and recorded in the EPA's Air Quality System (AQS.)[28] Ambient air quality monitoring data for the three-year period must also meet data completeness requirements.[29] A 24-hour $PM_{2.5}$ design value is valid if quarterly data capture rates for all four quarters in each year of the three-year period are at least 75 percent.[30] However, years shall be considered valid, notwithstanding quarters with less than complete data (even quarters with less than 11 creditable samples, but at least one creditable sample must be present for the year), if the resulting annual 98th percentile value or resulting 24-hour NAAQS design value (rounded according to the conventions of section 4.3 of Appendix N) is greater than the level of the standard. Furthermore, where the explicit 75 percent quarterly data capture requirement is not met, the 24-hour $PM_{2.5}$ NAAQS design value shall still be considered valid if it passes the maximum quarterly value data substitution test.[31]

According to the EPA's AQS air quality monitor data in the proposed Fairbanks nonattainment area, the 2023–2025 design value at the A Street monitor is 35 $\mu g/m^3$ and the NCore monitor is 34 $\mu g/m^3$.[32] These design values include all air quality data and do not include potential data that could be approved by the EPA for treatment as Exceptional Events (in this case, monitoring data influenced by summer wildfires). The design value from the prior 3-year period, 2022–2024, at the A Street monitor was 26 $\mu g/m^3$ and the NCore monitor was 24 $\mu g/m^3$, when removing all monitor data that the State determined were influenced by summer wildland fires.[33] The 2023–2025 design values at the A Street monitor is 25 $\mu g/m^3$ and NCore monitor is 24 $\mu g/m^3$, after excluding state-flagged data that is influenced by summer wildfires. Therefore, based on recent year 3-year design values below the 35 $\mu g/m^3$ 24-hour $PM_{2.5}$ NAAQS, the EPA proposes to find that the proposed Fairbanks nonattainment area will have attained the 2006 24-hour $PM_{2.5}$ NAAQS, and proposes to issue a CDD based on the most recent air quality data at monitors located in the proposed Fairbanks nonattainment area. This proposed action is consistent with the Agency's clean data requirements for $PM_{2.5}$ Serious nonattainment areas established in 40 CFR 51.1015. If finalized, this CDD would relieve the requirements for the State to submit an attainment demonstration, reasonable further progress plan, quantitative milestones and quantitative milestone reports, and contingency measures for the proposed Fairbanks nonattainment area, in accordance with 40 CFR 51.1015(b).

C. Summary

This action proposes to revise the boundary of an existing $PM_{2.5}$ nonattainment area by splitting it into two separate nonattainment areas that together cover the same geographic area as the existing nonattainment area. This action also proposes to make a CDD for the 2006 24-hour $PM_{2.5}$ NAAQS based on air quality data for one of those proposed areas—the proposed Fairbanks nonattainment area. If the EPA finalizes the boundary revision for the Fairbanks nonattainment area and finalizes the

[26] Due to data issues, the A Street monitor representing the area of maximum $PM_{2.5}$ concentrations in the proposed Fairbanks nonattainment area did not have a valid design value until 2024. The other air quality monitor in the proposed nonattainment area, the NCore monitor, has been below the 24-hour $PM_{2.5}$ NAAQS since 2015.

[27] 40 CFR 50.13(c); Appendix N to 40 CFR part 50, Section 4.2.

[28] Appendix N to 40 CFR part 50, Section 3.0.

[29] *Id.* At Section 4.2.

[30] *Id.*

[31] *Id.*

[32] See EPA's Air Quality System, Preliminary Design Value Report, for the A Street and NCore monitors, included in the docket for this action.

[33] For a detailed account of the monitor data influenced by summer wildfire smoke, see EPA's letter concurring on Exceptional Events for the annual $PM_{2.5}$ NAAQS, included in the docket for this action. Letter from Angeles Herrera, EPA Region 10, Air and Radiation Division Director, to Jason Olds, Alaska DEC, Air Quality Division Director, March 19, 2026.

proposed CDD for that area, then the EPA will suspend requirements to submit certain plan requirements to attain the 2006 24-hour $PM_{2.5}$ NAAQS, so long as the area continues to attain the standard. These actions do not impose additional requirements.

V. Transportation Conformity Implementation

Transportation conformity is required under CAA section 176(c) to ensure that federally funded or approved highway and transit activities are consistent with (''conform to'') the purpose of the SIP.[34] The EPA notes for informational purposes that, if this proposal is finalized, when Alaska submits a $PM_{2.5}$ control strategy SIP or maintenance plan that addresses either of the two proposed, separate areas, such a SIP would need to include separate motor vehicle emissions budget(s) that apply to the new geographic boundaries for use in transportation conformity. The EPA intends to work with the State and the Fairbanks metropolitan planning organization to provide additional technical assistance for transportation conformity purposes prior to adequate or approved budgets being available for the proposed new, separate nonattainment area boundaries. The EPA notes that the Agency is providing this information to provide additional background for this rulemaking; the Agency is not proposing changes to the transportation conformity regulation in this rulemaking.

VI. Statutory and Executive Order Reviews

This action proposes to revise the boundary of an existing $PM_{2.5}$ nonattainment area by splitting it into two separate nonattainment areas that together cover the same geographic area as the existing nonattainment area. It also proposes to make a CDD for the proposed Fairbanks nonattainment area, which if finalized would suspend the requirement to submit certain attainment plan requirements for the 2006 24-hour $PM_{2.5}$ NAAQS. This proposed action does not impose additional requirements. For that reason, this action:

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

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

List of Subjects

40 CFR Part 52

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

40 CFR Part 81

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

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

Dated: October 19, 2026.

Emma Pokon,

Regional Administrator, Region 10.

[FR Doc. 2026–23235 Filed 11–13–26; 8:45 am]

BILLING CODE 6569–60–P

[34] 40 CFR Parts 51.390 and 93.

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. NHTSA–2026–1519]

RIN 2127–AM70

Federal Motor Vehicle Safety Standards; Modernization of FMVSS No. 108 To Accommodate ADS-Equipped Vehicles

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Extension of comment period.

SUMMARY: In response to requests from the Alliance for Automotive Innovation (the Alliance), Society of Automotive Engineers (SAE) International, and Gatik AI Inc. (Gatik), NHTSA is announcing a 15-day extension of the public comment period for the notice of proposed rulemaking (NPRM) published on October 26, 2026 proposing to amend Federal Motor Vehicle Safety Standard (FMVSS) No. 108, ''Lamps, reflective devices, and associated equipment.'' The proposed modifications would distinguish how regulations apply to vehicles with and without manually operated driving controls. The comment period for the notice was originally scheduled to end on November 25, 2026. It will now end on December 10, 2026.

DATES: The comment period for the proposed rule published at 91 FR 67243 on October 26, 2026 is extended to December 10, 2026.

ADDRESSES: You may submit comments identified by the docket number in the heading of this document through any of the following methods:

- *Electronic Submissions:* Go to the Federal eRulemaking Portal at *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* (202) 493–2251.
- *Mail or Hand Delivery:* Docket Management, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Suite W58–213, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays. To be sure someone is there to help you, please call (202) 366–9826 or (202) 366–9317 before coming.

Instructions: All submissions must include the agency name and docket number for this notice. Note that all comments received will be posted without change to *http://www.regulations.gov,* including any

personal information provided. Please see the Privacy Act heading below.

Privacy Act: Anyone is able to search the electronic form of all comments received into any of NHTSA's dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78) or you may visit *https://www.transportation.gov/privacy.*

Docket: For access to the docket to read background documents or comments received, go to *http://www.regulations.gov* or the street address listed above. Follow the online instructions for accessing the dockets via the internet.

Confidential Business Information: If you claim that any of the information in your comment (including any additional documents or attachments) constitutes confidential business information within the meaning of 5 U.S.C. 552(b)(4) or is protected from disclosure pursuant to 18 U.S.C. 1905, please see the detailed instructions given under the Public Participation heading of the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: For technical issues, you may contact Ms. Lina Valivullah, Office of Automation Safety; Telephone: 202–366–1810; Email: *Lina.Valivullah@dot.gov;* Facsimile: 202–493–2739 or Mr. Gerald Devries, Office of Crash Avoidance, Rulemaking; Telephone: 202–366–1810; Email: *Gerald.Devries@dot.gov;* Facsimile: 202–493–2739. For legal issues, you may contact Mr. David Jasinski, NHTSA Office of the Chief Counsel, Email: *David.Jasinski@dot.gov*. The mailing address of these officials is: National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590.

SUPPLEMENTARY INFORMATION: On October 26, 2026, NHTSA published an NPRM proposing to amend FMVSS No. 108.[1] The proposed updates to the standard are intended to remove unnecessary requirements and to provide design flexibility without impact on vehicle safety. The first two proposed changes would amend the test voltage specification for integral beam headlamps and remove requirements that apply to vertical headlamp arrangements. Further proposed changes address vehicles equipped with Automated Driving Systems (ADS) that do not have manually operated driving controls. Those modifications would limit the application of certain requirements for manually operated turn signal, hazard warning signal, and beam switching controls to vehicles with manually operated driving controls. The changes are intended to address regulatory burdens and costs associated with equipment that does not fulfill the same purpose or provide safety benefits in an ADS-equipped vehicle without manually operated driving controls as in a vehicle with such controls. The changes would also narrow certain requirements for telltales to vehicles with manually operated driving controls and incorporate the term ''telltale'' where appropriate throughout the standard. Finally, a proposed addition to the standard would allow cyan-colored ADS marker lamps as optional motor vehicle lighting equipment in ADS-equipped vehicles. The notice provided a 30-day comment period which closes on November 25, 2026.

NHTSA received a request from the Alliance on October 26, 2026 for a 15-day extension of the comment period.[2] The Alliance stated that the NPRM's 30-day comment period is insufficient given the technical and legal complexity of the proposed lighting requirements, their application to ADS-specific designs, and their potential effects on both ADS-equipped and traditional vehicles. The requested 15-day extension, the Alliance indicated, would support more substantive public feedback without materially delaying final rulemaking activity. NHTSA received similar requests from Gatik and SAE International. While Gatik also requested a 15-day extension, SAE International requested a 20-day extension. SAE International also asked if an extension is not granted, that NHTSA consider a partial submission within the time window with a subsequent filing after the closing date.

NHTSA is granting the request to extend the comment period by 15 days. NHTSA has determined that the requestors have shown good cause for an extension and that the extension is consistent with the public interest. A 15-day extension appropriately balances NHTSA's interest in providing the public with sufficient time to comment on the notice with its interest in obtaining specific feedback from stakeholders in a timely manner. In addition, to the extent possible NHTSA will also consider comments that Docket Management receives after the closing date. If Docket Management receives a comment too late for us to consider in developing the final rule, NHTSA will consider that comment as an informal suggestion for future rulemaking action. Accordingly, NHTSA is extending the comment period until December 10, 2026.[3]

Authority: 49 U.S.C. 322, 30111, 30115, 30117, and 30166; delegation of authority in 49 CFR 1.95.

Jonathan Morrison,

Administrator.

[FR Doc. 2026–23239 Filed 11–13–26; 8:45 am]

BILLING CODE 4910–59–P

[1] 91 FR 67243.

[2] Alliance for Automotive Innovation, Docket No. NHTSA–2026–1519–0009.

[3] Readers should note that, even after the comment closing date has passed, interested persons are able to file comments in the docket, which NHTSA will consider to the extent practicable. NHTSA may also continue to file relevant information in the docket as it becomes available. Accordingly, the Agency recommends that readers periodically check the docket for new material.

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 261109–0002]

RIN 0648–BO04

Fisheries of the Exclusive Economic Zone off Alaska; Pelagic Trawl Gear Definition

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes regulations to revise the regulatory definition of authorized fishing gear, including the definition of pelagic trawl gear, and the gear limitations for pelagic trawl gear, applicable to vessels in the exclusive economic zone (EEZ) off Alaska. This action is necessary to clearly allow the use of certain common components in codends and bycatch reduction devices, and to remove an outdated limitation on the use of parallel line trawls. This action is expected to provide additional flexibility and promote innovations in pelagic trawl gear design, which may reduce environmental impacts while maintaining efficient fishing operations. This action is intended to promote the goals and objectives of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the Fishery Management Plan (FMP) for Groundfish of the Gulf of

Alaska Management Area (GOA FMP) and the FMP for Groundfish of the Bering Sea and Aleutian Islands Management Area (BSAI FMP), and other applicable laws.

DATES: Submit comments on or before December 16, 2026.

ADDRESSES: A plain language summary of this proposed rule is available at *https://www.regulations.gov/docket/NOAA-NMFS-2026-0397.* You may submit comments on this document, identified by NOAA–NMFS–2026–0397, by any of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Visit *https://www.regulations.gov* and type NOAA–NMFS–2026–0397 in the Search box. Click on the ''Comment'' icon, complete the required fields, and enter or attach your comments.
- *Mail:* Submit written comments to Gretchen Harrington, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region NMFS. Mail comments to P.O. Box 21668, Juneau, AK 99802–1668.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on *https://www.regulations.gov* without change. All personal identifying information (*e.g.,* name, address), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter ''N/A'' in the required fields if you wish to remain anonymous).

Electronic copies of the Draft Environmental Assessment/Regulatory Impact Review for Proposed Regulatory Amendment to modify the Pelagic Trawl Gear Definition (referred to as the ''Analysis'') prepared for this action are available from *https://www.regulations.gov* or from the NMFS Alaska Region website at *https://www.fisheries.noaa.gov/region/alaska.* Electronic copies of the BSAI Groundfish FMP Amendment Action Summaries, the GOA Groundfish FMP Amendment Action Summaries, and the North Pacific Conservation and Spatial Management Areas in Alaska's EEZ Area Summaries are available from the NPFMC website at *https://www.npfmc.org/library/fmps-feps/.*

FOR FURTHER INFORMATION CONTACT: Caleb Taylor, 907–586–7228, *caleb.taylor@noaa.gov.*

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fisheries in the EEZ off Alaska under the GOA FMP and BSAI FMP (the FMPs). The North Pacific Fishery Management Council (Council) prepared and recommended the FMPs under the authority of the Magnuson-Stevens Act, 16 U.S.C. 1801 *et seq.* Regulations governing U.S. fisheries and implementing the FMPs appear at 50 CFR parts 600 and 679. This proposed action is authorized under Magnuson-Stevens Act sections 303(c)(2) and 304(b) and modifies the regulations implementing sections 3.4.1 of both the BSAI and GOA FMPs, which describe the authorized gear types, and section 3.4.2 of the BSAI FMP, which specifies gear limitations by target fishery. This action would not change existing conservation and management measures established in the FMPs governing the management of specific stocks or species groups, such as harvest limits of target species, prohibited species catch (PSC) limits, habitat protection areas, and other applicable fishing regulations.

NMFS is soliciting public comments on this proposed rule. Comments must be received by the end of the comment period for this action (see **DATES**) to be considered by NMFS in deciding whether to adopt and implement revisions to the regulatory definition of pelagic trawl gear and limitations on the use of pelagic trawl gear.

Background

This action would revise the regulatory definition of authorized fishing gear, including the definition of pelagic trawl gear, and revise the limitations for pelagic trawl gear to clearly allow the continued use of common components in bycatch reduction devices and in codends attached to pelagic trawl gear. This action would also remove outdated text related to parallel line trawls.

This action was recommended by the Council under the authority of Magnuson-Stevens Act section 303(c)(2) to implement Section 3.4 of the BSAI FMP and the GOA FMP. ''Pelagic trawl gear'' has been defined under paragraph (14) of the definition of ''Authorized fishing gear'' at 50 CFR 679.2 since 1993 (58 FR 39680, July 26, 1993). However, pelagic trawl gear configurations have evolved over time due to technological innovations in gear design, material, sensing and sonar technologies, and in response to fishery management measures to reduce salmon bycatch. Many modern pelagic trawl gear components such as sensors and electronic instruments other than a net-sounder device and flotation used in bycatch excluder devices or in a codend may not comply with existing limitations. The current definition also limits metallic components, a vague term that could apply to many components regardless of intention. Further, current regulations would apply limitations in the pelagic trawl gear definition to an attached codend due to the national definition of ''codend'' at § 600.10, but it is not clear that NMFS Alaska Region intended for the limitations applicable in the EEZ off Alaska to apply to codends. This action is necessary to clearly allow the use of common components in codends and bycatch reduction devices, and to remove outdated text.

Fisheries Using Pelagic Trawl Gear

This proposed rule applies to vessels in the EEZ off Alaska, which includes the BSAI and GOA management areas. In both the BSAI and GOA management areas, pelagic trawl gear is used to target Alaska pollock (*Gadus chalcogrammus*) and to a lesser extent Pacific ocean perch (*Sebastes alutus,* POP). These fisheries are described in more detail in Chapter 3 of the Analysis prepared for this action (see **ADDRESSES**).

History of the Pelagic Trawl Gear Definition

The history and evolution of the pelagic trawl gear definition is described in more detail in the Analysis prepared for this action (Analysis Section 1.2, see **ADDRESSES**). Pelagic trawl gear requirements first appeared in Federal regulations in 1978 as a management and enforcement tool to protect juvenile halibut (43 FR 52709, November 14, 1978). Limitations on pelagic trawl gear components and configurations, as well as the definition of pelagic trawl gear, evolved from this time period through the late 1980s to protect commercially important benthic species such as halibut and crab in the GOA (52 FR 7868, March 13, 1987). In 1990 and 1991, NMFS implemented changes to the definition of pelagic trawl gear to further define and limit pelagic trawl gear components and configurations (55 FR 33715, August 17, 1990; 56 FR 2700, January 24, 1991).

Reducing halibut and crab bycatch was a primary driver in the need to distinguish pelagic trawl gear from nonpelagic trawl gear in the early 1990s. For example, NMFS prohibited directed fishing with trawl gear other than pelagic trawl gear in the BSAI pollock and Pacific cod trawl fisheries when halibut PSC allowances had been reached (55 FR 33715, August 17, 1990; 56 FR 2700, January 24, 1991). Large mesh openings of at least 1 meter (m)

(3.3 feet (ft)) or parallel lines at the front of pelagic trawl gear were required to reduce bycatch of benthic species such as halibut and crab while also reducing drag in the water column. However, during the 1991 and 1992 fisheries, some fishermen were able to defeat the purpose of the pelagic trawl gear definition by reconfiguring their trawl gear in such a way that it complied with the definition but functioned as a nonpelagic trawl, resulting in increased halibut and crab bycatches. To address this management problem and related bycatch concerns, the current definition of pelagic trawl gear at § 679.2 was implemented in 1993 (58 FR 39680, July 26, 1993).

At § 679.2, trawl gear is defined as a funnel-shaped net that is towed through the water by one or more vessels and is further described as pelagic or nonpelagic. Pelagic trawl gear is currently defined as a trawl that has no discs, bobbins, or rollers; no chafe protection gear attached to the footrope or fishing line; conforms to certain mesh size and parallel line spacing restrictions; uses a limited amount of flotation to accommodate a net-sounder device; has no more than one fishing line and one footrope for a total of no more than two weighted lines on the bottom of the trawl between the wing tip and the fishing circle; and has no metallic components except for connectors or a net-sounder device. This pelagic trawl gear definition—along with the rapid evolution of pelagic trawl gear designs in the early 1990s—has successfully reduced halibut and crab bycatch in the BSAI and GOA. Nonpelagic trawl gear is defined as a trawl other than a pelagic trawl, meaning any trawl that is not compliant with the definition of pelagic trawl gear at § 679.2.

All trawl gear terminates in a ''codend,'' which NMFS defined in 1996 in nationally-applicable regulations at § 600.10 as the terminal, closed end of a trawl net. The codend is typically purchased separately from a pelagic trawl net and is attached to the end of a pelagic trawl along a selvedge line. When NMFS implemented the definition of pelagic trawl gear applicable in the fisheries off Alaska in 1993, NMFS did not specify whether limitations in the pelagic trawl gear definition apply to the codend. However, because the national definition of codend implemented in 1996 specifies that the codend is part of the trawl net rather than a separate component, a codend attached to pelagic trawl gear is subject to the limitations in the current pelagic trawl gear definition at § 679.2.

Summary of Management Changes Since 1993

Management of the groundfish fisheries off Alaska has changed substantially since the implementation of the pelagic trawl gear definition in 1993. For example, NMFS has implemented numerous rationalization and limited entry programs that reduced fishing effort and reduced bycatch (alongside numerous stand-alone bycatch reduction actions). Additionally, significant improvements in fishery-dependent data collection have been implemented since 1993, including increased observer coverage and electronic monitoring, at-sea catch weighing requirements for trawl C/Ps, and additional recordkeeping and reporting requirements. Each of these advancements has resulted in improved precision of catch and discard estimates over time, in turn contributing to more precise management.

The sections below on the trawl gear performance standard, salmon bycatch, and pelagic trawl gear design provide additional details on relevant changes to the fisheries since 1993 that impact the use of pelagic trawl gear. Additional information on all amendments to the BSAI and GOA FMPs are summarized in the BSAI Groundfish FMP Amendment Action Summaries and the GOA Groundfish FMP Amendment Action Summaries (see **ADDRESSES**).

Trawl Gear Performance Standard

NMFS implemented a trawl gear performance standard in conjunction with the revised definition of pelagic trawl gear in 1993 to ''discourage or prevent trawl operations on the seabed when halibut and crab PSC allowances had been reached'' (58 FR 17196, April 1, 1993). They revised the standard in 2000 when NMFS prohibited the use of nonpelagic trawl gear in the BSAI pollock fishery (65 FR 31105, May 16, 2000). The performance standard, as specified in regulations at § 679.7(a)(14), prohibits a vessel engaged in directed fishing for pollock, except for CVs in the trawl electronic monitoring category, from having 20 or more crabs of any species with a carapace width of more than 1.5 inches (in) (38 millimeters) at the widest dimension, on board at any one time. The standard is tied to crabs because they inhabit the seabed and, if caught with trawl gear, are evidence that a trawl has been in contact with the seafloor.

This proposed rule would not modify the trawl gear performance standard. However, this proposed rule would modify the definition of pelagic trawl gear and provide additional flexibility for instruments, such as sensors and electronic or mechanical instruments, to be attached to the gear, which could be used to better understand pelagic trawl gear performance.

Salmon Bycatch in Pelagic Trawl Gear

Pacific salmon are caught incidentally as bycatch in pollock fisheries by vessels using pelagic trawl gear in both the BSAI and GOA management areas and are designated as PSC. Of the five species of Pacific salmon, Chinook and chum salmon most commonly occur in the same locations as pollock. Consequently, Chinook salmon and chum salmon are the salmon species most often caught in pelagic trawl gear as fishermen target pollock. The Council has recommended and NMFS has implemented several management measures to limit salmon bycatch in the BS subarea, AI subarea, and GOA trawl fisheries (Analysis Section 5.3, see **ADDRESSES**). Salmon bycatch measures in place for the BS subarea, AI subarea, and GOA groundfish fisheries are in Federal regulations at § 679.21(f), (g), and (h), with the most recent measures implemented through amendment 110 to the BSAI FMP and amendment 103 to the GOA FMP (81 FR 37534, June 10, 2016; 81 FR 62659, September 12, 2016).

A crucial component of salmon bycatch reduction has been the advent and use of salmon excluder devices (*i.e.,* gear modifications designed to allow salmon to exit a trawl net in the water while retaining pollock) in pelagic trawl gear. Beginning in 2001, Alaska Fisheries Science Center scientists worked alongside Alaska fishing industry partners and gear manufacturers to design and test salmon excluder devices to reduce salmon bycatch from pelagic trawl gear. They did so through use of Exempted Fishing Permits (EFPs) developed in consultation with the Council and issued by NMFS. An EFP is a permit that allows fishing activities that would otherwise be prohibited under Federal regulations.

Current salmon excluder devices used in pelagic trawl gear are generally located forward of the codend. Excluder design has evolved over time based on the behavior of the salmon species targeted for release, and the success rates of bycatch reduction and minimal escapement of pollock. Current salmon excluder devices in use are focused on Chinook escapement from pelagic trawl gear, although novel research is focused on reducing chum salmon bycatch in pelagic trawl gear (Analysis Section 1.1.1, see **ADDRESSES**). Experimentation with salmon excluder design and

placement in pelagic trawl gear is crucial to troubleshoot and determine the most effective configuration for maximum salmon escapement with minimal loss of pollock and continues to be a major driver of innovation in pelagic trawl gear. Salmon excluder designs in pelagic trawl gear are an effective method of reducing Chinook salmon bycatch.

The BS pollock fishery participants actively work to reduce salmon bycatch through several measures. For instance, the Council recommended and NMFS implemented incentive plan agreements (IPAs) through amendment 110 to the BSAI FMP that require signatories to use salmon excluder devices in pelagic trawl gear (§ 679.21(f)(12)(iii)(E)(*11*)) while fishing for pollock in the BS pollock fishery (81 FR 37534, June 10, 2016). More recently, at the February 2026 meeting, the Council passed a final motion recommending additional management measures to reduce chum salmon bycatch in the BS pollock fishery. A component of this motion builds upon the IPA framework established under amendment 110 and would require the use of salmon excluders for the purpose of reducing chum salmon bycatch. NMFS is in the process of reviewing the Council's recommendations. In the AI pollock fishery, current measures focus on reducing Chinook salmon bycatch through set Chinook PSC limits for the AI pollock fishery and CDQ Program and subsequent area closures if Chinook PSC limits are reached (§ 679.21(g)).

Amendment 93 to the GOA groundfish FMP established bycatch mitigation measures in the GOA (77 FR 42629, July 20, 2012). These measures include maximum annual Chinook salmon PSC limits, buffer incentives for reducing Chinook salmon PSC in two non-pollock fisheries (trawl C/P and non-Rockfish Program CV sectors), annual caps on reapportionment of unused Chinook salmon PSC, and fishery closures if Chinook salmon PSC limits are reached (§ 679.21(h)). Trawl CVs participating in the GOA pollock fishery also voluntarily use salmon bycatch excluders to reduce Chinook salmon bycatch.

Pelagic Trawl Gear Design

Pelagic trawl gear configurations have evolved since 1993 due to technological innovations in gear design, material, sensing and sonar technologies, and in response to fishery management measures to reduce salmon bycatch with the development of salmon excluder devices. For CVs and C/Ps in BSAI and GOA groundfish fisheries, pelagic trawl gear consists of large forward mesh (ranging from 60 in (152.4 centimeters (cm)) up to 210 ft (64 m) stretched mesh size) made of relatively small, polyethylene twine sizes to reduce drag (Analysis Section 3.2, see **ADDRESSES**). Trawl gear size varies based on vessel size and horsepower, such that larger and more powerful C/Ps tow larger trawls than smaller CVs. Figure 3–1 in the Analysis provides a generalized figure of pelagic trawl gear and associated components for reference (see **ADDRESSES**).

Vessels use cables or strong synthetic ropes as the warp to connect to and tow their pelagic trawl gear. The warp is attached to two large trawl doors, which keep the trawl net open while it is being towed. The trawl doors are connected to the wing tips of pelagic trawl gear by lengths of cable or synthetic rope bridles. Clump weights, attached to the bottom wing tips on each end of the footrope, are used to weigh the bottom forward section of the net down, while the trawl doors and hydrodynamic forces lift and spread the net's upper wing tips and headrope up to open the trawl. Footropes typically extend 590 ft (180 m) to 1,475 ft (450 m) from wing tip to wing tip and there are no discs, rollers, or bobbins attached to the trawl footrope or any other portion of pelagic trawl gear. Stretched mesh sizes are tapered in pelagic trawl gear, gradually transitioning from characteristically large meshes in the wings and forward section of the trawl (60 in (152.4 cm) up to 210 ft (64 m) stretched mesh size) and decreasing in size by half for each additional section down to 4 in (10.2 cm) or smaller stretched mesh size in the codend. For example, pelagic trawl gear may have a forward mesh section consisting of 64 in (162.56 cm) stretched mesh size connected aft to a section consisting of 32 in (81.28 cm) stretched mesh size, which is then connected to a 16 in (40.64 cm) mesh section, which is then connected to a section with 8 in (20.32 cm) stretched mesh size, which is connected to a codend with 4 in (10.2 cm) stretched mesh size. Trawl codends are usually made with polyethylene netting attached to four longitudinal riblines, typically with a stretched mesh size of 4 in (10.2 cm) to 4.5 in (11.43 cm). The riblines—heavy rope that runs down the sides, top, or underside of a trawl net from the mouth of the net to the terminal end of the codend to strengthen the net during fishing—are typically made of chain, wire, or strong synthetic rope. Chain riblines are often used to strengthen codends for the safety of crew and protection of catch since chain riblines are durable over repeated hauls and can reduce the chance of net failure. Codends may have container lines and sacrificial chafing gear attached to restrict the expansion of the netting, prevent damage, and allow the codend to be hauled up a stern ramp without abrasion to the net.

Floats are commonly used in the codend to counteract the weight of chain riblines. Fishery participants have stated that flotation in the codend additionally helps maintain the tapered net shape and hydrodynamic flow while deploying the net and can aid the haulback process. Floats can also maintain neutral buoyancy in codends to prevent seafloor contact if there is an increase in drag and weight from a catch with burst swim bladders (*i.e.,* fish with burst swim bladders are not buoyant, are heavier, and increase drag).

Many instruments are used in modern pelagic trawl gear in addition to a net-sounder device or net transducer, including live feed cameras and catch sensors. Net-sounder devices have largely been replaced by sonars which provide real time visualization of net parameters and catch entering the net to vessel operators. Live feed cameras have also been widely adopted that allow vessel operators to visualize catch entering the net in real time, enabling them to make fine scale adjustments to the net shape and positioning to maximize catch of targeted species and minimize catch of nontargeted species. Catch sensors are also commonly mounted at various positions along the net, including just forward of the codend. This allows vessel operators to monitor codend fullness and determine when to haul the net. Each of these components are valuable tools used to increase fishing efficiency, monitor catch rates and composition, and make other operational fishing decisions.

A significant operating cost consideration for vessels using and modifying pelagic trawl gear is fuel usage (Analysis Section 3.2.4, see **ADDRESSES**). Vessel owners and operators consider net modifications to determine whether they minimize operational costs of the gear, maximize total revenue over a unit of time, and have any effect on drag, towing time, and subsequent fuel burn rate. Often, new gear designs or modifications are tested extensively prior to use by the fishing fleet. Flume tank tests or field gear experiments may be used to evaluate trawl gear modifications to minimize operating costs.

Need for the Proposed Action

A clear definition of pelagic trawl gear is necessary for consistent enforcement and compliance monitoring in areas where use of nonpelagic trawl gear is

prohibited. The Council recommended this action to simplify and update the definition of pelagic trawl gear, modify limitations on pelagic trawl gear to clearly allow the use of common components in codends and bycatch reduction devices, allow instrumentation necessary to monitor and adjust net performance, and remove outdated text related to parallel line trawls. Pelagic trawl gear design has evolved since 1993 (when the current definition was adopted) in response to numerous factors including fishery management measures and technological innovations. Some gear components such as sensors, electronic instruments (other than a net-sounder device), other metallic components, and flotation used in bycatch excluder devices or in a codend may not comply with the existing definition of pelagic trawl gear. Updates to the pelagic trawl gear definition are therefore necessary to clearly allow the continued use of salmon bycatch excluders in pelagic trawl gear and to provide greater flexibility for innovation in pelagic trawl gear design to better understand and avoid gear impacts on the seafloor and unobserved mortality of commercially important crab species.

This action is not expected to change overall fishing effort or the locations where fishing with pelagic trawl gear occurs. Therefore, this action is not expected to change the impacts of fishing with pelagic trawl gear on environmental components such as salmon PSC and benthic habitats (Analysis Section 5.3, see **ADDRESSES**).

This action would clearly allow commonly-used pelagic trawl gear configurations by modifying the regulatory limitations applicable to certain pelagic trawl gear components. Additionally, this action would allow vessels to employ all salmon bycatch excluders currently in use and could facilitate future bycatch reduction innovations, which would be beneficial for current and future efforts to reduce salmon bycatch by vessels fishing with pelagic trawl gear. Components in salmon excluders that are currently limited by the pelagic trawl gear definition include weighted components such as flapper panels (a weighted panel that blocks access to escapement holes when the vessel is under power, but drops during reduced water flow to allow salmon to escape) that contain or use metallic components; flotation; and electronic instruments and sensors including lights.

This action would not change the overall fishery management structure, including the harvest limits for target species that are specified in the annual harvest specifications, PSC limits for species like salmon, timing of fishing, the areas where fishing activity is authorized to occur, existing habitat protections such as closed areas, or any other fishing regulations applicable to existing fishing operations. NMFS expects that most pelagic trawl gear configurations already in use by vessels owners and operators would comply with the proposed definition of pelagic trawl gear and the limitations proposed at § 679.24(g) without the need for substantial modifications. However, this proposed action would allow vessel owners and operators more flexibility to voluntarily choose to adopt a wide range of new and advancing technologies.

Proposed Action and Rationale for Changes

This action would: (1) specify that pelagic trawl gear limitations do not apply to the codend; (2) remove outdated text related to parallel line trawls; (3) remove flotation limitations and references to metallic components; (4) prohibit the use of metal chains aft of the fishing circle and forward of 15 in (38.1 cm) stretched mesh size except for short lengths of chain used to prevent twisting; (5) allow bycatch excluder devices in pelagic trawl gear; and (6) allow sensors and electronic or mechanical instruments that can be used to observe or monitor the fishing gear, catch, fishing activity, fishing environment, or that are designed to adjust the fishing gear, exclude bycatch, or minimize contact with the seafloor.

To accomplish these goals, regulations would be revised to: (1) implement a simpler definition of pelagic trawl gear in paragraph (14) of the definition of ''Authorized fishing gear'' at § 679.2; (2) add language at § 679.24(g) that limits specific gear components that may be used in pelagic trawl gear; (3) add a prohibition at § 679.7 to ensure pelagic trawl gear is compliant with all limitations applicable to pelagic trawl gear at § 679.2 and § 679.24(g); and (4) make minor housekeeping revisions to regulations at § 679.2, § 679.7, and § 679.24 to correct a spelling error and improve consistency in regulations. These revisions and their effects are described in more detail in this section.

The definition of pelagic trawl gear—at paragraph (14) of the definition of ''Authorized fishing gear'' at § 679.2—would be revised and simplified, focusing on the two key characteristics that differentiate pelagic trawl gear from nonpelagic trawl gear. Pelagic trawl gear would be defined as a trawl gear that has: (1) no discs, bobbins, or rollers forward of the codend; and (2) no chafe protection gear attached to the footrope or fishing line. The definition would make it simpler to distinguish pelagic trawl gear from nonpelagic trawl gear when enforcing areas closed to directed fishing with nonpelagic trawl gear. Footrope protection gear (*e.g.,* discs, bobbins, or rollers) is typically found only on nonpelagic trawl gear and allows the footrope of nonpelagic trawl gear to be operated on the seafloor. Chafe protection gear attached to the footrope or fishing line serves the same purpose. This proposed rule also makes clarifying technical edits to the definition of nonpelagic trawl gear, which encompasses all trawl gear designs that do not meet the revised definition of pelagic trawl gear.

The Council recommended and NMFS proposes regulations that do not include parallel line spacing limitations that prevent the use of a variation of pelagic trawl gear known as a parallel line trawl. The parallel line trawl variation of pelagic trawl gear is currently regulated at § 679.2(14)(iii)(B). However, this gear variation is now obsolete, having been replaced by the more efficient mesh pelagic trawl gear over time. Therefore, this regulation is no longer necessary and would be removed.

Sections 679.2(iii) through (x) of the existing pelagic trawl gear definition (within the definition of authorized fishing gear), which specify limitations on the use of pelagic trawl gear, would be removed. In their place, regulations limiting the use of pelagic trawl gear specifications and components would be added at § 679.24(g). Proposed regulations at § 679.24(g) would also clarify that pelagic trawl gear limitations apply to all portions of pelagic trawl gear, except for the attached codend. These revisions would allow the use of floats, chain riblines, sensing or monitoring instruments, and any other components in codends attached to pelagic trawl gear. The limitations at § 679.24(g) would be organized in two groups: (1) specific components that are limited on all portions of pelagic trawl gear, except the attached codend; and (2) specific components that may be used in pelagic trawl gear.

Proposed regulations at § 679.24(g)(1) describe the specifications and components that are limited or not allowed in pelagic trawl gear, except in the codend, including mesh specifications, instrument limitations, footrope and fishing line limitations, and limitations on the length and location of metal chains in pelagic trawl gear. These regulations would maintain

current limitations on stretched mesh sizes and the number of footropes and fishing lines allowed (*i.e.,* only one footrope and one fishing line).

Section 679.24(g)(1)(i) would include large mesh specifications for pelagic trawl gear, stating that pelagic trawl gear must have no less than 20 in (50.8 cm) between each knot or connector that attaches mesh to the fishing line, headrope, or breast line. Section 679.24(g)(1)(ii) would state that pelagic trawl gear aft of all points on the fishing line, headrope, and breast lines has no stretched mesh size of less than 60 in (152.4 cm) extending past the fishing circle for a distance equal to or greater than one half the vessel's length overall (LOA). Section 679.24(g)(1)(iii) would state that pelagic trawl gear aft of the mesh described in paragraph (g)(1)(ii) has no stretched mesh size less than 15 in (38.1 cm) for a distance equal to or greater than one half the vessel's LOA. Section 679.24(g)(1)(iv) would ensure that forward meshes remain open and unimpeded by prohibiting configurations in pelagic trawl gear to reduce regulated forward mesh sizes (*i.e.,* prevent gear configurations that would allow large meshes to be pulled together such that they would function as smaller meshes). Section 679.24(g)(1)(iv) differs from the existing paragraph (14)(v) of the definition of pelagic trawl gear in that, rather than using the phrase ''configuration *intended to reduce* stretched mesh sizes'', § 679.24(g)(1)(iv) would use the phrase ''configuration *that reduces* the stretched mesh sizes.'' This change would improve enforceability by tying compliance to a measurable standard rather than intent. Maintaining the minimum stretched mesh size requirements for large forward meshes is an important characteristic of pelagic trawl gear. Large meshes reduce drag, which contributes to increased efficiency, and allows some non-target species such as halibut and crab to escape if pelagic trawl gear contacts the seafloor.

Section 679.24(g)(1)(v) would limit pelagic trawl gear to no more than one fishing line and one footrope on the bottom of pelagic trawl gear. The current definition states that pelagic trawl gear can have no more than one fishing line and one footrope for a total of no more than two weighted lines on the bottom of the trawl. This action would remove the reference to ''weighted lines,'' to avoid limiting the material used in the fishing line or footrope to only weighted lines, because that limitation on material serves no conservation or management purpose. Section 679.24(g)(1)(v) would also continue to ensure that the total number of lines in the bottom, forward section of pelagic trawl gear is limited to no more than one fishing line and one footrope. A footrope is generally made of chain, while a fishing line is generally made of synthetic material. A footrope is typically connected to the fishing line with short lengths of evenly spaced chains known as chain droppers or drop chains. The fishing line and footrope located on the bottom of pelagic trawl gear between the wing tips and the fishing circle are the pelagic trawl gear components that are most likely to contact the seafloor. Section 679.24(g)(1)(v) would prevent the use of additional fishing lines or footropes that could armor the net and, therein, facilitate increased bottom contact by pelagic trawl gear.

The Council recommended and NMFS proposes to remove reference to and limits on metallic components used in the existing definition of pelagic trawl gear, with one exception. Namely, under proposed § 679.24(g)(1)(vi), metal chains greater than 10 ft (3.05 m) in length would not be allowed in the middle portion of the net—that is, not allowed aft of the fishing circle and forward of any stretched mesh size greater than 15 in (38.1 cm). The Council and NMFS intend this provision to prohibit metal chains from being used to armor the middle portion of pelagic trawl gear such that there could be increased potential for seafloor contact.

While this provision would restrict the use of most metal chains in the middle portion, or ''belly'' of the net, short chains—equal to or less than 10 ft (3.05m) in lengthfor a total of no more than 100 linear feet (30.48 m) of metal chains—could be used to prevent twisting during net deployment. These chains, or other weighted materials that are not limited by this action, can help spread open and maintain net orientation when trawl gear is deployed in adverse conditions, reducing the potential for net twisting and entanglement, which can be costly and time consuming to repair (Analysis Section 4.3.5, see **ADDRESSES**). Limiting metal chains in the middle of the net to only those shorter than 10 ft (3.05m) for a total length of no more than 100 linear feet (30.48 m) should allow current practices to continue for CV and C/P pelagic trawls. NMFS requests public comment on the proposed length of each metal chain and the limitation on the total linear feet of chain identified in proposed § 679.24(g)(1)(vi). Specifically, whether these chain lengths are adequate for proper gear deployment and whether these chain lengths would armor the belly of the net in a manner that would make the net more suitable to be fished in contact with the seafloor.

This action would allow all other metallic components in pelagic trawl gear, as many serve important conservation and management purposes (*e.g.,* components in some bycatch excluder devices are metallic, as are certain sensors and instruments). Under this proposed action, by removing the reference to metallic components in § 679.2(viii) of the existing pelagic trawl gear definition (within the definition of authorized fishing gear), dropchains connecting the footrope to the fishing line would be clearly permissible. Connectors, synthetic lines including metal threads, lead beads, or lead cores would also be allowed anywhere in pelagic trawl gear.

Section 679.24(g)(2) would list components that are explicitly allowed or may be used in pelagic trawl gear, including sensors and electronic or mechanical instruments, small mesh panels used to attach such instruments, weights on the wing tips (as under current regulations), and bycatch excluder devices. Under this action, the use of sensors and electronic or mechanical instruments in pelagic trawl gear would be expanded beyond the single net-sounder device allowed under current regulations.

Section 679.24(g)(2)(i)(A) and (B) would specify the types of instruments allowed in pelagic trawl gear. Allowed sensors and electronic or mechanical instruments would include those that are: (1) capable of illuminating, observing, or monitoring the fishing gear, catch, fishing activity, or fishing environment; or (2) designed to adjust the fishing gear, exclude bycatch, or minimize contact with the seafloor. By removing restrictions on the use of metallic components, proposed regulations would allow sensors and instruments containing metal on pelagic trawl gear.

The Council recommended and NMFS proposes these provisions to allow lights, live-feed cameras, and other commonly used sensors and instruments in addition to net-sounder devices. Further, this action would allow electronic or mechanical instruments that are designed to adjust the fishing gear, exclude bycatch, or minimize contact with the seafloor, to be attached to pelagic trawl gear. This could support the adoption of innovative technologies on pelagic trawl gear that could be used to support a wide range of bycatch excluder devices and improve understanding of how the gear operates. By allowing these

instruments and components, this action would allow bycatch excluder devices to be attached anywhere on pelagic trawl gear in line with Council and NMFS management goals and with current fishing operations. NMFS requests public comment on whether any bycatch excluder devices would be prohibited under the proposed regulations to ensure that this action does not limit bycatch reduction innovations. No conservation or management reasons for limiting sensors, instruments, and related components have been identified. The proposed action would also provide flexibility to the fleet to continue to improve instruments that are designed to adjust deployed fishing gear and minimize contact with the seafloor.

Section 679.24(g)(2)(ii) would allow mesh panels made of any stretched mesh size to be used anywhere in the net to attach sensors and other types of electronic or mechanical instruments. Section 679.2(14)(ix) of the existing pelagic trawl gear definition currently allows small mesh within 32 ft (9.8 m) of the center of the headrope to attach a net-sounder device. Because this action would allow many other types of instruments to be used throughout pelagic trawl gear, this action would remove existing restrictions on where small mesh panels can be used to attach instruments to pelagic trawl gear.

Section 679.24(g)(2)(iii) would ensure that weights can be attached to pelagic trawl gear wing tips. The fishing circle and ''mouth'' of pelagic trawl gear opens as a vessel tows it through the water and resistance from trawl doors spreads the wing tips outward, while clump weights pull the bottom wing tips down. Weights connected to trawl wing tips are necessary for the function of the gear and would continue to be allowed under this action in line with current regulations.

Flotation would not be limited under this proposed action and would be allowed anywhere on pelagic trawl gear. No identified conservation risks or other anticipated environmental impacts were identified in the Analysis from allowing flotation in pelagic trawl gear (Analysis, Section 2.3, see **ADDRESSES**). Removing the limit on flotation would allow floats to be used as necessary, recognizing that pelagic trawl gear configurations are focused on maximizing efficiency and reducing drag. Flotation is often beneficial to the design and proper function of bycatch excluder devices, and may also be useful for supporting instruments in pelagic trawl gear.

A prohibition would be added at § 679.7(a)(17) that makes it unlawful for any person to retain groundfish taken with pelagic trawl gear that does not comply with § 679.24(g). This would prohibit vessel owners, operators, or permit holders from using trawl gear to retain groundfish in areas closed to nonpelagic gear unless the gear meets the definition of pelagic trawl gear at § 679.2 and the pelagic trawl gear limitations at § 679.24.

This proposed action would also make minor housekeeping revisions to regulations at § 679.2, § 679.7, and § 679.24 to improve consistency in regulations, clarify specific pelagic trawl gear components, and make technical corrections:

- At § 679.2, the introductory text for the definition of ''Authorized fishing gear'' would be revised to remove the list of gear categories including trawl gear, fixed gear, longline gear, pot gear, and nontrawl gear. This list was not exhaustive and not necessary to retain in the introductory text because each of the categories is further defined in the subparagraphs.
- At § 679.2(1),the definition of ''Authorized fishing gear'' would be revised to reorder the listed gear types that constitute ''bottom contact gear'' so that they appear in alphabetical order and correspond to the order they are listed in subsequent paragraphs.
- At § 679.2, to improve consistency in referring to the numerous listed types of authorized fishing gear, the word ''gear'' is proposed to be added to the definition of ''Dredge gear'' in paragraph (3), ''Longline pot gear'' in paragraph (10), and ''Nonpelagic trawl gear'' in paragraph (12).
- At § 679.2, this proposed rule would revise the definition of ''Fishing line'' to clarify that there are no restrictions on the material used to construct the line. This would allow for synthetic rope instead of only chains to be used as the fishing line. These updates are necessary to reflect technological advances in the materials used for fishing gear. For example, a type of lightweight synthetic rope, up to five times stronger than steel, is commonly used in modern pelagic trawl gear fishing lines.
- At § 679.2, the definition of ''net-sounder device'' would be removed. This definition is no longer necessary because the term would no longer appear in in the definition of pelagic trawl gear at § 679.2, nor would it appear in the updated limitations on pelagic trawl gear at 679.24(g).
- At § 679.7(a)(9), the word ''anything'' would be added to clarify that groundfish taken with ''anything'' other that authorized fishing gear as defined in § 679.2 is prohibited for retention. This revision would clarify the existing regulation without altering the intent.
- At § 679.24(b)(1), the heading would be changed from ''Pots'' to ''Longline pot gear''. This change would be more descriptive of the gear type that is limited by that paragraph.
- At § 679.24(b)(3), the following non-substantive changes are proposed to clarify this limitation: (1) the heading ''Trawl footrope'' would be revised to ''GOA trawl gear footrope limitation''; (2) the phrase ''No person trawling'' would be revised to ''No person using trawl gear''; and (3) the phrase ''GOA area'' would be changed to ''GOA regulatory area.'' These proposed clarifications do not change the limitation in this paragraph as implemented in 1987 and most recently modified in 2002 (52 FR 7817, March 13, 1987; 67 FR 4100, January 28, 2002).
- At § 679.24(e)(6), the word ''notwithstanding'' would be revised to correct a spelling error.

Classification

Rulemaking Authority

Pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has determined that this proposed rule is consistent with the BSAI and GOA FMPs for groundfish, other provisions of the Magnuson-Stevens Act, and other applicable law, subject to further consideration after public comment.

National Environmental Policy Act Statement

In accordance with the National Environmental Policy Act of 1969, as amended, NMFS prepared an environmental assessment (EA) that discusses the impact on the quality of the human environment as a result of this rule. Pelagic trawl fishing effort, time, and location are not expected to change as a result of this action and therefore environmental impacts of the groundfish fisheries are not expected to change as a result of this action. Further, because this action is intended to clearly authorize commonly used gear configurations, impacts to benthic habitat from gear contact are also not expected to increase as a result of this action. This action would clearly allow the use of bycatch excluder devices in pelagic trawl gear, which supports past conservation actions to reduce bycatch of PSC species from pelagic trawl gear. A copy of the EA is available from NMFS (see **ADDRESSES**).

E.O. 12866 Statement

This proposed rule has been determined to be significant for purposes of Executive Order 12866.

E.O. 14192 Statement

This proposed rule is expected to be an Executive Order 14192 deregulatory action because it reduced the economic burden for regulated entities.

Certification Under the Regulatory Flexibility Act

The Senior Lead Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration that this proposed rule, if adopted, would not have a significant economic impact on a substantial number of small entities. The purpose of this action is to revise regulations related to pelagic trawl gear to clearly allow commonly used gear configurations (including components in codends and bycatch excluder devices), allow instrumentation necessary to monitor and adjust net performance, and remove unnecessary outdated text. NMFS anticipates no additional costs to fishery participants because no current vessel owner would need to change their existing pelagic trawl gear under these proposed regulations.

This action would directly regulate participants in the BSAI and GOA trawl gear fisheries. This includes entities operating vessels with groundfish Federal Fisheries Permits catching FMP groundfish using pelagic trawl gear in Federal waters (including those receiving direct allocations of groundfish). From 2019 to 2024, 147 vessels utilized pelagic trawl gear. Of those, 128 were active in 2024. There were 67 vessels that used pelagic trawl gear in the GOA and 103 vessels in the BSAI from 2019 to 2024. Of the 147 active vessels from 2019 to 2024, 32 vessels are considered small entities based on average annual revenue from 2019 to 2024. Of the active vessels in the BSAI, 5 were small entities, and 27 of the vessels active in the GOA were small entities.

The alternatives and associated options would generally allow industry to adapt rather than require gear modifications beyond what is currently in use to comply with the new definition of pelagic trawl gear and would provide more flexibility for gear innovations related to bycatch reduction and minimizing contact with the seafloor. As such, this action is not expected to create significant negative effects on a substantial number of directly regulated small entities. This action would not affect the harvest limits, season dates, areas fished, PSC or PSC limits, and all other measures currently in place. Therefore, the action is not expected to cause a significant economic impact on a substantial number of small entities. As a result, an initial regulatory flexibility analysis is not required and none has been prepared.

Paperwork Reduction Act Statement

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

List of Subjects in 50 CFR Part 679

Alaska, Fisheries, Reporting and recordkeeping requirements.

Dated: November 12, 2026.

Samuel D. Rauch III,

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

For the reasons set out in the preamble, NMFS proposes to amend 50 CFR part 679 as follows:

PART 679—FISHERIES OF THE EXCLUSIVE ECONOMIC ZONE OFF ALASKA

■ 1. The authority citation for part 679 continues to read as follows:

Authority: 16 U.S.C. 773 *et seq.;* 1801 *et seq.;* 3631 *et seq.;* Pub. L. 108–447; Pub. L. 111–281.

■ 2. Amend § 679.2 by:
■ a. Revising the definition of ''Authorized fishing gear'' introductory text and paragraphs (1), (3), (10), (12), and (14),
and the definition of ''Fishing line''; and
■ b. Removing the definition for ''Net-sounder device''.

The revisions read as follows:

§ 679.2 Definitions.

* * * * *

Authorized fishing gear (see also § 679.24 for gear limitations and Table 15 to this part for gear codes) means:

(1) *Bottom contact gear* means dinglebar gear, dredge gear, hook-and-line gear, nonpelagic trawl gear, or pot gear.

* * * * *

(3) *Dredge gear* means a dredge-like device designed specifically for and capable of taking scallops by being towed along the ocean floor.

* * * * *

(10) *Longline pot gear* means a stationary, buoyed, and anchored line with two or more pots attached, or the taking of fish by means of such a device.

* * * * *

(12) *Nonpelagic trawl gear* means trawl gear other than pelagic trawl gear.

* * * * *

(14) *Pelagic trawl gear* means trawl gear that has no:

(i) Discs, bobbins, or rollers forward of the codend (see 50 CFR 600.10 of this title); or

(ii) Chafe protection gear attached to the footrope or the fishing line.

* * * * *

Fishing line means a continuous length of chain, wire rope, or rope in the bottom front end of a trawl between the wing tips and the fishing circle to which the webbing, meshes, or lead ropes are attached.

* * * * *

■ 3. In § 679.7, revise paragraphs (a)(9) and (a)(17) to read as follows:

§ 679.7 Prohibitions.

* * * * *

(a) * * *

(9) *Authorized fishing gear.* Retain groundfish taken with anything other than authorized fishing gear as defined in § 679.2, except that groundfish incidentally taken by pot gear by a vessel while participating in an open crab season governed by the State of Alaska may be retained for use as unprocessed bait on board that vessel.

* * * * *

(17) *Pelagic Trawl Gear.* Retain groundfish taken with pelagic trawl gear, as defined at § 679.2, that does not comply with the limitations specified at § 679.24(g).

* * * * *

■ 4. Amend § 679.24 by:
■ a. Revising paragraph (b)(1) introductory text and paragraph (b)(3);
■ b. Removing the word, ''Nothwithstanding'' and adding in its place, ''Notwithstanding'' in paragraph (e)(6); and
■ c. Adding paragraph (g).

These revisions and addition read as follows:

§ 679.24 Gear limitations.

* * * * *

(b) * * *

(1) *Longline pot gear.* Any person using longline pot gear must treat any catch of groundfish as a prohibited species, except:

* * * * *

(3) *GOA trawl gear footrope limitation.* No person using trawl gear in any GOA regulatory area limited to pelagic trawl gear under § 679.22 may allow the footrope of that trawl gear to be in contact with the seabed for more than 10 percent of the period of any tow.

* * * * *

(g) *Pelagic trawl gear.*

(1) Except for the codend (see 50 CFR 600.10 of this title), pelagic trawl gear

must comply with the following limitations:

(i) Has no less than 20 inches (50.8 cm) between each knot or connector that attaches mesh to the fishing line, headrope, or breast line;

(ii) Aft of all points on the fishing line, headrope, and breast lines, has no stretched mesh size less than 60 inches (152.4 cm) extending past the fishing circle for a distance equal to or greater than one half the vessel's LOA;

(iii) Aft of the mesh described in paragraph (g)(1)(ii) of this section, has no stretched mesh size less than 15 inches (38.1 cm) for a distance equal to or greater than one half the vessel's LOA;

(iv) Contains no net configuration that reduces the stretched mesh sizes described in paragraphs (g)(1)(ii) and (iii) of this section;

(v) Has no more than one fishing line and one footrope on the bottom of the trawl gear; and

(vi) Has no metal chains longer than 10 ft (3.05 m) for a total of no more than 100 linear feet (30.48 m) of metal chain aft of the fishing circle and forward of any stretched mesh size greater than 15 inches (38.1 cm).

(2) Pelagic trawl gear, including the codend (see 50 CFR 600.10 of this title), may include:

(i) Sensors and electronic or mechanical instruments if they are:

(A) Capable of illuminating, observing, or monitoring the fishing gear, catch, fishing activity, or fishing environment; or

(B) Designed to adjust the fishing gear, exclude bycatch, or minimize contact with the seafloor;

(ii) Notwithstanding paragraph (g)(1) of this section, mesh panels made of any stretched mesh size to which sensors and electronic or mechanical instruments, described in paragraph (g)(2)(i) of this section, are attached; and

(iii) Weights on the wing tips.

[FR Doc. 2026–23251 Filed 11–13–26; 8:45 am]

BILLING CODE 3510–22–P

Notices

Federal Register
Vol. 91, No. 219
Monday, November 16, 2026

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2026–1189]

Notice of Request for Approval of a New Information Collection; Highly Pathogenic Avian Influenza: Administration of Vaccine in Zoos

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Request for approval of a new information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request approval of a new information collection for implementation of vaccination for highly pathogenic avian influenza in zoos and animal sanctuaries.

DATES: We will consider all comments that we receive on or before January 15, 2027.

ADDRESSES: You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to *www.regulations.gov.* Enter APHIS–2026–1189 in the Search field. Select the Documents tab, then select the Comment button in the list of documents.
- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2026–1189, Regulatory Analysis and Development, PPD, APHIS, 5601 Sunnyside Ave., #AP760, Beltsville, MD 20705.

Supporting documents and any comments we receive on this docket may be viewed at *www.regulations.gov* or in our reading room, which is in room 1620 of the USDA South Building, 14th Street and Independence Avenue SW, Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: For information on the effort to support HPAI vaccination in zoos and animal sanctuaries, contact Dr. Steven Rekant, Public Health Veterinary Medical Officer, APHIS, Veterinary Services, Strategy and Policy, 5601 Sunnyside Ave., Beltsville, MD 20705; (971) 263–3734; *Steven.rekant@usda.gov.* For more information on the information collection reporting process, contact Ms. Sheniqua Harris, APHIS' Paperwork Reduction Act Coordinator, at (301) 851–2528 or email *APHIS.PRA@usda.gov.*

SUPPLEMENTARY INFORMATION:

Title: Highly Pathogenic Avian Influenza: Administration of Vaccine in Zoos.

OMB Control Number: 0579–XXXX.

Type of Request: Approval of a new information collection.

Abstract: Under the Animal Health Protection Act (7 U.S.C. 8301 *et seq.*), the Secretary of Agriculture is authorized to protect the health of U.S. livestock by preventing the introduction and interstate spread of serious diseases and pests of livestock and for eradicating such diseases from the United States when feasible. This authority has been delegated to the Animal and Plant Health Inspection Service (APHIS).

Highly pathogenic avian influenza (HPAI) is an extremely infectious and fatal form of avian influenza, particularly in poultry. An HPAI outbreak can have significant consequences for livestock, wildlife, and producers' livelihoods, as well as significant impacts on international trade (especially in poultry and poultry products).

APHIS is expanding its efforts to combat HPAI with vaccination by initiating a program to cooperate with State animal health officials to allow zoos and similar facilities to vaccinate animals in their care against HPAI. This program establishes conditions for zoos and animal sanctuaries to receive and administer vaccine; the information collected will enable APHIS and State animal health officials to determine facility eligibility and ensure that vaccination activities are conducted safely and in compliance with Federal and State requirements.

To participate, facilities must submit an HPAI Vaccination Plan demonstrating compliance with APHIS criteria, including oversight by a USDA-accredited Category II veterinarian; appropriate recordkeeping and individual animal identification; adequate biosecurity; and separation of vaccinated animals from specified domestic poultry species. The plan must justify the need for vaccination, describe vaccine administration and inventory control procedures, outline biosecurity protocols, animal identification, document veterinary monitoring, describe medical recordkeeping, and address procedures for animal transfers or disposition.

Once approved, facilities may obtain licensed HPAI vaccine from manufacturers, who are required to maintain shipment records. Facilities must retain detailed vaccination and inventory records, conduct required testing through National Animal Health Laboratory Network laboratories, submit annual reports, and provide a final summary report upon completion of vaccination activities. Failure to comply with requirements may result in suspension or revocation of authorization.

We are asking the Office of Management and Budget (OMB) to approve our use of these information collection activities for 3 years.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of our estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies; *e.g.,* permitting electronic submission of responses.

Estimate of burden: The public burden for this collection of information is estimated to average 1.043 hours per response.

Respondents: Facility management personnel at zoos and animal sanctuaries, accredited veterinarians, nonprofit wildlife facilities, and State animal health authorities, as well as vaccine manufacturers responsible for shipment recordkeeping.

Estimated annual number of respondents: 160.

Estimated annual number of responses per respondent: 6.

Estimated annual number of responses: 960.

Estimated total annual burden on respondents: 1,001 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Done in Washington, DC, this 21st day of October 2026.

Kelly Moore,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2026–23302 Filed 11–13–26; 8:45 am]

BILLING CODE 3410–34–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Rhode Island Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: Commission on Civil Rights.

ACTION: Announcement of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission), and the Federal Advisory Committee Act (FACA), that a meeting of the Rhode Island Advisory Committee to the Commission will hold a public meeting via Zoom. The purpose is for the committee to select a topic of study and begin the Proposal Stage.

DATES: Friday, December 4, 2026; 4:00 p.m. Eastern Time.

ADDRESSES: The meeting will be held via Zoom.

Registration Link (Audio/Visual): https://www.zoomgov.com/webinar/register/WN_hMrInCWpSiKBkiv4NAE1Ig.

Join by Phone (Audio Only): 1–833–435–1820 USA Toll Free; Webinar ID: 165 715 3624#.

Agenda: https://usccr.box.com/s/kreey9srm7ofl9catdbnn2oj7ntx6lf8 (note: a final meeting agenda will be available prior to the meeting date).

FOR FURTHER INFORMATION CONTACT: Victoria Moreno, Designated Federal Officer, at *vmoreno@usccr.gov* or 1–434–515–0204.

SUPPLEMENTARY INFORMATION: This virtual committee meeting is available to the public through the registration link above. Any interested member of the public may join at the link to listen to this meeting. An open comment period will be provided to allow members of the public to make a statement as time allows. Pursuant to the Federal Advisory Committee Act, public minutes of the meeting will include a list of persons who are present at the meeting. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Closed captioning is available by selecting ''CC'' in the Zoom meeting platform. To request additional accommodations, please email *ebohor@usccr.gov* at least 10 business days prior to the meeting.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be emailed to Evelyn Bohor, *ebohor@usccr.gov.* Persons who desire additional information may contact the Regional Programs Coordination Unit at (202) 809–9618.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after the meeting. Records of the meetings will be available via the file sharing website: *https://usccr.box.com/s/kreey9srm7ofl9catdbnn2oj7ntx6lf8* as well as at: *www.facadatabase.gov* under the Commission on Civil Rights, selecting the Advisory Committee of interest. Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Programs Coordination Unit at *ebohor@usccr.gov.*

Dated: November 12, 2026.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2026–23249 Filed 11–13–26; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–489–844]

Certain Aluminum Foil From the Republic of Türkiye: Final Results of Antidumping Duty Administrative Review; 2023–2024

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that certain producers and exporters subject to this administrative review made sales of subject merchandise at less than normal value (NV) during the period of review (POR) November 1, 2023, through October 31, 2024.

DATES: Applicable November 16, 2026.

FOR FURTHER INFORMATION CONTACT: Bryan Hansen, 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) 482–3683.

SUPPLEMENTARY INFORMATION:

Background

On November 12, 2021, Commerce published in the **Federal Register** the antidumping duty (AD) order on certain aluminum foil (aluminum foil) from the Republic of Türkiye (Türkiye).[1] On May 12, 2026, Commerce published in the **Federal Register** the *Preliminary Results,* which included a partial rescission of this administrative review[2] and invited comments from interested parties.[3] This review covers two producers and exporters of the subject merchandise, Assan Aluminyum Sanayi ve Ticaret A.S., Kibar Dis Ticaret A.S., and Ispak Esnek Ambalaj Sanayi A.S. (collectively, the Assan Single Entity[4]), and Panda Alüminyum A.S. (Panda). In accordance with section 751(a)(3)(A) of the Tariff Act of 1930, as amended,

[1] *See Certain Aluminum Foil from the Republic of Armenia, Brazil, the Sultanate of Oman, the Russian Federation, and the Republic of Turkey: Antidumping Duty Orders,* 86 FR 62790 (November 12, 2021) (*Order*).

[2] *See Certain Aluminum Foil from the Republic of Türkiye: Preliminary Results and Rescission, in Part, of Antidumping Duty Administrative Review; 2023–2024,* 91 FR 25857 (May 12, 2026) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

[3] *Id.*

[4] Commerce previously determined that Assan Aluminyum Sanayi ve Ticaret A.S., Kibar Dis Ticaret A.S., and Ispak Esnek Ambalaj Sanayi A.S. comprise the Assan Single Entity. *See Certain Aluminum Foil from the Republic of Turkey: Final Affirmative Determination of Sales at Less Than Fair Value,* 86 FR 52880 n.10 (September 23, 2021).

Commerce extended the deadline for the final results of this administrative review to November 9, 2026.[5]

For a complete description of the events that followed the *Preliminary Results,* see the Issues and Decision Memorandum.[6] The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS), 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.*

Commerce conducted this administrative review in accordance with section 751(a)(1)(B) the Act.

Scope of the Order

The merchandise covered by the *Order* is aluminum foil from Türkiye. A full description of the scope of the *Order* is contained in the Issues and Decision Memorandum.[7]

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 provided as an appendix to this notice.

Changes Since the Preliminary Results

Based on our review of the record and comments received from interested parties regarding the *Preliminary Results,* and for the reasons explained in the Issues and Decision Memorandum, we made certain changes to the margin calculation for the Assan Single Entity and Panda.[8]

Final Results of Administrative Review

For these final results of review, Commerce determines that the following weighted-average dumping margins exist for the period November 1, 2023, through October 31, 2024:

Producer and/or exporter	Weighted-average dumping margin (percent)
Assan Aluminyum Sanayi ve Ticaret A.S., Kibar Dis Ticaret A.S., and Ispak Esnek Ambalaj Sanayi A.S.[9]	3.23
Panda Alüminyum A.Ş	6.75

Disclosure

Commerce intends to disclose the calculations performed for the final results of this 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).[10]

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 in accordance with the final results of this review.

Pursuant to 19 CFR 351.212(b)(1), where the respondent reported the entered value of its U.S. sales, we calculated importer-specific assessment rates based on the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of those same sales. Where the respondent did not report entered value, we calculated a per-unit assessment rate for each importer by dividing the total amount of dumping calculated for the examined sales made to that importer by the total quantity associated with those sales. To determine whether an importer-specific, per-unit assessment rate is *de minimis* (*i.e.,* less than 0.5 percent), in accordance with 19 CFR 351.106(c)(2), we also calculated an importer-specific *ad valorem* rate based on estimated entered values. Where either the respondent's weighted-average dumping margin is zero or *de minimis,* within the meaning of 19 CFR 351.106(c)(1), or an importer-specific rate is zero or *de minimis,* we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.[11]

Commerce's ''automatic assessment'' practice will apply to entries of subject merchandise during the POR produced by the Assan Single Entity and Panda for which it did not know that the merchandise it sold to an intermediary (*e.g.,* a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate such entries at the all-others rate (*i.e.,* 1.97 percent), if there is no rate for the intermediate company(ies) involved in the transaction.[12]

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 the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the companies listed above will be equal to the weighted-average dumping margin that is established in the final results of this

[5] *See* Memoranda, ''Extension of Deadline for Final Results of Antidumping Duty Administrative Review; 2023–2024,'' dated August 20, 2026, and ''Extension of Deadline for Final Results of Antidumping Duty Administrative Review; 2023–2024,'' dated October 29, 2026.

[6] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results of the Antidumping Duty Administrative Review of Certain Aluminum Foil from the Republic of Türkiye; 2023–2024,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[7] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results of the Antidumping Duty Administrative Review of Certain Aluminum Foil from the Republic of Türkiye; 2023–2024,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[8] *Id.*

[9] This rate is assigned to the Assan Single Entity comprising Assan Aluminyum Sanayi ve Ticaret A.S., Kibar Dis Ticaret A.S., and Ispak Esnek Ambalaj Sanayi A.S. *See* footnote 4, *supra.*

[10] *See* 19 CFR 351.224(b).

[11] *See* 19 CFR 352.106(c)(2); *see also Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification,* 77 FR 8101, 8103 (February 14, 2012).

[12] *See Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

review; (2) for subject merchandise exported by previously investigated or reviewed companies not covered in this review, the cash deposit rate will continue to be equal to the company-specific weighted-average dumping margin published for the most recently completed segment of this proceeding in which the company participated; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation but the producer is, then the cash deposit rate will be equal to the company-specific weighted-average dumping margin established for the most recently completed segment for the producer of the subject merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 1.97 percent, the all-others rate established in the amended final determination of the investigation, adjusted for the export subsidy rate in the companion countervailing duty investigation.[13]

These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

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

Administrative Protective Order (APO)

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

[13] *See Certain Aluminum Foil from the Republic of Türkiye: Notice of Court Decision Not In Harmony with the Final Determination of Antidumping Investigation; Notice of Amended Final Determination,* 91 FR 28557 (May 18, 2026).

Notification to Interested Parties

This notice is 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: November 9, 2026.

Kasey O'Connor,

Deputy General Counsel, 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: Assan's Freight Revenue
Comment 2: Exclusion of Credit Balances from Assan's Indirect Selling Expenses
Comment 3: Assan's Turkish Lira (TL) Short-Term Borrowing Rate
Comment 4: Assan's Financial Expense Ratio
Comment 5: Raw Material Premium Costs for Assan
Comment 6: Assan's Duty Drawback Adjustment
Comment 7: Inclusion of Stamp Taxes in Assan's Duty Drawback Adjustment
Comment 8: Assan's Adjustments for Imputed Import Duties and Duty Drawback
Comment 9: Manual Adjustment to Assan's Cost of Manufacture
Comment 10: Assan's Indirect Selling Expense Ratio
Comment 11: Panda's Adjustment for Imputed Import Duties and Duty Drawback
VI. Recommendation

[FR Doc. 2026–23267 Filed 11–13–26; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–433–813]

Strontium Chromate From Austria: Final Results of Antidumping Duty Administrative Review; 2023–2024

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that Habich GmbH (Habich) made sales of strontium chromate from Austria in the United States at less than normal value (NV) during the period of review (POR) November 1, 2023, through October 31, 2024.

DATES: Applicable November 16, 2026.

FOR FURTHER INFORMATION CONTACT: Jaron Moore or Brandon James, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3640 or (202) 482–3149, respectively.

SUPPLEMENTARY INFORMATION:

Background

On May 13, 2026, Commerce published the *Preliminary Results* in the **Federal Register** and invited interested parties to comment on those results.[1] WPC Technologies (the petitioner) and Habich submitted case and rebuttal briefs.[2] On August 18, 2026, Commerce extended the deadline for the final results until November 2, 2026.[3] The deadline for these final results is November 2, 2026.[4]

For a complete description of the events that occurred since 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), 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.*

Commerce conducted this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order [6]

The product covered by this *Order* is strontium chromate from Austria. For a full description of the scope of the *Order, see* the Issues and Decision Memorandum.

[1] *See Strontium Chromate from Austria: Preliminary Results of Antidumping Duty Administrative Review; 2023–2024,* 91 FR 27021 (May 13, 2026) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

[2] *See* Petitioner's Letter, ''Petitioner's Case Brief,'' dated August 3, 2026; Habich's Letter, ''Case Brief,'' dated August 3, 2026; Petitioner's Letter,'' Petitioner's Rebuttal Case Brief,'' dated August 17, 2026; and Habich's Letter, ''Rebuttal Brief,'' dated August 17, 2026.

[3] *See* Memorandum, ''Extension of Deadline for Final Results of Antidumping Duty Administrative Review,'' dated August 18, 2026.

[4] *Id.*

[5] *See* Memorandum, ''Decision Memorandum for the Final Results of the Administrative Review of the Antidumping Duty Order on Strontium Chromate from Austria; 2023–2024,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[6] *See Strontium Chromate from Austria and France: Antidumping Duty Orders,* 84 FR 65349 (November 27, 2019) (*Order*).

Analysis of Comments Received

All issues raised in the case and rebuttal briefs are addressed in the Issues and Decision Memorandum. A list of the issues that parties raised and to which we responded in the Issues and Decision Memorandum is attached at an appendix to this notice.

Changes Since the Preliminary Results

Based on comments received from interested parties regarding our *Preliminary Results,* we made certain changes to the weighted-average dumping margin calculations for Habich. For a description of these changes, *see* the Issues and Decision Memorandum.

Final Results of Review

As a result of this review, we determine the following weighted-average dumping margin exists for the POR:

Exporter or producer	Weighted-average dumping margin (percent)
Habich GmbH	3.19

Disclosure

Commerce intends to disclose to parties in this proceeding the calculations performed for these final results of 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).

Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act, and 19 CFR 351.212(b)(1), Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. Pursuant to 19 CFR 351.212(b)(1), where the respondent reported the entered value of its U.S. sales, we calculated importer-specific *ad valorem* antidumping duty assessment rates on the basis of the ratio of the total amount of dumping calculated for the examined sales to the total entered value of those sales. Where an importer-specific assessment rate is zero or *de minimis* (*i.e.,* less than 0.5 percent), we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.[7] The final results of this administrative review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.[8]

Commerce's ''reseller policy'' will apply to entries of subject merchandise during the POR produced by the company included in these final results of review for which the reviewed company did not know that the merchandise it sold to the intermediary (*e.g.,* a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.[9]

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

Cash Deposit Requirements

The following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for Habich will be equal to the weighted-average dumping margin established in the final results of this administrative review; (2) for merchandise exported by a producer or exporter not covered in this 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 or a prior segment of this proceeding, but the producer is, then the cash deposit rate will be the company-specific rate established for the most recently-completed segment of this proceeding for the producer of the subject merchandise; and (4) the cash deposit rate for all other producers and exporters will continue to be 32.16 percent *ad valorem,* the all-others rate established in the underlying less-than-fair-value investigation.[10] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

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

Administrative Protective Order (APO)

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

Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: November 9, 2026.

Kasey O'Connor,

Deputy General Counsel, 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 Habich Maintains a Close Supplier Relationship
Comment 2: Whether to Apply Adverse Facts Available (AFA) to Habich for its Cost Reconciliation
Comment 3: Whether to Apply AFA for Product-Specific Cost Buildups

[7] *See Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification,* 77 FR 8101, 8102 (February 14, 2012).

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

[9] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[10] *See Order,* 84 FR at 65350.

Comment 4: Whether to Apply AFA to Adjust the Reported Per-Unit Overhead Cost
Comment 5: Whether to Rely on Habich's Mexican Market Sales Instead of Constructed Value (CV)
Comment 6: Whether to Rely on Habich's Own Selling Expenses and Profit Data to Calculate CV
Comment 7: Whether to Rely on Certain Financial Statements
Comment 8: Whether to Adjust the Calculation of General and Administrative (G&A) Expense and Interest Expense (INTEX) Ratios
Comment 9: Whether to Treat Commissions as Direct Selling Expenses
Comment 10: Whether to Rescind the Administrative Review
VI. Recommendation

[FR Doc. 2026–23269 Filed 11–13–26; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–533–872]

Finished Carbon Steel Flanges From India: Preliminary Results and Rescission, in Part, 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 producers and exporters of finished carbon steel flanges (steel flanges) from India. The period of review (POR) is January 1, 2024, through December 31, 2024. In addition, Commerce is rescinding this review, in part, with respect to 28 companies. Interested parties are invited to comment on these preliminary results.

DATES: Applicable November 16, 2026.

FOR FURTHER INFORMATION CONTACT: Amber Hodak or Danielle Buffa, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–8034 or (202) 482–8021, respectively.

SUPPLEMENTARY INFORMATION:

Background

On August 24, 2017, Commerce published in the **Federal Register** the countervailing duty (CVD) order on steel flanges from India.[1] On September 25, 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 steel flanges from India.[2] On December 8, 2025, Commerce selected Norma (India) Limited (Norma) and R.N. Gupta & Co., Ltd. (RNG) as the mandatory respondents 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] 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 May 14, 2026, Commerce extended the deadline for the preliminary results of this review by 112 days, until October 30, 2026.[6] On October 28, 2026, Commerce extended the deadline for the preliminary results of this review by an additional eight days until November 9, 2026.[7]

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[8] A list of topics included in the Preliminary Decision Memorandum is provided as Appendix I to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's 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 steel flanges from India. For a complete description of the scope of the *Order, see* the Preliminary 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 a CVD order when there are no reviewable entries of subject merchandise during the POR.[9] Normally, upon completion of an administrative review, the suspended entries are liquidated at the CVD assessment rate calculated for the POR.[10] Therefore, for an administrative review of a company to be conducted, there must be a reviewable, suspended entry that Commerce can instruct U.S. Customs and Border Protection (CBP) to liquidate at the CVD rate calculated for the POR.[11]

According to the CBP import data on the record, the companies listed in Appendix II subject to this review did not have reviewable entries of subject merchandise during the POR for which liquidation is suspended.[12] On October 26, 2026, Commerce notified all interested parties of its intent to rescind the instant review for companies where there was no evidence of any suspended entries of subject merchandise during the POR.[13] We provided interested parties with an opportunity to comment, and received no comments. Accordingly, in the absence of any reviewable, suspended entries of subject merchandise during the POR, we are rescinding the administrative review in part, with respect these companies listed in Appendix II, in accordance with 19 CFR 351.213(d)(3).

Methodology

Commerce is conducting this administrative review in accordance with 751(a)(1) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found

[1] *See Finished Carbon steel Flanges from India: Countervailing duty Order,* 82 FR 40138 (August 24, 2017) (*Order*).

[2] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 90 FR 46173, 46184. (September 25, 2025).

[3] *See* Memorandum, ''Respondent Selection,'' dated December 8, 2025.

[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 May 14, 2026.

[7] *See* Memorandum, ''Finished Carbon Steel Flanges from India: Extension of Deadline for Preliminary Results of Countervailing Duty Administrative Review,'' dated October 28, 2026. Because the preliminary results deadline falls on the weekend (*i.e.,* November 7, 2026). The new deadline becomes the next business day (*i.e.,* November 9, 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) (*Next Business Day Rule*).

[8] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the Administrative Review of the Countervailing Duty Order on Finished Carbon Steel Flanges from India; 2024,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[9] *See, e.g., Certain Non-Refillable Steel Cylinders from the People's Republic of China: Rescission of Countervailing Duty Administrative Review; 2024,* 90 FR 48043 (October 3, 2025).

[10] *See* 19 CFR 351.212(b)(2).

[11] *See* 19 CFR 351.213(d)(3).

[12] *See* Memorandum, ''Release of U.S. Customs and Border Protection Entry Data,'' dated September 29, 2025.

[13] *See* Memorandum, ''Notice of Intent to Rescind Review, In Part,'' dated October 26, 2026.

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.[14] 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 Preliminary Decision Memorandum.

Rate for Non-Individually Examined Companies

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

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

In this administrative review, we preliminarily calculated countervailable subsidy rates for the mandatory respondents, Norma and RNG, that are not zero, *de minimis,* or based entirely on facts available. Accordingly, we are preliminarily assigning to the companies under review that were not selected for individual examination a countervailable subsidy rate equal to the weighted average of the countervailable subsidy rates calculated for Norma and RNG, weighted by the mandatory respondents' publicly ranged sales values for the merchandise under consideration, consistent with the guidance in section 705(c)(5)(A)(i) of the Act.[15]

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*)
Norma (India) Limited; USK Export Private Limited; Uma Shanker Khandelwal and Co.; and Bansidhar Chiranjilal[16]	2.23
R. N. Gupta & Company Limited	2.28
Companies Not Selected for Individual Review[17]	2.26

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).

Verification

On March 4, 2026, Weldbend Corporation (Weldbend), a domestic interested party, requested that Commerce conduct verification of Norma and RNG's responses.[18] Accordingly, in July through August 2026, as provided in section 782(i)(3) of the Act, we verified Norma and RNG's information relied upon for these preliminary results of this review.

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.[19] 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.[20] 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.[21] 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.[22] Further, we request that interested parties limit their executive

[14] *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.

[15] With two respondents under examination, Commerce normally calculates: (A) a weighted-average of the estimated subsidy rates calculated for the examined respondents; (B) a simple average of the estimated subsidy rates calculated for the examined respondents; and (C) a weighted-average of the estimated subsidy rates calculated for the examined respondents using each company's publicly-ranged U.S. sales values for the merchandise under consideration. Commerce then compares (B) and (C) to (A) and selects the rate closest to (A) as the most appropriate rate for all other producers and exporters. *See, e.g., Ball Bearings and Parts Thereof from France, Germany, Italy, Japan, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews, Final Results of Changed-Circumstances Review, and Revocation of an Order in Part,* 75 FR 53661, 53662 (September 1, 2010), and accompanying Issues and Decision Memorandum at Comment 1; *see also* Memorandum, ''Preliminary Results Calculation of Subsidy Rate for Non-Selected Companies under Review,'' dated concurrently with this notice.

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

[17] *See* Appendix III for a list of the non-selected companies under review.

[18] *See* Weldbend's Letter, ''Request for Verification,'' dated March 4, 2026.

[19] *See* 19 CFR 351.309.

[20] *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*).

[21] *See* 19 CFR 351.309(c)(2) and (d)(2).

[22] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

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 public 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).[23]

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 participants are foreign nationals; 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.[24]

Assessment Rates

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 CBP shall assess, CVDs on all appropriate entries covered by this review.

For the companies listed in Appendix II for which the review is being rescinded, Commerce will instruct CBP to assess CVDs on all appropriate entries at a rate equal to the cash deposit of estimated CVDs required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue rescission instructions to CBP no earlier than 35 days after the date of publication of this notice in the **Federal Register**.

Commerce intends to issue assessment instructions to CBP regarding Norma, RNG, and the companies not selected for individual review [25] 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, 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 companies listed above will be equal to the company-specific estimated individual countervailable subsidy rates determined in the final results of this review, except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) if both the producer and exporter of the subject merchandise have company-specific estimated subsidy rates assigned, and their rates differ, then the applicable cash deposit rate will be the higher of these two rates; (3) if either the producer or the exporter, but not both, of the subject merchandise has a company-specific estimated subsidy rate assigned, the applicable cash deposit rate will be that company's company-specific rate; and (4) the cash deposit rate for all other producers and exporters will be continue to be 7.39 percent, the all-others subsidy rate established in the investigation.[26] These cash deposit instructions, when imposed, shall remain in effect until further notice.

Final Results of Review

Unless the deadline is extended, Commerce intends to issue the final results of this administrative review, which will include the results of Commerce's analysis of the issues raised in the case briefs, within 120 days of publication of these preliminary results in the **Federal Register**, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

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 351.213 and 19 CFR 351.221(b)(4).

Dated: November 9, 2026.

Kasey O'Connor,

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

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Diversification of India's Economy
V. Use of Facts Otherwise Available and Application of Adverse Inference
VI. Subsidies Valuation
VII. Benchmarks and Interest Rates
VIII. Analysis of Programs
IX. Recommendation

Appendix II

Companies for Which the Administrative Review Is Rescinded

1. Adinath International
2. Allena Group
3. Alloyed Steel
4. Bebitz Flanges Works Private Limited
5. CHW Forge
6. CHW Forge Pvt. Ltd.
7. Citizen Metal Depot
8. Corum Flange
9. DN Forge Industries
10. Echjay Forgings Limited
11. Echjay Industries Pvt. Ltd.
12. Falcon Valves and Flanges Private Limited
13. Heubach International
14. Jiten Steel Industries
15. Kinnari Steel Corporation
16. Mascot Metal Manufactures
17. M F Rings and Bearing Races Ltd.
18. OM Exports
19. Punjab Steel Works (PSW)
20. Raaj Sagar Steel
21. Ravi Ratan Metal Industries
22. Renin Piping Products
23. Rolex Fittings India Pvt. Ltd.
24. SHM (ShinHeung Machinery)
25. Siddhagiri Metal & Tubes
26. Sizer India
27. Sudhir Forgings Pvt. Ltd.
28. Umashanker Khandelwal Forging Limited

Appendix III

Non-Selected Companies Under Review

1. Aditya Forge Limited
2. Balkrishna Steel Forge Pvt. Ltd.
3. BFN Forgings Private Limited
4. Brai Technoforge Pvt. Ltd.
5. C.D. Industries
6. Cetus Engineering Private Limited
7. Hindon Forge Pvt. Ltd.
8. JAI Auto Pvt. Ltd.
9. Munish Forge Private Limited [27]

[23] *See APO and Service Procedures.*

[24] *See* 19 CFR 351.310(d).

[25] *See* Appendix III for a list of the non-selected companies under review.

[26] *See Order.*

[27] With respect to Munish Forge Private Limited, this company reported that it changed its name from Munish Forge Private Limited to Munish Forge Limited. Commerce found that Munish Forge Limited is the new name for Munish Forge Private Limited and thus are treating both names as referring to the same respondent. Further, we intend to assign both companies (*i.e.,* Munish Forge

Continued

10. R.D. Forge
11. Rollwell Forge Engineering Components And Flanges
12. Rollwell Forge Pvt. Ltd.
13. Steel Shape India
14. Tirupati Forge

[FR Doc. 2026–23270 Filed 11–13–26; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–201–836]

Light-Walled Rectangular Pipe and Tube From Mexico: Preliminary Results and Partial Rescission 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) preliminarily determines that Maquilacero S.A. de C.V and Tecnicas de Fluidos S.A. de C.V. (collectively, Maquilacero/TEFLU) and Regiomontana de Perfiles y Tubos S. de R.L. de C.V. (Regiopytsa) made sales of subject merchandise at less than normal value (NV) during the period of review (POR), August 1, 2024, through July 31, 2025. In addition, we are rescinding the review with respect to 13 companies. Interested parties are invited to comment on these preliminary results of review.

DATES: Applicable November 13, 2026.

FOR FURTHER INFORMATION CONTACT: John Conniff, 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) 482–1009.

SUPPLEMENTARY INFORMATION:

Background

On August 5, 2008, Commerce published in the **Federal Register** the antidumping duty order on light-walled rectangular pipe and tube (LWRPT) from Mexico.[1] On September 25, 2025, based on timely requests for review, in accordance with 19 CFR 351.221(c)(1)(i), we initiated an administrative review of the *Order*.[2] On January 14, 2026, Commerce selected Maquilacero/TEFLU [3] and Regiopytsa as the mandatory respondents in this review.[4]

Due to the lapse in appropriations and Federal Government shutdown, on November 14, 2025, Commerce tolled all deadlines in administrative proceedings by 47 days.[5] 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.[6] Between June 12, and October 26, 2026, we extended the preliminary results of this review to no later than November 9, 2026.[7]

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[8] A list of the topics discussed in the Preliminary Decision Memorandum is attached as an appendix to this notice. The Preliminary 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 Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/frnotices.*

Scope of the Order

The merchandise subject to the *Order* is LWRPT from Mexico. For a complete description of the scope of the *Order, see* the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act). Export price is calculated in accordance with section 772 of the Act. NV is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying our conclusions, *see* the Preliminary 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.[9] Normally, upon completion of an administrative review, the suspended entries are liquidated at the antidumping duty assessment rate for the review period.[10] Therefore, for an administrative review to be conducted, there must be a reviewable, suspended entry that Commerce can instruct U.S. Customs and Border Protection (CBP) to liquidate at the AD assessment rate calculated for the POR.[11] Commerce

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Private Limited and Munish Forge Limited) the same cash deposit rate. *See Finished Carbon Steel Flanges from India: Preliminary Results and Rescission, in Part, of Countervailing Duty Administrative Review; 2023,* 91 FR 4869 (February 3, 2026); *see also Finished Carbon Steel Flanges from India; Final Results of Countervailing Duty Administrative Review; 2023,* 91 FR 34605 (June 8, 2026).

[1] *See Light-Walled Rectangular Pipe and Tube from Mexico, the People's Republic of China, and the Republic of Korea: Antidumping Duty Orders; Light-Walled Rectangular Pipe and Tube from the Republic of Korea: Notice of Amended Final Determination of Sales at Less Than Fair Value,* 73 FR 45403 (August 5, 2008) (*Order*).

[2] *See Initiation of Antidumping Duty and Countervailing Duty Administrative Reviews,* 90 FR 46173 (September 25, 2025).

[3] We have previously determined that Maquilacero and TEFLU should be collapsed and treated as a single entity. *See Light-Walled Rectangular Pipe and Tube from Mexico: Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review;* 2018–2019, 85 FR 83886 (December 23, 2020), and accompanying Preliminary Decision Memorandum (PDM) at 6, unchanged in *Light Walled Rectangular Pipe and Tube from Mexico: Final Results of Antidumping Duty Administrative Review; 2018–2019,* 86 FR 33646 (June 25, 2021) (*LWRPT from Mexico 2018–2019*). Because there is no information on the record of this administrative review that would lead us to revisit this determination, we have continued to treat these companies as part of a single entity for the purposes of this administrative review.

[4] *See* Memorandum, ''Respondent Selection,'' dated January 14, 2025.

[5] *See* Memorandum, ''Deadlines Affected by the Shutdown of the Federal Government,'' dated November 14, 2025.

[6] *See* Memorandum, ''Tolling of all Case Deadlines,'' dated November 24, 2025.

[7] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty and Administrative Review,'' dated June 12, 2026; *see also* Memorandum, ''Second Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated October 26, 2026.

[8] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the Administrative Review of the Antidumping Duty Order on Light-Walled Rectangular Pipe and Tube from Mexico; 2024–2025,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[9] *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).

[10] *See* 19 CFR 351.212(b)(1).

[11] *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, and accompanying Issues and Decision Memorandum at Comment 4; and *Solid Fertilizer Grade Ammonium Nitrate from the Russian Federation: Notice of Rescission of*

notified all interested parties of its intent to rescind the instant review regarding the companies listed in Appendix II because there were no reviewable, suspended entries of subject merchandise from these companies during the POR and invited interested parties to comment.[12] No party commented on this memorandum. In the absence of any suspended entries of subject merchandise from these companies during the POR, we are rescinding this administrative review for the companies listed in Appendix II, in accordance with 19 CFR 351.213(d)(3).

Rate for Non-Individually Examined Companies

The Act does not address the establishment of a rate to apply to companies not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(e)(2) of the Act. However, Commerce's regulation at 19 CFR 351.109(g) states that Commerce will determine the rate for non-selected companies by following the process set forth in 19 CFR 351.109(f)(1)-(2), which generally parallels the process for determining the all-others rate in an investigation under section 735(c)(5) of the Act. Section 735(c)(5)(A) of the Act and 19 CFR 351.109(f) state that for companies not investigated, in general, we will determine an all-others rate by weight averaging the antidumping duty rates established for each of the companies individually investigated, excluding zero and *de minimis* rates or any rates based entirely on facts available. Accordingly, to determine the rate for companies not selected for individual examination, Commerce's practice is to weight average the net subsidy rates for the selected mandatory respondents, excluding rates that are zero, *de minimis,* or based entirely on facts available.[13]

In this administrative review, we preliminarily calculated weighted-average dumping margins for the mandatory respondents, Maquilacero/TEFLU and Regiopytsa, that are not zero, *de minimis,* or based entirely on facts available. Accordingly, we are preliminarily assigning to the companies under review that were not selected for individual examination[14] a weighted-average dumping margin equal to the weighted average of the estimated weighted-average dumping margins calculated for Maquilacero/TEFLU and Regiopytsa, weighted by the mandatory respondents' publicly ranged total sales values, consistent with the guidance in section 735(c)(5)(A) of the Act.[15]

Preliminary Results of Review

As a result of this review, we preliminarily determine the following estimated weighted-average dumping margin exists for the period August 1, 2024, through July 31, 2025:

Producer/exporter	Weighted-average dumping margin (percent)
Maquilacero S.A. de C.V/ Tecnicas de Fluidos S.A. de C.V	16.62
Regiomontana de Perfiles y Tubos S. de R.L. de C.V	1.63
Aceros Cuatro Caminos S.A. de C.V./Productos Laminados de Monterrey S.A. de C.V	9.39
Perfiles LM, S.A. de C.V	9.39

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).

Verification

As provided in section 782(i)(3) of the Act, Commerce intends to verify the information from Regiopytsa relied upon in making its final results.

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the last verification report is issued in this review. 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.[16] 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.[17] 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.[18] Further, we request that interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public 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 public 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).[19]

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

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'').

[12] *See* Memorandum, ''Notice of Intent to Rescind Review, In Part,'' dated October 8, 2026.

[13] *See, e.g., Certain Pasta from Italy: Final Results of the 13th (2008) Countervailing Duty Administrative Review,*75 FR 37386, 37387 (June 29, 2010).

[14] The companies not selected for individual examination are Aceros Cuatro Caminos S.A. de C.V./Productos Laminados de Monterrey S.A. de C.V. and Perfiles LM, S.A. de C.V.

[15] With two respondents under examination, Commerce normally calculates: (A) a weighted-average of the dumping margins calculated for the examined respondents; (B) a simple average of the dumping margins calculated for the examined respondents; and (C) a weighted-average of the dumping margins calculated for the examined respondents using each company's publicly ranged U.S. sale quantities for the merchandise under consideration. Commerce then compares (B) and (C) to (A) and selects the rate closest to (A) as the most appropriate rate for all other producers and exporters. *See, e.g., Ball Bearings and Parts Thereof from France, Germany, Italy, Japan, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews, Final Results of Changed-Circumstances Review, and Revocation of an Order in Part,* 75 FR 53661, 53663 (September 1, 2010). *See also* Memorandum, ''Calculation of the Weighted-Average Dumping Margin for the Companies Not Selected for Individual Examination,'' dated concurrently with this notice.

[16] *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*).

[17] *See* 19 CFR 351.309(c)(2) and (d)(2).

[18] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[19] *See APO and Service Procedures.*

a request for a hearing is made, Commerce will inform parties of the scheduled date for the hearing.[20]

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b)(1), Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review.

If Maquilacero/TEFLU's and/or Regiopytsa's weighted-average dumping margin are not zero or *de minimis* (*i.e.,* less than 0.50 percent) in the final results of this review, Commerce intends to calculate importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales to the total entered value of those sales. Where we do not have entered values for all U.S. sales to a particular importer, we will calculate an importer-specific, per-unit assessment rate on the basis of the ratio of the total amount of dumping calculated for the importer's examined sales to the total quantity of those sales.[21] To determine whether an importer-specific, per-unit assessment rate is *de minimis,* in accordance with 19 CFR 351.106(c)(2), we also will calculate an importer-specific *ad valorem* ratio based on estimated entered values. If Maquilacero/TEFLU's and/or Regiopytsa's weighted-average dumping margin are zero or *de minimis* or where an importer-specific *ad valorem* assessment rate is zero or *de minimis,* we will instruct CBP to liquidate appropriate entries without regard to antidumping duties.[22]

In accordance with Commerce's ''automatic assessment'' practice, for entries of subject merchandise during the POR produced by Maquilacero/TEFLU or Regiopytsa for which they did not know that the merchandise was destined for the United States, we intend to instruct CBP to liquidate those entries at the all-others rate calculated in the less-than-fair-value (LTFV) investigation if there is no rate for the intermediate company(ies) involved in the transaction.[23]

For the companies listed above which were not selected for individual examination, we will assign an assessment rate based on the review-specific rate, calculated as noted in the ''Rate for Non-Individually Examined Companies'' section, above. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.[24]

For the companies listed in Appendix II for which the review is being rescinded, Commerce will instruct CBP to assess antidumping duties on all appropriate entries. Antidumping duties shall be assessed at rates equal to the cash deposit rate for estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue rescission instructions to CBP no earlier than 41 days after the date of publication of this notice in the **Federal Register**.

Commerce intends to issue assessment instructions to CBP regarding Maquilacero/TEFLU, Regiopytsa, and the non-selected companies listed above no earlier than 41 days after the date of publication of the final results of this review in the **Federal Register**, in accordance with 19 CFR 356.8(a).

Cash Deposit Requirements

The following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the companies listed above will be that established 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) for previously investigated or reviewed companies not covered by this review, the cash deposit rate will continue to be the company-specific cash deposit rate published for the most recently completed segment of this proceeding in which the company participated; (3) if the exporter is not a firm covered in this review, or the LTFV investigation, but the manufacturer is, then the cash deposit rate will be the rate established for the most recent segment for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 3.76 percent, the all-others rate established in the LTFV investigation.[25] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

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

Notification to Interested Parties

We are issuing and publishing these preliminary results of review in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: November 9, 2026.

Kasey O'Connor,

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

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Discussion of the Methodology
V. Currency Conversion
VI. Recommendation

Appendix II

Companies With No Reviewable Entries Rescinded From Review

1. Acro Metal S.A. de C.V.
2. Fabricaciones y Servicios de Mexico
3. Galvak, S.A. de C.V.
4. Grupo Estructuras y Perfiles
5. Industrias Monterrey S.A. de C.V.
6. Internacional de Aceros, S.A. de C.V.
7. Nacional de Acero S.A. de C.V.
8. PEASA-Productos Especializados de Acero
9. Talleres Acero Rey S.A. de C.V.
10. Ternium Mexico S.A. de C.V.
11. Tuberia Laguna, S.A. de C.V.
12. Tuberias Aspe S.A. de C.V.
13. Tuberias y Derivados S.A. de C.V.

[FR Doc. 2026–23265 Filed 11–13–26; 8:45 am]

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[20] *See* 19 CFR 351.310(d).

[21] *See* 19 CFR 351.212(b)(1).

[22] *See* 19 CFR 351.106(c)(2); *see also Antidumping Proceeding: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification,* 77 FR 8101, 8103 (February 14, 2012).

[23] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

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

[25] *See Order.*

DEPARTMENT OF COMMERCE

International Trade Administration

[A–201–844]

Steel Concrete Reinforcing Bar From Mexico: Final Results of Antidumping Duty Administrative Review; 2023–2024

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that Deacero S.A.P.I. de C.V., I.N.G.E.T.E.K.N.O.S. Estructurales, S.A. de C.V., and Aceros Turia S.A. de C.V. (collectively, Deacero Group) sold steel concrete reinforcing bar (rebar) from Mexico in the United States at less than normal value during the period of review (POR), November 1, 2023, through October 31, 2024.

DATES: Applicable November 16, 2026.

FOR FURTHER INFORMATION CONTACT: Kate Fracke, 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) 482–3299.

SUPPLEMENTARY INFORMATION:

Background

On May 12, 2026, Commerce published the *Preliminary Results* of this review in the **Federal Register** and invited interested parties to comment.[1] From August 24 through August 28, 2026, Commerce conducted verification of Deacero Group's questionnaire responses.[2] On July 23, 2026, Commerce extended the deadline for these final results to October 30, 2026.[3] On October 23, 2026, Commerce extended the deadline for these final results to November 9, 2026.[4]

For a complete summary of the events that occurred since Commerce published the *Preliminary Results,* as well as a full discussion of the issues raised by parties for these final results, *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(a)(1)(B) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order[6]

The product covered by this *Order* is rebar from Mexico. For a complete description of the scope, *see* the Issues and Decision Memorandum.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs are addressed in the Issues and Decision Memorandum. A list of the issues that parties raised and to which we responded in the Issues and Decision Memorandum is attached as the appendix to this notice.

Changes Since the Preliminary Results

Based on our review of the record and comments received from interested parties regarding the *Preliminary Results,* we made certain changes to the margin calculation for Deacero Group. In addition, Commerce has relied on partial adverse facts available under sections 776(a) and (b) of the Act for Deacero Group. For a discussion of these changes, *see* the Issues and Decision Memorandum.

Final Results of Review

Commerce determines that the following estimated weighted-average dumping margin exists for the period November 1, 2023, through October 31, 2024:

Producer or exporter	Weighted-average dumping margin (percent)
Deacero S.A.P.I. de C.V.; I.N.G.E.T.E.K.N.O.S. Estructurales S.A.; Aceros Turia S.A. de C.V.[7]	11.38

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).

Assessment Rate

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 covered by this review. Pursuant to 19 CFR 351.212(b)(1), where the respondent reported the entered value of its U.S. sales, we calculated importer-specific AD assessment rates by aggregating the total amount of dumping calculated for the examined sales of each importer and dividing each of these amounts by the total entered value associated with those sales. Where the respondent did not report entered value, we calculated a per-unit assessment rate for each importer by dividing the total amount of dumping calculated for the examined sales made to that importer by the total quantity associated with those sales. To determine whether an importer-specific, per-unit assessment rate is *de minimis,* in accordance with 19 CFR 351.106(c)(2), we also calculated an importer-specific *ad valorem* ratio based on estimated entered values. Where either the respondent's weighted-average dumping margin is zero or *de minimis* within the meaning of 19 CFR 351.106(c)(1), or an importer-specific assessment rate is zero or *de minimis,* we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Commerce's ''automatic assessment'' will apply to entries of subject merchandise during the POR produced by the mandatory respondents for which the companies did not know that the merchandise they sold to an intermediary (*e.g.,* a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate

[1] *See Steel Concrete Reinforcing Bar from Mexico: Preliminary Results and Rescission, in Part, of Antidumping Duty Administrative Review; 2023–2024,* 91 FR 25859 (May 12, 2026) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

[2] *See* Memorandum, ''Verification of Deacero Group's Sales Responses,'' dated September 21, 2026.

[3] *See* Memorandum, ''Extension of Deadline for the Final Results of Antidumping Duty Administrative Review,'' dated June 2, 2025.

[4] *See* Memorandum, ''Second Extension of Deadline for the Final Results of Antidumping Duty Administrative Review,'' dated October 23, 2026.

[5] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results of Antidumping Duty Administrative Review of Steel Concrete Reinforcing Bar from Mexico; 2023–2024,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[6] *See Steel Concrete Reinforcing Bar from Mexico: Antidumping Duty Order,* 79 FR 65925 (November 6, 2014) (*Order*).

[7] Deacero Group withdrew proprietary treatment of Acerios Turia A.S. de C.V.'s name. *See* Deacero Group's Letter, ''Response to the Department's June 23 Letter,'' dated June 25, 2026. We previously found Deacero S.A.P.I. de C.V., I.N.G.E.T.E.K.N.O.S. Estructurales S.A., and Acerios Turia A.S. de C.V.to be affiliated and continue to treat them as a single entity (collectively Deacero Group). *See Steel Concrete Reinforcing Bar from Mexico: Final Results of Antidumping Duty Administrative Review; 2021–2022,* 89 FR 40467 (May 10, 2024), and accompanying Issues and Decision Memorandum at Comment 5.

unreviewed entries at the all-others rate established in the original less-than-fair value (LTFV) investigation, *i.e.,* 20.58 percent,[8] if there is no rate for the intermediate company(ies) involved in the transaction.

Commerce intends to issue assessment instructions to CBP no earlier than 41 days after the date of publication of the final results of this review in the **Federal Register** in accordance with 19 CFR 356.8(a).

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 the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rates for the companies identified above in the ''Final Results of Review'' section will be equal to the company-specific weighted-average dumping margin established in the final results of this administrative review; (2) for merchandise exported by a company not covered in this administrative review but covered in a completed 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 or completed prior segment of this proceeding but the producer is, the cash deposit rate will be the company-specific 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 20.58 percent, the rate established in the LTFV investigation.[9] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

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

[8] *See Order,* 79 FR at 65926.

[9] *Id.*

Administrative Protective Order (APO)

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

Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5) and 19 CFR 351.213(h).

Dated: November 9, 2026.

Kasey O'Connor,

Deputy General Counsel, 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. Differential Pricing Analysis
VI. Discussion of the Issues
  Comment 1: Whether to Apply total Adverse Facts Available (AFA) to Deacero Group
  Comment 2: Whether to Apply AFA to Deacero Group's Insurance Revenue in the Home Market
  Comment 3: Whether to Apply AFA to Deacero Group's Gross Unit Price for Certain Sales
  Comment 4: Whether to Increase Deacero Group's Cost of Production to Include Certain Production Costs
  Comment 5: Whether to Exclude Scrap and Waste from the Numerator of the General and Administrative Ratio Calculation
  Comment 6: Whether to Grant a Constructed Export Price Offset
  Comment 7: Whether to Accept Minor Corrections Presented at Verification
  Comment 8: Whether to Revise the Draft Liquidation Instructions
VII. Recommendation

[FR Doc. 2026–23277 Filed 11–13–26; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–887]

Carbon and Alloy Steel Threaded Rod 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 carbon and alloy steel threaded rod (steel threaded rod) from India was sold in the United States at prices below normal value during the period of review (POR) April 1, 2024, through March 31, 2025.

DATES: Applicable November 16, 2026.

FOR FURTHER INFORMATION CONTACT: Bobby Shore, 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) 482–3261.

SUPPLEMENTARY INFORMATION:

Background

On July 13, 2026, Commerce published in the **Federal Register** the *Preliminary Results* of the 2024–2025 administrative review of the order on steel threaded rod from India.[1] We invited parties to comment on the *Preliminary Results* but we received no comments. Accordingly, the final results of this review remain unchanged from the *Preliminary Results,* we are, hereby, adopting the *Preliminary Results* as the final results of this review. Further, no decision memorandum accompanies this notice. Commerce conducted this administrative review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order

The merchandise covered by this *Order* is steel threaded rod from India. For a complete description of the scope of the *Order, see* the *Preliminary Results.*[2]

[1] *See Carbon and Alloy Steel Threaded Rod from India: Preliminary Results and Rescission, in Part, of Antidumping Duty Administrative Review; 2024–2025,* 91 FR 42916 (July 13, 2026) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM); *see also Carbon and Alloy Steel Threaded Rod from India: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order,* 85 FR 19925 (April 9, 2020) (*Order*).

[2] *See Preliminary Results* PDM at 4–5.

Final Results of Review

Commerce determines that the following weighted-average dumping margins exist during the period April 1, 2024, through March 31, 2025:

Exporter/producer	Weighted-average dumping margin (percent)
Nishant Steel Industries [3]	0.00
Shree Luxmi Fasteners; The Emerging Impex [4]	1.69
Review-Specific Rate for Non-Examined Companies [5]	1.69

Disclosure

Because Commerce has not modified our analysis from the *Preliminary Results,* there are no new calculations to disclose in accordance with 19 CFR 351.224(b) for these final results.

Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(1), Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review. Because the weighted-average dumping margin for Nishant has been determined to be zero percent, Commerce intends to instruct CBP to liquidate the appropriate entries without regard to antidumping duties, in accordance with 19 CFR 351.106(c)(2).

Because the weighted-average dumping margin for SLF/TEI is not zero or *de minimis* (*i.e.,* less than 0.5 percent), Commerce calculated importer-specific *ad valorem* assessment rates based on the ratio of the total amount of dumping calculated for each importer's examined sales to the total entered value of such sales.[6] Where an importer-specific *ad valorem* assessment rate is zero or *de minimis,* or a respondent's weighted-average dumping margin is zero or *de minimis,* Commerce will instruct CBP to liquidate appropriate entries without regard to antidumping duties.[7]

In accordance with Commerce's ''automatic assessment'' practice, for entries of subject merchandise during the POR produced by Nishant or SLF/TEI for which these companies did not know that the merchandise was destined for the United States, we will instruct CBP to liquidate those entries at the all-others rate established in the original less-than-fair-value (LTFV) investigation if there is no rate for the intermediate company(ies) involved in the transaction.[8] For the companies that were not selected for individual review, Commerce assigned the assessment rate based on the review-specific average rate noted above.

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the publication date 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 the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the companies listed in the final results of this review will be equal to the weighted-average dumping margin established in the final results of this administrative review; (2) for merchandise exported by producers or exporters not covered in this 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 in which they were reviewed; (3) if the exporter is not a firm covered in this review, a prior review, or the original LTFV 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 manufacturers or exporters will continue to be 0.00 percent, the all-others rate established in the LTFV investigation.[9] 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 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/destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: November 10, 2026.

Kasey O'Connor,

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

Appendix

Non-Examined Companies Receiving a Review-Specific Rate

1. Aadi Shree Fastener Industries
2. Babu Exports
3. Chirag International
4. Everest Industrial Corporation
5. Good Good Manufacturers
6. Kanika Exports
7. Kanika Fasteners Private Limited
8. Kapil Enterprises
9. Kapson India
10. Maharaja International
11. Mangal Steel Enterprise Limited
12. RK Fasteners
13. United Overseas Bolts & Nuts PVT LT
14. Xcel Exports

[FR Doc. 2026–23272 Filed 11–13–26; 8:45 am]

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[3] Commerce determines that Nishant Steel Industries and Nuovo Fastenings Pvt. Ltd. are affiliated and should be collapsed. *See Preliminary Results,* 91 FR at 42917 We refer to this collapsed entity as, ''Nishant.''

[4] Commerce determined that Shree Luxmi Fasteners and The Emerging Impex are affiliated and should be collapsed. *See Preliminary Results,* 91 FR at 42916, and PDM at ''IV. Affiliation and Collapsing.'' We refer to this collapsed entity as, ''SLF/TEI.'' *Id.*

[5] *See* Appendix.

[6] See 19 CFR 351.212(b)(1).

[7] See 19 CFR 351.106(c)(2).

[8] For a full description of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[9] *See Order,* 85 FR at 19926.

DEPARTMENT OF COMMERCE

International Trade Administration

[A–520–812]

Certain Oil Country Tubular Goods From the United Arab Emirates: Postponement of Final Determination of Sales at Less Than Fair Value Investigation and Extension of Provisional Measures

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

SUMMARY: The U.S. Department of Commerce (Commerce) is postponing the deadline for issuing the final determination in the less-than-fair-value (LTFV) investigation of Oil Country Tubular Goods (OCTG) from the United Arab Emirates (UAE) until March 15, 2027.

DATES: Applicable November 16, 2026.

FOR FURTHER INFORMATION CONTACT: Alexander Rodriguez, 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) 482–0190.

SUPPLEMENTARY INFORMATION:

Background

On April 22, 2026, Commerce initiated a LTFV investigation of imports of OCTG from the UAE.[1] The period of investigation (POI) is April 1, 2025, through March 31, 2026. On November 4, 2026, Commerce published its *Preliminary Determination* in this LTFV investigation of OCTG from the UAE.[2]

Postponement of Final Determination

Section 735(a)(2) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.210(b)(2) provide that a final determination may be postponed until not later than 135 days after the date of the publication of the preliminary determination if, in the event of an affirmative preliminary determination, a request for such postponement is made by the exporters or producers who account for a significant proportion of exports of the subject merchandise, or in the event of a negative preliminary determination, a request for such postponement is made by the petitioners. Further, 19 CFR 351.210(e)(2) requires that such postponement requests by exporters be accompanied by a request for extension of provisional measures from a four-month period to a period of not more than six months, in accordance with section 733(d) of the Act.

On November 4, 2026, Ajmal Steel Tubes and Pipes Industries, LLC., a mandatory respondent in this investigation, requested that Commerce postpone the deadline for the final determination until no later than 135 days from the publication of the *Preliminary Determination,* and extend the application of the provisional measures from a four-month period to a period of not more than six months.[3] In accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii), because: (1) the *Preliminary Determination* was affirmative; (2) the request was made by the exporters and producers who account for a significant proportion of exports of the subject merchandise; and (3) no compelling reasons for denial exist, Commerce is postponing the final determination until no later than 135 days after the date of the publication of the *Preliminary Determination,* and extending the provisional measures from a four-month period to a period of not more than six months. Accordingly, Commerce will issue its final determination no later than March 15, 2027.[4]

This notice is issued and published pursuant to 19 CFR 351.210(g).

Dated: November 10, 2026.

Kasey O'Connor,

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

[FR Doc. 2026–23276 Filed 11–13–26; 8:45 am]

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[1] *See Certain Oil Country Tubular Goods from Austria, Taiwan, and the United Arab Emirates: Initiation of Less-Than-Fair-Value Investigations,* 91 FR 22806 (April 28, 2026).

[2] *See Certain Oil Country Tubular Goods from the United Arab Emirates: Preliminary Affirmative Determination of Sales at Less Than Fair Value,* 91 FR 69539 (November 4, 2026) (*Preliminary Determination*).

[3] *See* Ajmal Steel Tubes and Pipes Industries, LLC.'s Letter, ''Ajmal's Request to Postpone Final Determination: Less-Than-Fair-Value Investigation of Oil Country Tubular Goods From United Arab Emirates,'' dated November 4, 2026.

[4] Postponing the final determination to 135 days after the publication of the *Preliminary Determination* would place the deadline on Saturday, March 13, 2027. Commerce's practice dictates that where a deadline falls on a weekend or federal holiday, the appropriate deadline is the next business day, which in this case, is Monday, March 15, 2027. *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).

DEPARTMENT OF COMMERCE

International Trade Administration

[A–580–870]

Certain Oil Country Tubular Goods From the Republic of Korea: Final Results of Antidumping Duty Administrative Review; 2023–2024; Correction

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

ACTION: Notice; correction.

SUMMARY: The U.S. Department of Commerce (Commerce) published a notice in the **Federal Register** of September 24, 2026, in which Commerce issued the final results of the 2023–2024 administrative review of the antidumping order on certain oil country tubular goods (OCTG) from the Republic of Korea (Korea). In that notice, Commerce identified two incorrect weighted-average dumping margins, the margin for NEXTEEL Co., Ltd. and the margin for the non-examined companies.

FOR FURTHER INFORMATION CONTACT: Robert Hedberg, 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) 482–0955.

SUPPLEMENTARY INFORMATION:

Background

On September 24, 2026, Commerce published in the **Federal Register** the *Final Results* of the 2023–2024 administrative review of the antidumping duty order on OCTG from Korea.[1] In that notice, Commerce identified two incorrect weighted-average dumping margins: (1) the margin for NEXTEEL Co., Ltd.; and (2) the margin for the non-examined companies.

Correction

In the **Federal Register** of September 24, 2026, in FR Doc 2026–19529, on page 60584, in the first column, correct the weighted-average dumping margin (percent) value for: (1) NEXTEEL Co., Ltd. to 29.18 percent; and (2) the non-examined companies to 19.49 percent.

Notification to Interested Parties

This notice is issued and published in accordance with sections 751(a)(1) and

[1] *See Certain Oil Country Tubular Goods from the Republic of Korea: Final Results of Antidumping Duty Administrative Review; 2023–2024,* 91 FR 60583 (September 24, 2026) (*Final Results*).

777(i) of the Tariff Act of 1930, as amended, and 19 CFR 351.221(b)(5).

Dated: November 9, 2026.

Kasey O'Connor,

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

[FR Doc. 2026–23258 Filed 11–13–26; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–154]

Certain Pea Protein From the People's Republic of China: Preliminary Results, Partial Rescission, and Preliminary Determination of No Shipments of Antidumping Duty Administrative Review; 2023–2025

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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that that certain producers/exporters subject to this review made sales of subject merchandise at less than normal value (NV) during the period of review (POR), November 15, 2023, through July 31, 2025. In addition, we are rescinding the review with respect to 26 companies. Interested parties are invited to comment on these preliminary results of review.

DATES: Applicable November 16, 2026.

FOR FURTHER INFORMATION CONTACT: Katherine Smith or Sahar Sandoval, 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) 482–0557 or (202) 482–1107.

SUPPLEMENTARY INFORMATION:

Background

On September 25, 2025, based on timely requests for review, in accordance with 19 CFR 351.221(c)(1)(i), we initiated an administrative review of the antidumping duty order on certain pea protein (pea protein) from the People's Republic of China (China).[1] On December 16, 2025, Commerce selected Jianyuan International Co., Ltd. (Jianyuan) and Yantai T. Full Biotech Co., Ltd. (Yantai) as the mandatory respondents in this review.[2] On December 23, 2025, and January 23, 2026, Sunwarrior Ventures, LLC, (Sunwarrior), an importer of subject merchandise, and Puris Proteins, LLC, (the petitioner), respectively, timely withdrew their requests for review for 24 producers/exporters.[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 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 June 23, 2026, we extended the preliminary results of this review to no later than November 2, 2026.[6]

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[7] A list of the topics discussed in the Preliminary Decision Memorandum is attached in Appendix I 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 merchandise covered by the scope of this *Order* is pea protein from China. For a complete description of the scope of the *Order, see* the Preliminary Decision Memorandum.

Preliminary Determination of No Shipments

Based on our analysis of CBP information and the no-shipment certifications submitted by: (1) Bioway Organic Group Ltd.; and (2) Shandong Yuwang Ecological Food Industry Co., Ltd., Commerce preliminarily determines that these companies had no shipments of subject merchandise during the POR. However, consistent with our practice in non-market economy (NME) cases, we are not rescinding this review, but instead, intend to complete the review with respect to these two companies for which we have preliminarily found no shipments and issue appropriate instructions to CBP based on the final results of the review.[8]

Rescission of Administrative Review, in Part

Pursuant to 19 CFR 351.213(d)(3), it is Commerce's practice to rescind an administrative review, in whole or in part, if all parties that requested the review withdraw their requests within 90 days of the date of the publication of the notice of initiation of the requested review. As noted above, the petitioner timely withdrew its request for review for certain firms for which it had requested a review and Sunwarrior withdrew its request for all firms for which it had requested a review.[9] Because the withdrawal request was timely filed, and no other party requested a review of these companies, in accordance with 19 CFR 351.213(d)(1), Commerce is rescinding this administrative review with respect to the companies listed in Appendix III.

Methodology

Commerce is conducting this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act). Because China is an NME country within the meaning of section 771(18) of the Act, we calculated normal value in accordance with section 773(c) of the Act. For a full description of the methodology underlying our preliminary results, *see* the Preliminary Decision Memorandum.

Separate Rates

We preliminarily determine that, in addition to Jianyuan and Yantai, three non-examined companies are eligible for separate rates in this administrative review: (1) Bioway Industrial Group Ltd.

[1] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 90 FR 46179 (September 25, 2025).

[2] *See* Memorandum, ''Respondent Selection,'' dated December 16, 2025.

[3] *See* Sunwarrior's Letter, ''Withdrawal of Request for Administrative Review of Bioway (Xi'an) Organix Ingredients Co., Ltd,'' dated December 23, 2025 (Sunwarrior's Withdrawal Letter); *see also* the Petitioner's Letter, ''Withdrawal of Request for Administrative Review, in Part,'' dated January 23, 2026 (Petitioner's Withdrawal Letter).

[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 Antidumping Duty Administrative Review,'' dated June 23, 2026.

[7] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the Administrative Review of the Antidumping Duty Order on Certain Pea Protein from the People's Republic of China; 2023–2025,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[8] *See Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties,* 76 FR 65694, 65694–95 (October 24, 2011).

[9] *See* Petitioner's Withdrawal Letter; *see also* Sunwarrior's Withdrawal Letter.

(Bioway); (2) Linyi Yuwang Vegetable Protein Co., Ltd.; and (3) Yosin Biotechnology (Yantai) Co., Ltd (Yosin Biotechnology).[10] The Act and does not address the establishment of a separate rate to be applied to companies not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(c)(2) of the Act. However, Commerce's regulation at 19 CFR 351.109(g) states that Commerce will determine the separate rate by following the process set forth in 19 CFR 351.109(f)(1)–(2), which generally parallels the process for determining the all-others rate in an investigation under section 735(c)(5) 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 rate for separate-rate respondents which Commerce did not examine individually in an administrative review.

Commerce has determined the estimated dumping margin for Yantai to be 44.44 percent.[11] For the reasons explained in the Preliminary Decision Memorandum, we are assigning this rate to the non-examined respondents which qualify for a separate rate in this review.

The China-Wide Entity

Commerce's policy regarding conditional review of the China-wide entity applies to this administrative review.[12] Under this policy, the China-wide entity will not be under review unless a party specifically requests, or Commerce self-initiates, a review of the entity. Because no party requested a review of the China-wide entity, the entity is not under review, and the entity's rate (*i.e.,* 280.31 percent) [13] is not subject to change.

In the *Initiation Notice,* Commerce stated that submission of separate rate applications (SRAs) and separate rate certifications (SRCs) were due 14 days after publication of the notice, *i.e.,* October 9, 2025.[14] On September 30, 2025, Commerce issued a memorandum extending the deadline to submit SRAs and SRCs by one week, *i.e.,* October 16, 2025.[15] We did not receive an SRA or SRC from Nutracean Co., Ltd. or Yantai Shuangta. As such, consistent with our practice, we preliminarily find that Nutracean and Yantai Shuangta are ineligible for a separate rate, and, therefore, are part of the China-wide entity.[16]

Additionally, we received a timely-filed SRA from Zhaoyuan Junbang Trading Co., Ltd. (Junbang). It is Commerce's policy to assign all exporters of merchandise under review that are in an NME country a single weighted-average dumping margin unless an exporter can affirmatively demonstrate an absence of government control, both in law (*de jure*) and in fact (*de facto*), with respect to exports.[17] However, we find that Junbang did not rebut the presumption of *de facto* government control because the government has the ability to control and influence Junbang's export activities and general operations, including Junbang's export prices, contracts, selection of management, and decisions regarding dispositions of profits and financing of losses.[18] Therefore, we preliminarily find that Junbang is not eligible for a separate rate, and, therefore, is part of the China-wide entity.

Preliminary Results of Review

Commerce preliminarily determines that the following estimated weighted-average dumping margins exist for the period November 15, 2023, through July 31, 2025:

Exporter	Weighted-average dumping margin (percent)
Jianyuan International Co., Ltd./Hengyuan Biotechnology Co., Ltd./Shandong Jianyuan Bioengineering Co., Ltd	0.00
Yantai T.Full Biotech Co., Ltd	44.44
Non-Individually Examined Companies Receiving a Separate Rate	
Bioway Industrial Group Ltd	44.44
Linyi Yuwang Vegetable Protein Co., Ltd	44.44
Yosin Biotechnology (Yantai) Co., Ltd	44.44

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.[19] Rebuttal briefs, limited to issues raised in the case briefs, may

[10] *See* Preliminary Decision Memorandum at the ''Separate Rates'' section for more details.

[11] *See* Memorandum, ''Preliminary Results Analysis Memorandum for Yantai T. Full Biotech Co., Ltd.,'' dated concurrently with this notice.

[12] *See Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings,* 78 FR 65963 (November 4, 2013).

[13] *See Order,* 89 FR 68390.

[14] *See Initiation Notice* 90 FR at 46174.

[15] *See* Memorandum, ''Partial Extension of the Deadline to Submit Separate Rate Application and Separate Rate Certification,'' dated September 30, 2025.

[16] *See e.g., Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2012–2013,* 80 FR 40998 (July 14, 2015) (treating a company as part of the China-wide entity for failure to submit an SRA, and explaining that ''{t}he failure to provide a separate rate certification is not a ministerial error, but rather, a failure to comply with {Commerce}'s well established separate rate methodology.''); *see also, e.g., Hydrofluorocarbon Blends from the People's Republic of China: Final Results of the Antidumping Duty Administrative Review; 2019–2020,* 86 FR 49516, 49517 (September 3, 2021) (finding that PureMann, Inc. (PureMann), the sole company subject to the review, did not file an SRA and did not demonstrate its eligibility for separate rate status and that, therefore, PureMann was part of the China-wide entity).

[17] *See, e.g., Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the People's Republic of China: Final Determination of Sales at Less Than Fair Value, and Affirmative Final Determination of Critical Circumstances, in Part,* 77 FR 63791, 63793 (October 17, 2012), and accompanying Issues and Decision Memorandum.

[18] *See* Junbang's Letter, ''Separate Rate Application,'' dated October 22, 2025.

[19] *See* 19 CFR 351.309.

be filed not later than five days after the date for filing case briefs.[20] 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.[21] 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.[22] Further, we request that interested parties limit their public, executive summary of each issue to no more than 450 words, not including citations. We intend to use the public, 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 public, 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).[23]

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.[24]

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b)(1), Commerce will determine, and CBP shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review.

If Jianyuan's and/or Yantai's weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.50 percent) in the final results of this review, Commerce intends to calculate importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales to the total entered value of those sales. Where we do not have entered values for all U.S. sales to a particular importer, we will calculate an importer-specific, per-unit assessment rate on the basis of the ratio of the total amount of dumping calculated for the importer's examined sales to the total quantity of those sales.[25] To determine whether an importer-specific, per-unit assessment rate is *de minimis,* in accordance with 19 CFR 351.106(c)(2), we also will calculate an importer-specific *ad valorem* ratio based on estimated entered values. If Jianyuan's and/or Yantai's weighted-average dumping margin is zero or *de minimis* or where an importer-specific *ad valorem* assessment rate is zero or *de minimis,* we will instruct CBP to liquidate appropriate entries without regard to antidumping duties.[26]

For the respondents that were not selected for individual examination in this administrative review but qualified for a separate rate, the assessment rate will be equal to the weighted-average dumping margins calculated for the mandatory respondents consistent with section 735(c)(5)(B) of the Act. Consequently, the rate established for the non-individually examined companies is an *ad valorem* rate of 56.05 percent.

For entries that were not reported in the U.S. sales database submitted by the mandatory respondents during this review, Commerce will instruct CBP to liquidate such entries at the China-wide rate.

For the companies listed in Appendix III for which the review is being rescinded, Commerce will instruct CBP to assess antidumping duties on all appropriate entries. Antidumping duties shall be assessed at rates equal to the cash deposit rate for estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue rescission instructions to CBP no earlier than 35 days after the date of publication of this notice in the **Federal Register**.

For the final results, if we continue to treat the companies identified in Appendix II as part of the China-wide entity, we will instruct CBP to apply an *ad valorem* assessment rate of 280.31 percent to all entries of subject merchandise during the POR which were produced and/or exported by those companies.

The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.

If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for shipments of the subject merchandise from China entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by sections 751(a)(2)(C) of the Act: (1) for the companies listed above, which have a separate rate, the cash deposit rate will be that established in the final results of this review (except, if the rate is zero or *de minimis,* then zero cash deposit will be required); (2) for previously investigated or reviewed China and non-China exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; (3) for all China exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be the existing rate for the China-wide entity of 280.31 percent; and (4) for all non-China exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the China exporter that supplied that non-China exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate

[20] *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*).

[21] *See* 19 CFR 351.309(c)(2) and (d)(2).

[22] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[23] *See APO and Service Procedures.*

[24] *See* 19 CFR 351.310(d).

[25] *See* 19 CFR 351.212(b)(1).

[26] *See* 19 CFR 351.106(c)(2); *see also Antidumping Proceeding: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification,* 77 FR 8101, 8103 (February 14, 2012).

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.

Notification to Interested Parties

We are issuing and publishing these preliminary results of review in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: November 9, 2026.

Kasey O'Connor,

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

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Discussion of the Methodology
V. Currency Conversion
VI. Recommendation

Appendix II

Companies Determined To Be Part of the China-Wide Entity

1. Nutracean Co., Ltd.
2. Yantai Shuangta Food Co., Ltd.
3. Zhaoyuan Junbang Trading Co., Ltd.

Appendix III

Companies Rescinded From Review

1. Bioway (Xi'an) Organic Ingredients Co., Ltd
2. Dongguan Fenggang Yuxing Food Factory
3. Fenchem Biotek Ltd.
4. Flyloong Biotechnology (Qingdao) Co., Ltd.
5. Focusherb LLC
6. Hainan Zhongxin Chemical Co., Ltd.
7. Hangzhou Natur Foods Co., Ltd.
8. Jinyuan Import & Export Co., Ltd.
9. Jiujiang Tiantai Food Co. Ltd.
10. KTL Pharmaceutical Co., Ltd.
11. Nanjing NHC Nutraceuticals Co., Ltd.
12. Naturz Organics (Dalian) Co., Ltd.
13. Nutritech Asia Group Qingdao, Ltd.
14. Richtek Ltd.
15. Shanghai Elim Organic Food Co., Ltd.
16. Shanghai Freeman Lifescience Co., Ltd.
17. Shanxi Coolflying Bio-Tech Co., Ltd.
18. Sugarbush Shenzhen Biotechnology Co., Ltd.
19. Wellgreen Technology Co., Ltd.
20. Yantai Hongben Import Export Co., Ltd.
21. Yantai Oriental Protein Tech
22. Yantai Wanpy International Trade Co.

[FR Doc. 2026–23260 Filed 11–13–26; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–552–801]

Certain Frozen Fish Fillets From the Socialist Republic of Vietnam: Preliminary Results and Rescission, in Part, 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) preliminarily determines that Bien Dong Seafood Co., Ltd. (Bien Dong) and Nam Viet Corporation (NAVICO) made sales of subject merchandise at less than normal value during the period of review (POR), August 1, 2024, through July 31, 2025. In addition, we are rescinding the review with respect to 117 companies. Interested parties are invited to comment on these preliminary results of review.

DATES: Applicable November 16, 2026.

FOR FURTHER INFORMATION CONTACT: Blair Hood 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) 482–8329.

SUPPLEMENTARY INFORMATION:

Background

On September 25, 2025, based on timely requests for review, in accordance with 19 CFR 351.221(c)(1)(i), we initiated an administrative review of the antidumping duty order on certain frozen fish fillets (fish fillets) from the Socialist Republic of Vietnam (Vietnam).[1] Between September and October 2025, Commerce received 19 timely filed no-shipment certifications, six timely filed separate rate certifications (SRCs), and two timely filed separate rate applications (SRAs). On December 24, 2025, the petitioners[2] timely withdrew their request for review for certain companies.[3] On May 13, 2026, Commerce selected Bien Dong and NAVICO as the mandatory respondents in this review.[4]

Due to the lapse in appropriations and Federal Government shutdown, on November 14, 2025, Commerce tolled all deadlines in administrative proceedings by 47 days.[5] 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.[6] On May 21, 2026, we extended the preliminary results of this review to October 30, 2026.[7] On October 22, 2026, we extended the preliminary results of this review to no later than November 9, 2026.[8]

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[9] A list of the topics discussed in the Preliminary Decision Memorandum is attached in Appendix I of 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.*

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[1] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 90 FR 46173 (September 25, 2025) (*Initiation Notice*); *see also Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 90 FR 56725 (December 8, 2025); and *Notice of Antidumping Duty Order: Certain Frozen Fish Fillets from the Socialist Republic of Vietnam,* 68 FR 47909 (August 12, 2003) (*Order*).

[2] The petitioners are the Catfish Farmers of America and individual U.S. catfish processors America's Catch, Inc., Alabama Catfish, LLC d/b/a Harvest Select Catfish, Inc., Consolidated Catfish Companies, LLC d/b/a Country Select Catfish, Delta Pride Catfish, Inc., Guidry's Catfish, Inc., Heartland Catfish Company, Magnolia Processing, Inc. d/b/a Pride of the Pond, and Simmons Farm Raised Catfish Inc. (collectively, the petitioners).

[3] *See* Petitioners' Letter, ''Withdrawal of Request for Administrative Review of Antidumping Duty Order,'' dated December 24, 2025 (Petitioners' Withdrawal).

[4] *See* Memorandum, ''Respondent Selection Sampling Meeting,'' dated May 13, 2026.

[5] *See* Memorandum, ''Deadlines Affected by the Shutdown of the Federal Government,'' dated November 14, 2025.

[6] *See* Memorandum, ''Tolling of all Case Deadlines,'' dated November 24, 2025.

[7] *See* Memorandum, ''Extension of Deadline for Preliminary Results Antidumping Duty Administrative Review; 2024–2025,'' dated May 21, 2026.

[8] *See* Memorandum, ''Second Extension of Deadline for Preliminary Results Antidumping Duty Administrative Review; 2024–2025,'' dated October 22, 2026.

[9] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the Administrative Review of the Antidumping Duty Order on Certain Frozen Fish Fillets from the Socialist Republic of Vietnam; 2024–2025,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

Scope of the Order

The products covered by the *Order* are fish fillets from Vietnam. For a complete description of the scope of this review, *see* the Preliminary Decision Memorandum.[10]

Rescission of Administrative Review, in Part

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if the party that requested a review withdraws the request within 90 days of the date of the publication of the notice of initiation. Commerce initiated this administrative review on September 25, 2025.[11] In December 2025, the petitioners timely withdrew their review requests for various companies, but all but one of these companies still has an outstanding request of review by Maritime Products International and QMC Foods, Inc.[12] The company for which all review requests were withdrawn, Binh An Seafood Joint Stock Company, also had no suspended entries during the POR and is listed in Appendix IV below.

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.[13] Normally, upon completion of an administrative review, the suspended entries are liquidated at the antidumping duty assessment rate for the review period.[14] 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.[15] Commerce notified all interested parties of its intent to rescind the instant review regarding the companies listed in Appendix IV because there were no reviewable, suspended entries of subject merchandise from these companies during the POR and invited interested parties to comment.[16] We received no comments. In the absence of any suspended entries of subject merchandise from these companies during the POR, we are rescinding this administrative review for the companies listed in Appendix IV, in accordance with 19 CFR 351.213(d)(3).

Methodology

Commerce is conducting this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act). Because Vietnam is a non-market economy country within the meaning of section 771(18) of the Act, we calculated normal value in accordance with section 773(c) of the Act. For a full description of the methodology underlying our preliminary results, *see* the Preliminary Decision Memorandum.

The Vietnam-Wide Entity

Commerce's policy regarding conditional review of the Vietnam-wide entity applies to this administrative review.[17] Under this policy, the Vietnam-wide entity will not be under review unless a party specifically requests, or Commerce self-initiates, a review of the entity. Because no party requested a review of the Vietnam-wide entity, the entity is not under review, and the entity's rate (*i.e.,* $2.39 per kilogram (kg)) is not subject to change.

Separate Rates

We preliminarily determine that, in addition to Bien Dong and NAVICO, six companies not individually examined are eligible for separate rates in this administrative review: (1) Cantho Import-Export Seafood Joint Stock Company (CASEAMEX); (2) Co May Import Export Company Limited (Co May); (3) Hung Vuong Corporation (Hung Vuong); (4) I.D.I International Development and Investment Corporation (I.D.I); (5) Minh Tam Seafoods Import Export Company (Minh Tam); and (6) NTSF Seafoods Joint Stock Company (NTSF).[18] The Act and Commerce's regulations do not address the establishment of a separate rate to be applied to companies not selected for individual examination when Commerce limits its 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 rate for separate-rate respondents which Commerce did not examine individually in an administrative review.

For the preliminary results of this review, Commerce determined the estimated dumping margins for Bien Dong and NAVICO to be $0.90/kg and $2.61/kg, respectively.[19] For the reasons explained in the Preliminary Decision Memorandum, we are assigning a rate of $1.28/kg to the non-examined respondents that qualify for a separate rate in this review, consistent with Commerce's practice and section 735(c)(5)(A) of the Act.[20]

Preliminary Results of Review

Commerce preliminarily determines that the following estimated weighted-average dumping margins exist for the period August 1, 2024, through July 31, 2025:

Exporter	Weighted-average dumping margin (U.S. dollars per kilogram)
Bien Dong Seafood Co., Ltd	0.89

[10] *Id.* at the ''Scope'' section for more details.

[11] *See Initiation Notice.*

[12] *See* Petitioners' Withdrawal.

[13] *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).

[14] *See* 19 CFR 351.212(b)(1).

[15] *See, e.g., Shanghai Sunbeauty Trading Co. Ltd.* v. *United States,* 380 F.Supp.3d 1328, 1337 (CIT 2019) (''Thus, while 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'').

[16] *See* Memorandum, ''Notice of Intent to Rescind Review, In Part,'' dated September 17, 2026.

[17] *See Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings,* 78 FR 65963 (November 4, 2013).

[18] *See* Preliminary Decision Memorandum at the ''Separate Rates'' section for more details.

[19] *See* Memorandum, ''Preliminary Analysis Memorandum for Bien Dong Seafood Co., Ltd.,'' dated concurrently with this notice; *see also* Memorandum, ''Preliminary Analysis Memorandum for Nam Viet Corporation,'' dated concurrently with this notice.

[20] *See* Preliminary Decision Memorandum at the ''Calculation of the Separate Rate'' section for more details.

Exporter	Weighted-average dumping margin (U.S. dollars per kilogram)
Nam Viet Corporation	2.61
Non-Individually Examined Companies Receiving a Separate Rate	
Cantho Import-Export Seafood Joint Stock Company	1.28
Co May Import Export Company Limited	1.28
Hung Vuong Corporation	1.28
I.D.I International Development and Investment Corporation	1.28
Minh Tam Seafoods Import Export Company	1.28
NTSF Seafoods Joint Stock Company	1.28

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).

Verification

As provided in section 782(i)(3) of the Act, Commerce intends to verify the information relied upon in making its final results of review.

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the last verification report is issued in this review. 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.[21] 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.[22]

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.[23] Further, we request that interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public 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 public 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).[24]

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.[25]

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b)(1), Commerce will determine, and CBP shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review.

Where either of the respondents' weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.50 percent) in the final results of this review, Commerce intends to calculate importer or customer-specific per unit assessment rates by aggregating the amount of dumping calculated for all U.S. sales to the importer or customer and dividing this amount by the total entered value of the merchandise sold to the importer or customer.[26] Where we do not have entered values for all U.S. sales to a particular importer, we will calculate an importer-specific, per-unit assessment rate on the basis of the ratio of the total amount of dumping calculated for the importer's examined sales to the total quantity of those sales.[27] To determine whether an importer-specific, per-unit assessment rate is *de minimis,* in accordance with 19 CFR 351.106(c)(2), we also will calculate an importer-specific per-unit rate based on estimated entered values. Where either the respondents' weighted-average dumping margin is zero or *de minimis* or where an importer-specific per-unit assessment rate is zero or *de minimis,* we will instruct CBP to liquidate appropriate entries without regard to antidumping duties.[28]

For the respondents that were not selected for individual examination in this administrative review but qualified for a separate rate, the assessment rate will be equal to the weighted-average dumping margins calculated for the mandatory respondents consistent with section 735(c)(5)(B) of the Act. Consequently, the rate established for the non-individually examined companies is an assessment rate of $1.28/kg.

For entries that were not reported in the U.S. sales database submitted by the mandatory respondents during this review, Commerce will instruct CBP to liquidate such entries at the Vietnam-wide rate.

For the companies listed in Appendix IV for which the review is being rescinded, Commerce will instruct CBP to assess antidumping duties on all appropriate entries. Antidumping duties shall be assessed at rates equal to the cash deposit rate for estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends

[21] *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*).

[22] *See* 19 CFR 351.309(c)(2) and (d)(2).

[23] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[24] *See APO and Service Procedures.*

[25] *See* 19 CFR 351.310(d).

[26] *See* 19 CFR 351.212(b)(1).

[27] *Id.*

[28] *See* 19 CFR 351.106(c)(2); *see also Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification,* 77 FR 8101, 8103 (February 14, 2012).

to issue rescission instructions to CBP no earlier than 35 days after the date of publication of this notice in the **Federal Register**.

For the final results, if we continue to treat the company identified in Appendix III as part of the Vietnam-wide entity, we will instruct CBP to apply an assessment rate of $2.39/kg to all entries of subject merchandise during the POR which were produced and/or exported by that company.

The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.

If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired, *i.e.,* within 90 days of publication.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for shipments of the subject merchandise from Vietnam entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by sections 751(a)(2)(C) of the Act: (1) for the companies listed above, which have a separate rate, the cash deposit rate will be that established in the final results of this review (except, if the rate is zero or *de minimis,* then zero cash deposit will be required); (2) for previously investigated or reviewed Vietnam and non-Vietnam exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; (3) for all Vietnam exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be the existing rate for the Vietnam-wide entity of $2.39/kg; and (4) for all non-Vietnam exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the Vietnam exporter that supplied that non-Vietnam exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

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

Notification to Interested Parties

We are issuing and publishing these preliminary results of review in accordance with sections 751(a)(1)(B) and (3) and 777(i)(1) of the Act, 19 CFR 351.213(d)(4), and 19 CFR 351.221(b)(4).

Dated: November 9, 2026.

Kasey O'Connor,

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

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Discussion of the Methodology
V. Currency Conversion
VI. Recommendation

Appendix II

Non-Individually Examined Companies Receiving a Separate Rate

1. Cantho Import-Export Seafood Joint Stock Company (also known as CASEAMEX, Cantho Import Export Seafood Joint Stock Company, Cantho Import-Export Joint Stock Company, Can Tho Import Export Seafood Joint Stock Company, Can Tho Import-Export Seafood Joint Stock Company, or Can Tho Import-Export Joint Stock Company)
2. Co May Import Export Company Limited (aka Co May Imp. Exp. Co)
3. Hung Vuong Corporation; Hung Vuong Joint Stock Company, HVC or HV Corp.; An Giang Fisheries Import and Export Joint Stock Company (also known as Agifish, An Giang Fisheries Import and Export, An Giang Fisheries Import & Export Joint Stock Company); Asia Pangasius Company Limited (also known as ASIA); Europe Joint Stock Company (also known as Europe, Europe JSC or EJS CO.); Hung Vuong Ben Tre Seafood Processing Company Limited (also known as Ben Tre, HVBT, or HVBT Seafood Processing); Hung Vuong Mascato Company Limited (also known as Mascato); Hung Vuong—Sa Dec Co., Ltd. (also known as Sa Dec or Hung Vuong Sa Dec Company Limited); Hung Vuong—Vinh Long Co., Ltd. (also known as Vinh Long or Hung Vuong Vinh Long Company Limited)
4. I.D.I International Development and Investment Corporation (also known as IDI, International Development & Investment Corporation, International Development and Investment Corporation, or IDI International Development & Investment Corporation)
5. Minh Tam Seafoods Import Export Company
6. NTSF Seafoods Joint Stock Company (also known as NTSF, NTSF Seafoods or Ntsf Seafoods Jsc)

Appendix III

Companies Determined To Be Part of the Vietnam-Wide Entity

1. Loc Kim Chi Seafood Joint Stock Company (also known as Loc Kim Chi)

Appendix IV

Companies Rescinded From Review

1. An Chau Co., Ltd
2. An Giang Agriculture and Food Import-Export Joint Stock Company (also known as Afiex or An Giang Agriculture and Foods Import-Export Joint Stock Company)
3. An Hai Fishery Ltd. Co
4. An My Fish Joint Stock Company (also known as Anmyfish, Anmyfishco or An My Fish Joint Stock)
5. An Phat Import-Export Seafood Co., Ltd. (also known as An Phat Seafood Co. Ltd. or An Phat Seafood, Co., Ltd.)
6. An Phu Seafood Corp. (also known as ASEAFOOD or An Phu Seafood Corp.)
7. Anchor Seafood Corp
8. Anvifish Joint Stock Company (also known as Anvifish, Anvifish JSC, or Anvifish Co., Ltd.)
9. Asia Commerce Fisheries Joint Stock Company (also known as Acomfish JSC or Acomfish)
10. Basa Joint Stock Company (also known as BASACO)
11. Ben Tre Aquaproduct Import and Export Joint Stock Company (also known as Bentre Aquaproduct, Bentre Aquaproduct Import & Export Joint Stock Company or Aquatex Bentre)
12. Bentre Forestry and Aquaproduct Import Export Joint Stock Company (also known as Bentre Forestry and Aquaproduct Import and Export Joint Stock Company, Ben Tre Forestry and Aquaproduct Import-Export Company, Ben Tre Forestry Aquaproduct Import-Export Company, Ben Tre Frozen Aquaproduct Export Company or Faquimex)
13. Bentre Seafood Jsc
14. Bien Dong Hau Giang Seafood Joint Stock Company (also known as Bien Dong HG or Bien Dong Hau Giang Seafood Joint Stock Co.)
15. Binh An Seafood Joint Stock Company (also known as Binh An or Binh An Seafood Joint Stock Co.)
16. Binh Dinh Import Export Company (also known as Binh Dinh Import Export Joint Stock Company, or Binh Dinh)
17. C.P. Vietnam Corporation
18. Cadovimex II Seafood Import-Export and Processing Joint Stock Company (also known as Cadovimex II, Cadovimex II Seafood Import Export and Processing Joint Stock Company, or Cadovimex II Seafood Import-Export)
19. Can Tho Animal Fishery Products Processing Export Enterprise (also known as Cafatex Corporation, or Cafatex)
20. Cavina Seafood Joint Stock Company

(also known as Cavina Fish or Cavina Seafood Jsc)
21. Cds Overseas Vietnam Co., Ltd
22. Colorado Boxed Beef Company (also known as CBBC)
23. Coral Triangle Processors (dba Mowi Vietnam Co., Limited (Dong Nai))
24. Cuu Long Fish Import-Export Corporation (also known as CL Panga Fish or Cuu Long Fish Imp. Exp. Corporation)
25. Cuu Long Fish Joint Stock Company (also known as CL-Fish, CL–FISH CORP, or Cuu Long Fish Joint Stock Company)
26. Cuu Long Seapro
27. Da Nang Seaproducts Import-Export Corporation (also known as SEADANANG, Da Nang or Da Nang Seaproducts Import/Export Corp.)
28. Dai Thanh Seafoods Company Limited (also known as DATHACO, Dai Thanh Seafoods or Dai Thanh Seafoods Co., Ltd.)
29. Dai Tien Vinh Co., Ltd
30. Dong A Seafood One Member Company Limited (also known as Dong A Seafood Co.)
31. Dong Phuong Co., Ltd
32. Dong Phuong Import Export Seafood Company Limited (also known as Dong Phuong Export Seafood Limited, Dong Phuong Seafood Company Limited, or aFishDeal)
33. Dragonwaves Frozen Food Factory Co., Ltd
34. East Sea Seafoods LLC (also known as East Sea Seafoods Limited Liability Company, ESS LLC, ESS, ESS JVC, or East Sea Seafoods Joint Venture Co., Ltd.)
35. Europe Trading Co., Ltd
36. Fatifish Company Limited (also known as FATIFISH or FATIFISHCO or Fatfish Co., Ltd.)
37. GF Seafood Corp
38. Gia Minh Co. Ltd
39. Go Dang An Hiep One Member Limited Company
40. Go Dang Ben Tre One Member Limited Liability Company
41. GODACO Seafood Joint Stock Company (also known as GODACO, GODACO Seafood, GODACO SEAFOOD, GODACO_SEAFOOD, or GODACO Seafood J.S.C.)
42. Gold Future Imp. Exp/Gold Future Imp. Exp. Development Co. Ltd
43. Golden Quality Seafood Corporation (also known as Golden Quality, GoldenQuality, GOLDENQUALITY, or GoldenQuality Seafood Corporation)
44. Green Farms Seafood Joint Stock Company (also known as Green Farms, Green Farms Seafood JSC, GreenFarm SeaFoods Joint Stock Company, or Green Farms Seafoods Joint Stock Company)
45. GreenFeed Vietnam Corporation
46. Ha Noi Can Tho Seafood Jsc
47. Hai Huong Seafood Joint Stock Company (also known as HHFish, HH Fish, or Hai Huong Seafood)
48. Hai Thuan Nam Co Ltd
49. Hai Trieu Co., Ltd
50. Hapag Lloyd (America) Inc
51. Hasa Seafood Corp. (Hasaco)
52. Hiep Thanh Seafood Joint Stock Company (also known as Hiep Thanh or Hiep Thanh Seafood Joint Stock Co.)
53. Hoa Phat Seafood Import-Export and Processing J.S.C. (also known as HOPAFISH, Hoa Phat Seafood Import-Export and Processing Joint Stock Company, Hoa Phat Seafood Import-Export and Processing JSC, or Hoa Phat Seafood Imp. Exp. And Processing)
54. Hoang Long Seafood Processing Company Limited (also known as HLS, Hoang Long, Hoang Long Seafood, HoangLong Seafood, or Hoang Long Seafood Processing Co., Ltd.)
55. Hong Ngoc Seafood Co., Ltd
56. Hung Phuc Thinh Food Jsc
57. Hung Vuong—Mien Tay Aquaculture Corporation (HVMT or Hung Vuong Mien Tay Aquaculture Joint Stock Company)
58. Hung Vuong Seafood Joint Stock Company
59. HungCa 6 Corporation
60. Hungca Co., Ltd
61. Lian Heng Trading Co. Ltd. (also known as Lian Heng, Lian Heng Trading, Lian Heng Investment Co. Ltd., or Lian Heng Investment)
62. Mekong Seafood Connection Co., Ltd
63. Minh Phu Hau Giang Seafood Corp
64. Minh Phu Seafood Corp
65. Minh Qui Seafood Co., Ltd
66. Nam Phuong Seafood Co., Ltd. (also known as Nam Phuong, NAFISHCO, Nam Phuong Seafood, or Nam Phuong Seafood Company Ltd.)
67. New Food Import, Inc
68. Ngoc Ha Co. Ltd. Food Processing and Trading (also known as Ngoc Ha or Ngoc Ha Co., Ltd. Foods Processing and Trading)
69. Ngoc Tri Seafood Joint Stock
70. Nguyen Tran Seafood Company (also known as Nguyen Tran J-S Co)
71. Nha Trang Seafoods, Inc. (also known as Nha Trang Seafoods-F89, Nha Trang Seafoods, or Nha Trang Seaproduct Company)
72. NTACO Corporation (also known as NTACO or NTACO Corp.)
73. Phu Thanh Co., Ltd
74. Phu Thanh Hai Co. Ltd. (also known as PTH Seafood)
75. Phuc Tam Loi Fisheries Imp
76. PREFCO Distribution, LLC
77. Pufong Trading And Service Co
78. QMC Foods, Inc
79. Qn Seafood Co., Ltd
80. Quang Minh Seafood Company Limited (also known as Quang Minh, Quang Minh Seafood Co., Ltd., or Quang Minh Seafood Co.)
81. Quirch Foods, LLC
82. QVD Food Co., Ltd.; QVD Dong Thap Food Co., Ltd. (also known as Dong Thap or QVD DT); Thuan Hung Co., Ltd. (also known as THUFICO)
83. Riptide Foods
84. Saigon-Mekong Fishery Co., Ltd. (also known as SAMEFICO or Saigon Mekong Fishery Co., Ltd.)
85. Seafood Joint Stock Company No. 4 (also known as SEAPRIEXCO No. 4)
86. Seafood Joint Stock Company No. 4 Branch Dongtam Fisheries Processing Company (also known as DOTASEAFOODCO or Seafood Joint Stock Company No. 4—Branch Dong Tam Fisheries Processing Company)
87. Seagate Logistics Co., Ltd
88. Seavina Joint Stock Company (also known as Seavina)
89. Sobi Co., Ltd
90. Song Bien Co., Ltd
91. Southern Fishery Industries Company, Ltd. (also known as South Vina, South Vina Co., Ltd., Southern Fishery Industries Co., Ltd., Southern Fisheries Industries Company, Ltd., or Southern Fisheries Industries Company Limited)
92. Sunrise Corporation
93. Tam Le Food Co., Ltd
94. Tan Thanh Loi Frozen Food Co., Ltd
95. TG Fishery Holdings Corporation (also known as TG or Tg Fishery Holdings Corp.)
96. Thanh Dat Food Service And Trading
97. Thanh Hung Co., Ltd. (also known as Thanh Hung Frozen Seafood Processing Import Export Co., Ltd. or Thanh Hung)
98. Thanh Phong Fisheries Corp
99. The Great Fish Company, LLC
100. Thien Ma Seafood Co., Ltd. (also known as THIMACO, Thien Ma, Thien Ma Seafood Company, Ltd., or Thien Ma Seafoods Co., Ltd.)
101. Thinh Hung Co., Ltd
102. Thuan An Production Trading and Service Co., Ltd. (also known as TAFISHCO, Thuan An Production Trading and Services Co., Ltd., or Thuan An Production Trading & Service Co., Ltd.)
103. Thuan Phuoc Seafoods and Trading Corporation
104. To Chau Joint Stock Company (also known as TOCHAU, TOCHAU JSC, or TOCHAU Joint Stock Company)
105. Trang Thuy Seafood Co., Ltd
106. Truong Phat Seafood Jsc
107. Van Y Corp
108. Viet Hai Seafood Company Limited (also known as Viet Hai, Viet Hai Seafood Co., Ltd., Viet Hai Seafood Co., Vietnam Fish-One Co., Ltd., or Fish One)
109. Viet Long Seafood Co., Ltd
110. Viet Phat Aquatic Products Co., Ltd
111. Viet Phu Foods & Fish Co., Ltd
112. Viet Phu Foods and Fish Corporation (also known as Vietphu, Viet Phu, Viet Phu Food and Fish Corporation, or Viet Phu Food & Fish Corporation)
113. Vietnam Seaproducts Joint Stock Company (also known as Seaprodex or Vietnam Seafood Corporation—Joint Stock Company)
114. Vif Seafood Factory
115. Vinh Hoan Corporation; Van Duc Food Export Joint Stock Company (also known as Van Duc); Van Duc Tien Giang Food Export Company (also known as VDTG or Van Duc Tien Giang Food Exp. Co.); Thanh Binh Dong Thap One Member Company Limited (also known as Thanh Binh Dong Thap or Thanh Binh Dong Thap Ltd.); Vinh Phuoc Food Company Limited (also known as Vinh Phuoc or VP Food)
116. Vinh Long Import-Export Company (also known as Vinh Long, Imex Cuu Long, Vinh Long Import/Export Company)
117. Vinh Quang Fisheries Corporation (also known as Vinh Quang, Vinh Quang

Fisheries Corp., Vinh Quang Fisheries Joint Stock Company, or Vinh Quang Fisheries Co., Ltd.)

[FR Doc. 2026–23257 Filed 11–13–26; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–469–824]

Thermal Paper From Spain: Final Results of Antidumping Duty Administrative Review; 2023–2024

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that Torraspapel S.A. (Torraspapel), the sole producer and exporter under review, sold subject merchandise at prices below normal value during the period of review (POR), November 1, 2023, through October 31, 2024.

DATES: Applicable November 16, 2026.

FOR FURTHER INFORMATION CONTACT: Catherine Bonilla, 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) 482–7955.

SUPPLEMENTARY INFORMATION:

Background

On May 13, 2026, Commerce published in the **Federal Register** the *Preliminary Results* of this administrative review and invited interested parties to comment.[1] On August 21, 2026, and October 28, 2026, Commerce extended the deadline for the final results of this review.[2] Accordingly, the deadline for these final results of review is now November 9, 2026.

A description of the events that occurred since the *Preliminary Results* are provided in the Issues and Decision Memorandum.[3] 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, 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 [4]

The product covered by this *Order* is thermal paper from Spain. 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 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.

Verification

As provided in section 782(i) of the Tariff Act of 1930, as amended (the Act), in September 2026, Commerce conducted verification of the sales information submitted by Torraspapel during which it examined relevant sales records and original source documents.

Changes Since the Preliminary Results

Based on comments received from interested parties and our review of the record, we made certain changes to the *Preliminary Results* as detailed in the Issues and Decision Memorandum.[5]

Use of Adverse Facts Available

We based Torraspapel's estimated weighted-average dumping margin on partial adverse facts available, pursuant to sections 776(a) and (b) of the Act. For further description, *see* the Issues and Decision Memorandum at Comment 2.

Final Results of Review

We have determined the following estimated weighted-average dumping margin for the company listed below for the period November 1, 2023, through October 31, 2024:

Exporter or producer	Weighted-average dumping margin (percent)
Torraspapel S.A	9.54

Disclosure

Commerce intends to disclose its calculations and analysis 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 *ad valorem* duty assessment rates for Torraspapel 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.[6] 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,*[7] Commerce will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Pursuant to a refinement to Commerce's assessment practice, where Torraspapel 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 all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.[8]

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, Commerce will direct CBP in the assessment

[1] *See Thermal Paper from Spain: Preliminary Results of Antidumping Duty Administrative Review; 2023–2024,* 91 FR 26997 (May 13, 2026) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See* Memoranda ''Extension of Deadline for Final Results of Antidumping Duty Administrative Review,'' dated April 24, 2026, and ''Extension of Deadline for Final Results of Antidumping Duty Administrative Review,'' dated October 28, 2026.

[3] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results of the Administrative Review of the Antidumping Duty Order on Thermal Paper from Spain; 2023–2024,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[4] *See Thermal Paper from Germany, Japan, the Republic of Korea, and Spain: Antidumping Duty Orders,* 86 FR 66284 (November 22, 2021) (*Order*).

[5] *See* Issues and Decision Memorandum.

[6] 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).

[7] *See* 19 CFR 351.106(c)(2).

[8] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

instructions 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 the 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 by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for Torraspapel will be equal to the weighted-average dumping margin that is listed for Torraspapel in the table above; (2) for previously investigated or reviewed companies that are not subject to this review, the cash deposit rate will continue to be the company's cash deposit rate from the most recently completed segment of this proceeding in which a cash deposit rate was determined for the company; (3) if the exporter was not covered by this review, a prior review, or the original less-than-fair-value (LTFV) investigation, but the manufacturer was covered, the cash deposit rate will be the cash deposit rate established for the manufacturer from the most recently completed segment of this proceeding in which a cash deposit rate was determined for the manufacturer; and (4) the cash deposit rate for all other producers and exporters will continue to be 37.07 percent *ad valorem,* the all-others rate established in the LTFV investigation.[9] 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)(2) to file a certificate regarding the reimbursement of antidumping 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 duties occurred and the subsequent assessment of double antidumping duties.

Administrative Protective Order

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

Notification to Interested Parties

We are issuing these final results of administrative review and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5) and 19 CFR 351.213(h)(2).

Dated: November 9, 2026.

Kasey O'Connor,

Deputy General Counsel, 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 Made a Ministerial Error
Comment 2: Whether to Base Home Market Inland Freight Expenses on Partial Adverse Facts Available
VI. Recommendation

[FR Doc. 2026–23274 Filed 11–13–26; 8:45 am]

BILLING CODE 3510–DS–P

[9] *See Order.*

DEPARTMENT OF COMMERCE

International Trade Administration

[A–201–872]

Certain Railway Tank Cars and Subassemblies Thereof From Mexico: Initiation of Less-Than-Fair-Value Investigation

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

DATES: Applicable November 9, 2026.

FOR FURTHER INFORMATION CONTACT: Benito Ballesteros, Office IX, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–7425.

SUPPLEMENTARY INFORMATION:

The Petition

On September 30, 2026, the U.S. Department of Commerce (Commerce) received an antidumping duty (AD) petition concerning imports of certain railway tank cars and subassemblies thereof (tank cars) [1] from Mexico, filed in proper form on behalf of UTLX Manufacturing LLC (the petitioner), a domestic producer of tank cars.[2] The AD Petition was accompanied by a countervailing duty (CVD) petition concerning imports of tank cars from Mexico.[3]

On October 20, 2026, after considering comments regarding industry support, Commerce extended the initiation deadline by 20 days to further examine the issue of industry support, because it was not clear from the Petition whether the industry support criteria had been met.[4]

Between October 6 and 23, 2026, Commerce requested supplemental information pertaining to certain aspects of the Petition in supplemental questionnaires.[5] Between October 13 and 28, 2026, the petitioner filed timely responses to these requests for additional information.[6]

In accordance with section 732(b) of the Tariff Act of 1930, as amended (the Act), the petitioner alleges that imports of tank cars from Mexico are being, or are likely to be, sold in the United States at less than fair value (LTFV) within the meaning of section 731 of the Act, and that imports of such products are materially injuring, or threatening material injury to, the tank cars industry in the United States. Consistent with section 732(b)(1) of the Act, the Petition was accompanied by information

[1] *See* Memorandum, ''Product Name Change,'' dated October 23, 2026.

[2] *See* Petitioner's Letter, ''Petitions for the Imposition of Antidumping and Countervailing Duties,'' dated September 30, 2026 (Petition).

[3] *Id.*

[4] *See Notice of Extension of the Deadline for Determining the Adequacy of the Antidumping and Countervailing Duty Petitions: Certain Railway Tank Cars and Parts Thereof from Mexico,* 91 FR 67288 (October 26, 2026).

[5] *See* Commerce's Letters, ''General Issues Supplemental Questions,'' dated October 6, 2026 (First General Issues Supplemental Questionnaire); ''Second Supplemental Questions,'' dated October 14, 2026 (Second General Issues Supplemental Questionnaire); ''Third Supplemental Questions,'' dated October 23, 2026 (Third General Issues Supplemental Questionnaire) and ''Supplemental Questions,'' dated October 6, 2026 (Mexico AD Supplemental Questionnaire).

[6] *See* Petitioner's Letters, ''Response to Supplemental Questions Regarding Volume I of the Petition,'' dated October 13, 2026 (First General Issues Supplement); ''Response to Second Supplemental Questionnaire Regarding Volume I of the Petition,'' dated October 16, 2026 (Second General Issues Supplement); ''Response to Third Supplemental Questionnaire Regarding Volume I of the Petition,'' dated October 28, 2026 (Third General Issues Supplement); and ''Response to Supplemental Questions Regarding Antidumping Volume II of the Petition,'' dated October 13, 2026 (Mexico AD Supplement).

reasonably available to the petitioner supporting its allegations.

Commerce finds that the petitioner filed the Petition on behalf of the domestic industry, because the petitioner is an interested party, as defined in section 771(9)(C) of the Act. Commerce also finds that the petitioner demonstrated sufficient industry support for the initiation of the requested LTFV investigation.[7]

Period of Investigation (POI)

Because the Petition was filed on September 30, 2026, pursuant to 19 CFR 351.204(b)(1), the POI for the Mexico LTFV investigation is July 1, 2025, through June 30, 2026.

Scope of the Investigation

The products covered by this investigation are tank cars from Mexico. For a full description of the scope of this investigation, *see* the appendix to this notice.

Comments on the Scope of the Investigation

Between October 6 and 23, 2026, Commerce requested information and clarification from the petitioner regarding the proposed scope to ensure that the scope language in the Petition is an accurate reflection of the products for which the domestic industry is seeking relief.[8] Between October 13 and 28, 2026, the petitioner provided clarifications and revised the scope.[9] The description of merchandise covered by this investigation, as described in the appendix to this notice, reflects these clarifications.

As discussed in the *Preamble* to Commerce's regulations, we are setting aside a period for interested parties to raise issues regarding product coverage (*i.e.,* scope).[10] Commerce will consider all scope comments received from interested parties and, if necessary, will consult with interested parties prior to the issuance of the preliminary determination. If scope comments include factual information, all such factual information should be limited to public information.[11] Commerce requests that interested parties provide at the beginning of their scope comments a public executive summary for each comment or issue raised in their submission. Commerce further requests that interested parties limit their public executive summary of each comment or issue to no more than 450 words, not including citations. Commerce intends to use the public executive summaries as the basis of the comment summaries included in the analysis of scope comments. To facilitate preparation of its questionnaires, Commerce requests that scope comments be submitted by 5:00 p.m. Eastern Time (ET) on November 30, 2026, which is the next business day after 20 calendar days from the signature date of this notice.[12] Any rebuttal comments, which may include factual information, and should also be limited to public information, must be filed by 5:00 p.m. ET on December 10, 2026, which is 10 calendar days from the initial comment deadline.

Commerce requests that any factual information that parties consider relevant to the scope of this investigation be submitted during that period. However, if a party subsequently finds that additional factual information pertaining to the scope of the investigation may be relevant, the party must contact Commerce and request permission to submit the additional information. All scope comments must be filed simultaneously on the records of the concurrent LTFV and CVD investigations.

Filing Requirements

All submissions to Commerce must be filed electronically via Enforcement and Compliance's Antidumping Duty and Countervailing Duty Centralized Electronic Service System (ACCESS), unless an exception applies.[13] An electronically filed document must be received successfully in its entirety by the time and date it is due.

Comments on Product Characteristics

Commerce is providing interested parties an opportunity to comment on the appropriate physical characteristics of tank cars to be reported in response to Commerce's AD questionnaires. This information will be used to identify the key physical characteristics of the subject merchandise in order to report the relevant cost of production (COP) accurately, as well as to develop appropriate product comparison criteria.

Interested parties may provide any information or comments that they feel are relevant to the development of an accurate list of physical characteristics. Specifically, they may provide comments as to which characteristics are appropriate to use as: (1) general product characteristics; and (2) product comparison criteria. We note that it is not always appropriate to use all product characteristics as product comparison criteria. We base product comparison criteria on meaningful commercial differences among products. In other words, although there may be some physical product characteristics utilized by manufacturers to describe tank cars, it may be that only a select few product characteristics take into account commercially meaningful physical characteristics. In addition, interested parties may comment on the order in which the physical characteristics should be used in matching products. Generally, Commerce attempts to list the most important physical characteristics first and the least important characteristics last.

In order to consider the suggestions of interested parties in developing and issuing the AD questionnaires, all product characteristics comments must be filed by 5:00 p.m. ET on November 30, 2026, which is the next business day after 20 calendar days from the signature date of this notice.[14] Any rebuttal comments must be filed by 5:00 p.m. ET on December 10, 2026, which is 10 calendar days from the initial comment deadline. All comments and submissions to Commerce must be filed electronically using ACCESS, as

[7] *See* section on ''Determination of Industry Support for the Petition,'' *infra.*

[8] *See* First General Issues Supplemental Questionnaire; *see also* Second General Issues Supplemental Questionnaire; and Third General Issues Supplemental Questionnaire.

[9] *See* First General Issues Supplement at 2–12 and Exhibit I–Supp–2; *see also* Second General Issues Supplement at 1–5; and Third General Issues Supplement at 1–6 and Exhibits 1 and 2.

[10] *See Antidumping Duties; Countervailing Duties, Final Rule,* 62 FR 27296, 27323 (May 19, 1997) (*Preamble*); *see also* 19 CFR 351.312.

[11] *See* 19 CFR 351.102(b)(21) (defining ''factual information'').

[12] The deadline for scope comments falls on November 29, 2026, which is a Sunday. Commerce's practice dictates that where a deadline falls on a weekend or federal holiday, the appropriate deadline is the next business day (in this instance, November 30, 2026). *See* 19 CFR 351.303(b)(1) (''For both electronically filed and manually filed documents, if the applicable due date falls on a non-business day, the Secretary will accept documents that are filed on the next business day'').

[13] *See Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures,* 76 FR 39263 (July 6, 2011); *see also Enforcement and Compliance; Change of Electronic Filing System Name,* 79 FR 69046 (November 20, 2014), for details of Commerce's electronic filing requirements, effective August 5, 2011. Information on using ACCESS can be found at *https://access.trade.gov/help* and a handbook can be found at *https://access.trade.gov/ACCESS%20Handbook%20on%20Electronic%20Filing%20Procedures_March2026.pdf.*

[14] The deadline for product characteristics comments falls on November 29, 2026, which is a Sunday. Commerce's practice dictates that where a deadline falls on a weekend or federal holiday, the appropriate deadline is the next business day (in this instance, November 30, 2026). *See* 19 CFR 351.303(b)(1) (''For both electronically filed and manually filed documents, if the applicable due date falls on a non-business day, the Secretary will accept documents that are filed on the next business day'').

explained above, on the record of the LTFV investigation.

Determination of Industry Support for the Petition

Section 732(b)(1) of the Act requires that a petition be filed on behalf of the domestic industry. Section 732(c)(4)(A) of the Act provides that a petition meets this requirement if the domestic producers or workers who support the petition account for: (i) at least 25 percent of the total production of the domestic like product; and (ii) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition. Moreover, section 732(c)(4)(D) of the Act provides that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, Commerce shall: (i) poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A); or (ii) determine industry support using a statistically valid sampling method to poll the ''industry.''

Section 771(4)(A) of the Act defines the ''industry'' as the producers as a whole of a domestic like product. Thus, to determine whether a petition has the requisite industry support, the statute directs Commerce to look to producers and workers who produce the domestic like product. The U.S. International Trade Commission (ITC), which is responsible for determining whether ''the domestic industry'' has been injured, must also determine what constitutes a domestic like product in order to define the industry. While both Commerce and the ITC apply the same statutory definition regarding the domestic like product,[15] they do so for different purposes and pursuant to a separate and distinct authority. In addition, Commerce's determination is subject to limitations of time and information. Although this may result in different definitions of the like product, such differences do not render the decision of either agency contrary to law.[16]

Section 771(10) of the Act defines the domestic like product as ''a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this title.'' Thus, the reference point from which the domestic like product analysis begins is ''the article subject to an investigation'' (*i.e.,* the class or kind of merchandise to be investigated, which normally will be the scope as defined in the petition).

With regard to the domestic like product, the petitioner does not offer a definition of the domestic like product distinct from the scope of the investigation.[17] Based on our analysis of the information submitted on the record, we have determined that tank cars, as defined in the scope, constitute a single domestic like product, and we have analyzed industry support in terms of that domestic like product.[18]

On October 13 and 30, 2026, we received comments on industry support from Trinity Tank Car, Inc. (Trinity), a U.S. producer, U.S. importer, and foreign producer of tank cars and The Greenbrier Companies, Inc. (Greenbrier), a U.S. producer and foreign producer of tank cars, both of which opposed the Petition and provided their 2025 production of tank cars.[19] On October 19 and November 2, 2026, the petitioner responded to the comments from Trinity and Greenbrier in rebuttal submissions.[20] As noted above, on October 20, 2026, Commerce extended the initiation deadline by 20 days to further examine the issue of industry support. In determining whether the petitioner has standing under section 732(c)(4)(A) of the Act, we considered the industry support data provided by the petitioner, Trinity, and Greenbrier with reference to the domestic like product as defined in the ''Scope of the Investigation,'' in the appendix to this notice.[21]

Our review of the data provided by the petitioner, Trinity, and Greenbrier, and other information readily available to Commerce indicates that the petitioner has established industry support for the Petition.[22] First, the information on the record established support from domestic producers (or workers) accounting for more than 50 percent of the total production of the domestic like product and, as such, Commerce is not required to take further action in order to evaluate industry support (*e.g.,* polling).[23] Second, the domestic producers (or workers) have met the statutory criteria for industry support under section 732(c)(4)(A)(i) of the Act because the domestic producers (or workers) who support the Petition account for at least 25 percent of the total production of the domestic like product.[24] Finally, the domestic producers (or workers) have met the statutory criteria for industry support under section 732(c)(4)(A)(ii) of the Act because the domestic producers (or workers) who support the Petition account for more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the Petition.[25] Accordingly, Commerce determines that the Petition was filed on behalf of the domestic industry within the meaning of section 732(b)(1) of the Act.[26]

Allegations and Evidence of Material Injury and Causation

The petitioner alleges that the U.S. industry producing the domestic like product is being materially injured, or is threatened with material injury, by reason of the imports of the subject merchandise sold at LTFV. In addition, the petitioner alleges that subject imports exceed the negligibility threshold provided for under section 771(24)(A) of the Act.[27]

The petitioner contends that the industry's injured condition is illustrated by a significant increase in the volume of subject imports; reduced market share; underselling and price depression and suppression; negative impact on financial performance; lost sales and revenue; and adverse impact on production, capacity utilization, and

[15] *See* section 771(10) of the Act.

[16] *See USEC, Inc.* v. *United States,* 132 F.Supp.2d 1, 8 (CIT 2001) (citing *Algoma Steel Corp., Ltd.* v. *United States,* 688 F.Supp.639, 644 (CIT 1988), *aff'd Algoma Steel Corp., Ltd.* v. *United States,* 865 F.2d 240 (Fed. Cir. 1989)).

[17] For a discussion of the domestic like product analysis as applied to this case and information regarding industry support, see Checklist, ''Antidumping Duty Investigation Initiation Checklist: Certain Railway Tank Cars and Subassemblies Thereof from Mexico,'' dated concurrently with, and hereby adopted by, this notice (Mexico AD Initiation Checklist), at Attachment II, Analysis of Industry Support for the Antidumping and Countervailing Duty Petitions Covering Certain Railway Tank Cars and Subassemblies Thereof from Mexico (Attachment II). This checklist is on file electronically via ACCESS.

[18] For further discussion, *see* Attachment II of the Mexico AD Initiation Checklist.

[19] *See* Trinity's Letter, ''Industry Support Comments,'' dated October 13, 2026; *see also* Greenbrier's Letter, ''Support Comments of The Greenbrier Companies, Inc.,'' dated October 13, 2026; and Trinity's Letter, ''Supplemental Comments Regarding Industry Support,'' dated October 30, 2026.

[20] *See* Petitioner's Letters, ''Petitioner's Rebuttal Industry Support Comments,'' dated October 19, 2026, and ''Petitioner's Request to Reject Supplemental Industry Support Comments,'' dated November 2, 2026.

[21] For further discussion, *see* Attachment II of the Mexico AD Initiation Checklist.

[22] *Id.*

[23] *Id.; see also* section 732(c)(4)(D) of the Act.

[24] *See* Attachment II of the Mexico AD Initiation Checklist.

[25] *Id.*

[26] *Id.*

[27] For further discussion, *see* Mexico AD Initiation Checklist at Attachment III, Analysis of Allegations and Evidence of Material Injury and Causation for the Antidumping and Countervailing Duty Petitions Covering Certain Railway Tank Cars and Subassemblies Thereof from Mexico.

employment variables.[28] We assessed the allegations and supporting evidence regarding material injury, threat of material injury, causation, as well as negligibility, and we have determined that these allegations are properly supported by adequate evidence, and meet the statutory requirements for initiation.[29]

Allegations of Sales at LTFV

The following is a description of the allegations of sales at LTFV upon which Commerce based its decision to initiate LTFV investigation of imports of tank cars from Mexico. The sources of data for the deductions and adjustments relating to U.S. price and normal value (NV) are discussed in greater detail in the Mexico AD Initiation Checklist.

U.S. Price

The petitioner based export price (EP) on pricing information for tank cars produced in Mexico and sold or offered for sale in the U.S. market.[30] The petitioner calculated a U.S. price on an ex-factory basis in accordance with section 772 of the Act.[31]

Normal Value [32]

The petitioner stated that it was unable to obtain home market or third-country pricing information for tank cars produced in Mexico to use as the basis for NV.[33] Therefore, the petitioner calculated NV based on CV. For further discussion of CV, *see* the section ''Normal Value Based on Constructed Value.''

Normal Value Based on Constructed Value

As noted above, the petitioner stated that it was unable to obtain home market or third country prices for tank cars to use as a basis for NV. Therefore, the petitioner calculated NV based on CV.[34]

Pursuant to section 773(e) of the Act, the petitioner calculated CV as the sum of the cost of manufacturing, selling, general, and administrative (SG&A) expenses, financial expenses, and profit.[35] In calculating the cost of manufacturing, the petitioner relied on its own production experience and input consumption rates for tank cars, valued using publicly available information applicable to Mexico.[36] In calculating SG&A expenses, financial expenses, and profit ratios, the petitioner relied on the fiscal year 2025 financial statements of a producer of comparable merchandise domiciled in Mexico.

Fair Value Comparison

Based on the data provided by the petitioner, there is reason to believe that imports of tank cars from Mexico are being, or are likely to be, sold in the United States at LTFV. Based on comparisons of EP to NV in accordance with sections 772 and 773 of the Act, the estimated dumping margins for tank cars from Mexico covered by this initiation range from 11.97 to 31.72 percent.[37]

Initiation of LTFV Investigation

Based upon the examination of the Petition and supplemental responses, we find that they meet the requirements of section 732 of the Act. Therefore, we are initiating an LTFV investigation to determine whether imports of tank cars from Mexico are being, or are likely to be, sold in the United States at LTFV. In accordance with section 733(b)(1)(A) of the Act and 19 CFR 351.205(b)(1), unless postponed, we will make our preliminary determination no later than 140 days after the date of this initiation.

Respondent Selection

In the Petition, the petitioner identified two companies (*i.e.,* Greenbrier and Trinity) in Mexico as producers/exporters of tank cars and provided independent third-party information as support.[38] We currently know of no additional producers/exporters of tank cars from Mexico.

Accordingly, Commerce intends to individually examine all known producers/exporters in the investigation from Mexico (*i.e.,* Greenbrier and Trinity). We invite interested parties to comment on this issue. Such comments may include factual information within the meaning of 19 CFR 351.102(b)(21). Parties wishing to comment must do so within three business days of the publication of this notice in the **Federal Register**. Comments must be filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety via ACCESS by 5:00 p.m. ET on the specified deadline. Because we intend to examine all known producers/exporters in Mexico, if no comments are received or if comments received further support the existence of only these producers/exporters in Mexico, we do not intend to conduct respondent selection and will proceed to issuing the initial AD questionnaire to the companies identified. However, if comments are received which create a need for a respondent selection process, we intend to finalize our decision regarding respondent selection within 20 days of publication of this notice.

Distribution of a Copy of the Petition

In accordance with section 732(b)(3)(A) of the Act and 19 CFR 351.202(f), a copy of the public version of the Petition has been provided to the Government of Mexico via ACCESS. To the extent practicable, we will attempt to provide a copy of the public version of the Petition to each exporter named in the Petition, as provided under 19 CFR 351.203(c)(2).

ITC Notification

Commerce will notify the ITC of our initiation, as required by section 732(d) of the Act.

Preliminary Determination by the ITC

The ITC will preliminarily determine, within 25 days after the date on which the ITC receives notice from Commerce of initiation of the investigation, whether there is a reasonable indication that imports of tank cars from Mexico are materially injuring, or threatening material injury to, a U.S. industry.[39] A negative ITC determination will result in the investigation being terminated.[40] Otherwise, this LTFV investigation will proceed according to statutory and regulatory time limits.

Submission of Factual Information

Factual information is defined in 19 CFR 351.102(b)(21) as: (i) evidence submitted in response to questionnaires; (ii) evidence submitted in support of allegations; (iii) publicly available information to value factors under 19 CFR 351.408(c) or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2); (iv) evidence placed on the record by Commerce; and (v) evidence other than factual information described in (i)–(iv). Section 351.301(b) of Commerce's regulations requires any party, when submitting factual information, to specify under which subsection of 19 CFR 351.102(b)(21) the

[28] *Id.*

[29] *Id.*

[30] *See* Mexico AD Initiation Checklist.

[31] *Id.*

[32] In accordance with section 773(b)(2) of the Act, for this investigation, Commerce will request information necessary to calculate the constructed value (CV) and COP to determine whether there are reasonable grounds to believe or suspect that sales of the foreign like product have been made at prices that represent less than the COP of the product.

[33] *See* Mexico AD Initiation Checklist.

[34] *Id.*

[35] *Id.*

[36] *Id.*

[37] *Id.*

[38] *See* Petition at Volume I (page 12 and Exhibits I–4, I–5, and I–18); *see also* First General Issues Supplement at 1–2 and Exhibits I–Supp–1 and I–Supp–18.

[39] *See* section 733(a) of the Act.

[40] *Id.*

information is being submitted [41] and, if the information is submitted to rebut, clarify, or correct factual information already on the record, to provide an explanation identifying the information already on the record that the factual information seeks to rebut, clarify, or correct.[42] Time limits for the submission of factual information are addressed in 19 CFR 351.301, which provides specific time limits based on the type of factual information being submitted. Interested parties should review the regulations prior to submitting factual information in this investigation.

Particular Market Situation Allegation

Section 773(e) of the Act addresses the concept of particular market situation (PMS) for purposes of CV, stating that ''if a particular market situation exists such that the cost of materials and fabrication or other processing of any kind does not accurately reflect the cost of production in the ordinary course of trade, the administering authority may use another calculation methodology under this subtitle or any other calculation methodology.'' When an interested party submits a PMS allegation pursuant to section 773(e) of the Act (*i.e.,* a cost-based PMS allegation), the submission must be filed in accordance with the requirements of 19 CFR 351.416(b), and Commerce will respond to such a submission consistent with 19 CFR 351.301(c)(2)(v). If Commerce finds that a cost-based PMS exists under section 773(e) of the Act, then it will modify its dumping calculations appropriately.

Neither section 773(e) of the Act, nor 19 CFR 351.301(c)(2)(v), sets a deadline for the submission of cost-based PMS allegations and supporting factual information. However, in order to administer section 773(e) of the Act, Commerce must receive PMS allegations and supporting factual information with enough time to consider the submission. Thus, should an interested party wish to submit a cost-based PMS allegation and supporting new factual information pursuant to section 773(e) of the Act, it must do so no later than 20 days after submission of a respondent's initial section D questionnaire response.

We note that a PMS allegation filed pursuant to sections 773(a)(1)(B)(ii)(III) or 773(a)(1)(C)(iii) of the Act (*i.e.,* a sales-based PMS allegation) must be filed within 10 days of submission of a respondent's initial section B questionnaire response, in accordance with 19 CFR 351.301(c)(2)(i) and 19 CFR 351.404(c)(2).

Extensions of Time Limits

Parties may request an extension of time limits before the expiration of a time limit established under 19 CFR 351.301, or as otherwise specified by Commerce. In general, an extension request will be considered untimely if it is filed after the expiration of the time limit established under 19 CFR 351.301, or as otherwise specified by Commerce.[43] For submissions that are due from multiple parties simultaneously, an extension request will be considered untimely if it is filed after 10:00 a.m. ET on the due date. Under certain circumstances, Commerce may elect to specify a different time limit by which extension requests will be considered untimely for submissions which are due from multiple parties simultaneously. In such a case, we will inform parties in a letter or memorandum of the deadline (including a specified time) by which extension requests must be filed to be considered timely. An extension request must be made in a separate, standalone submission; under limited circumstances we will grant untimely filed requests for the extension of time limits, where we determine, based on 19 CFR 351.302, that extraordinary circumstances exist. Parties should review Commerce's regulations concerning the extension of time limits and the *Time Limits Final Rule* prior to submitting factual information in this investigation.[44]

Certification Requirements

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information.[45] Parties must use the certification formats provided in 19 CFR 351.303(g).[46] Commerce intends to reject factual submissions if the submitting party does not comply with the applicable certification requirements.

Notification to Interested Parties

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305. Parties wishing to participate in this investigation should ensure that they meet the requirements of 19 CFR 351.103(d) (*e.g.,* by filing the required letter of appearance). Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).[47]

This notice is issued and published pursuant to sections 732(c)(2) and 777(i) of the Act, and 19 CFR 351.203(c).

Dated: November 9, 2026.

Kasey O'Connor,

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

Appendix

Scope of the Investigation

The merchandise subject to this investigation is pressure and non-pressure railway tank cars, whether finished or unfinished, and regardless of capacity, dimensions, tare weight, shell thickness, insulation, thermal protection system, jacket configuration, underframe design, or tank compartment configuration. A tank car is a type of freight railcar that typically includes, but is not limited to, tanks, truck sets, underframes, wheelsets, couplers, draft systems, running gear, jackets, valves, fittings, end platforms, ladders, and top platforms.

Subject tank cars meet or exceed the following standards: DOT–111, DOT–115, DOT–117, AAR–206, AAR–211, DOT–105, DOT–109, DOT–112, DOT–114, DOT–120, including standards that are substantially similar to such standards and/or subsequently developed standards. In-scope DOT–111 tank cars have tank shells and tank heads constructed primarily of non-stainless steel.

Subject merchandise includes the following subassemblies:

- Tank assemblies, whether finished or unfinished, consisting of one or more cylindrical shell sections or courses joined by welding and enclosed by tank heads or end closures. The tank assembly is capable of transporting bulk liquids, gases, and other lading and may be uninsulated, insulated, jacketed, clad, lined, equipped with a thermal protection system, or otherwise configured for specific service requirements. An unfinished tank assembly is a tank without one or more of the following attached: insulation, a jacket, lining, or a thermal production system. Tank assemblies may be imported separately from the underframe assembly.
- Underframe assemblies, whether finished or unfinished, consisting of a center

[41] *See* 19 CFR 351.301(b).

[42] *See* 19 CFR 351.301(b)(2).

[43] *See* 19 CFR 351.301; *see also Extension of Time Limits; Final Rule,* 78 FR 57790 (September 20, 2013) (*Time Limits Final Rule*), available at *https://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm.*

[44] *See* 19 CFR 351.302; *see also, e.g., Time Limits Final Rule.*

[45] *See* section 782(b) of the Act.

[46] *See Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings,* 78 FR 42678 (July 17, 2023) (*Final Rule*). Additional information regarding the *Final Rule* is available at *https://www.trade.gov/sites/default/files/2026-08/FAQ%20for%20Certifications.pdf?v=1787683944756.*

[47] *See Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings,* 88 FR 67069 (September 29, 2023).

sill or stub sills, body bolsters, and draft sill or draft-pocket structures, with or without crossbearers, crossties, end sills, center plates, draft gear components, safety appliances, mounting structures, or other structural attachments. Underframe assemblies support the tank assembly and associated equipment and transmit the buffing, draft, and other service loads encountered during rail transportation. An unfinished underframe assembly is the center sill or stub sill, with or without one or more of the following attached: draft sill or draft pocket structures, body bolsters, crossbearers, crossties, end sills, center plates, draft gear components, safety appliances, or mounting structures.

These subassemblies are subject to this investigation, whether entered alone or with other subassemblies and whether assembled or unassembled and whether finished or unfinished. The absence of any subassembly from an otherwise finished or unfinished tank car does not remove the tank car from this investigation.

Processing, re-processing, refurbishment, or assembly of finished or unfinished tank cars or subassemblies (including re-jacketing operations performed in Mexico and/or a third country) including, but not limited to, welding, pressing, shaping, cleaning, plating, coating, bolting, painting, and machining, does not remove the product from the scope. Inclusion of other components not identified as comprising the finished or unfinished tank car does not remove the product from the scope.

Specifically excluded from the scope of this investigation are DOT–111 tank cars with tank shells and tank heads constructed primarily of stainless steel; DOT–105 and DOT–112 tank cars with a specified pressure rating of 499 pounds per square inch gauge or greater; and DOT–113 cryogenic tank cars.

The merchandise subject to this investigation is classified under the Harmonized Tariff Schedule of the United States (HTSUS) statistical subheading 8606.10.0000. Merchandise subject to this investigation may also be imported under subheadings 7309.00.0030, 7309.00.0090, 7311.00.0030, 7311.00.0060, 7311.00.0090, 7326.90.8688, 8607.99.1000, and 8609.00.0000. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this investigation is dispositive.

[FR Doc. 2026–23290 Filed 11–13–26; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–469–817]

Ripe Olives From Spain: Preliminary Results and Partial Rescission, 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) preliminarily determines that Agro Sevilla Aceitunas, S. Coop.And. (Agro Sevilla), a producer/exporter subject to this review made sales of subject merchandise at less than normal value during the period of review (POR), August 1, 2024, through July 31, 2025. In addition, we are rescinding the review with respect to three companies. Interested parties are invited to comment on these preliminary results of review.

DATES: Applicable November 16, 2026.

FOR FURTHER INFORMATION CONTACT: Joseph Molokwu, 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) 482–8043.

SUPPLEMENTARY INFORMATION:

Background

On September 25, 2025, based on timely requests for review, in accordance with 19 CFR 351.221(c)(1)(i), we initiated an administrative review of the antidumping duty order on ripe olives from Spain.[1] On December 31, 2025, Commerce selected Agro Sevilla as the mandatory respondent in this review.[2] On January 28, 2026, Plasoliva, S.L., (Plasoliva) timely withdrew its request for review.[3] On March 5, 2026, Commerce notified parties of its intent to rescind the review with respect to certain companies and invited interested parties to comment.[4] No parties commented on the Intent to Rescind Memorandum.

Due to the lapse in appropriations and Federal Government shutdown, on November 14, 2025, Commerce tolled all deadlines in administrative proceedings by 47 days.[5] 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.[6] On June 22, 2026, we extended the preliminary results of this review to no later than November 2, 2026.[7] On October 22, 2026, Commerce extended the preliminary results of this review to November 9, 2026.[8]

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[9] A list of the topics discussed in the Preliminary Decision Memorandum is attached as Appendix I 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 merchandise subject to the *Order* is ripe olives from Spain. For a complete description of the scope of the *Order, see* the Preliminary Decision Memorandum.

Partial Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if a party who requested a review withdraws its request within 90 days of the date of publication of notice of initiation. As noted above, Commerce received a timely-filed withdrawal request with respect to Plasoliva, and no other parties requested an administrative review of Plasoliva. Therefore, we are rescinding this administrative review with respect to Plasoliva, pursuant to 19 CFR 351.213(d)(1).

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

[1] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 90 FR 46173 (September 25, 2025); *see also Ripe Olives from Spain: Antidumping Duty Order,* 83 FR 37465 (August 1, 2018) (*Order*); and *Ripe Olives from Spain: Notice of Correction to Antidumping Duty Order,* 83 FR 39691 (August 10, 2018) (*Amended Order*).

[2] *See* Memorandum, ''Respondent Selection,'' dated December 31, 2025.

[3] *See* Plasoliva's Letter, ''Plasoliva, S.L.'s Withdrawal Request for Administrative Review,'' dated January 28, 2026.

[4] *See* Memorandum, ''Notice of Intent to Rescind Review, In Part,'' dated March 5, 2026 (Intent to Rescind Memorandum).

[5] *See* Memorandum, ''Deadlines Affected by the Shutdown of the Federal Government,'' dated November 14, 2025.

[6] *See* Memorandum, ''Tolling of all Case Deadlines,'' dated November 24, 2025.

[7] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated June 22, 2026.

[8] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated October 22, 2026.

[9] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the Administrative Review of the Antidumping Duty Order on Ripe Olives from Spain; 2024–2025,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

entries of subject merchandise during the POR.[10] Normally, upon completion of an administrative review, the suspended entries are liquidated at the antidumping duty assessment rate for the review period.[11] Therefore, for an administrative review to be conducted, there must be a reviewable, suspended entry that Commerce can instruct U.S. Customs and Border Protection (CBP) to liquidate at the antidumping duty assessment rate calculated for the POR.[12] Commerce notified all interested parties of its intent to rescind the instant review regarding the companies listed in Appendix II because there were no reviewable, suspended entries of subject merchandise from these companies during the POR and invited interested parties to comment.[13] No party commented on this memorandum. In the absence of any suspended entries of subject merchandise from these companies during the POR, we are rescinding this administrative review for the companies listed in Appendix II, in accordance with 19 CFR 351.213(d)(3).

Methodology

Commerce is conducting this review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act). Export price and constructed export price are calculated in accordance with section 772 of the Act. Normal Value is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum.

[10] *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).

[11] *See* 19 CFR 351.212(b)(1).

[12] *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, 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'').

[13] *See* Intent to Rescind Memorandum.

Rate for Non-Individually Examined Companies

The Act does not address the establishment of a rate to apply to companies not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(c)(2) of the Act. However, Commerce's regulation at 19 CFR 351.109(g) state that Commerce will determine the rate for non-selected companies by following the process set forth in 19 CFR 351.109(f)(1)–(2), which generally parallels the process for determining the all-others rate in an investigation under section 735(c)(5) of the Act. Section 735(c)(5)(A) of the Act and 19 CFR 351.109(f) state that for companies not investigated, in general, we will determine an all-others rate by weight averaging the antidumping duty rates established for each of the companies individually investigated, excluding zero and *de minimis* rates or any rates based entirely on facts available.

In this administrative review, we preliminarily calculated a weighted-average dumping margin for Agro Sevilla, the sole individually examined respondent in this review. Because this estimated weighted-average dumping margin is not zero, *de minimis,* or based entirely on facts otherwise available, we are preliminarily assigning the estimated weighted-average dumping margin calculated for Agro Sevilla to Angel Camacho Alimentación, S.L., which was not selected for individual examination, consistent with the guidance in section 735(c)(5)(A) of the Act.

Preliminary Results of Review

As a result of this review, we preliminarily determine the following estimated weighted-average dumping margin exists for the period August 1, 2024, through July 31, 2025:

Producer/exporter	Weighted-average dumping margin (percent)
Agro Sevilla Aceitunas, S.Coop.And	1.94
Angel Camacho Alimentación, S.L.	1.94

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).

Verification

Commerce received a timely request from the Coalition for Fair Trade in Ripe Olives (the petitioners) to verify the information submitted in this administrative review, pursuant to 19 CFR 307(b)(1)(iv), if Commerce did not conduct an on-site verification of Agro Sevilla in the preceding administrative review of the *Order,* or verify for good cause.[14] Commerce verified the information submitted by Agro Sevilla in the immediately preceding administrative review of the *Order.*[15] Commerce additionally does not find good cause exists, to verify Agro Sevilla in this administrative review. As such Commerce does not intend to verify the information submitted by Agro Sevilla in the course of this administrative review.

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.[16] 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.[17] 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.[18] 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.[19] Further, we request that

[14] *See* Petitioner's Letter, ''Request for Verification,'' dated January 5, 2026.

[15] *See Ripe Olives from Spain: Final Results and Partial Rescission of Antidumping Duty Administrative Review; 2023–2024,* 91 FR 51659 (August 11, 2026).

[16] *See* 19 CFR 351.309.

[17] *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*).

[18] *See* 19 CFR 351.309(c)(2) and (d)(2).

[19] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public 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 public 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).[20]

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.[21]

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b)(1), Commerce will determine, and CBP shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review.

If Agro Sevilla's weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.50 percent) in the final results of this review, Commerce intends to calculate importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales to the total entered value of those sales. Where we do not have entered values for all U.S. sales to a particular importer, we will calculate an importer-specific, per-unit assessment rate on the basis of the ratio of the total amount of dumping calculated for the importer's examined sales to the total quantity of those sales.[22] To determine whether an importer-specific, per-unit assessment rate is *de minimis,* in accordance with 19 CFR 351.106(c)(2), we also will calculate an importer-specific *ad valorem* ratio based on estimated entered values. If Agro Sevilla's weighted-average dumping margin is zero or *de minimis* or where an importer-specific *ad valorem* assessment rate is zero or *de minimis,* we will instruct CBP to liquidate appropriate entries without regard to antidumping duties.[23]

In accordance with Commerce's ''automatic assessment'' practice, for entries of subject merchandise during the POR produced by Agro Sevilla for which it did not know that the merchandise was destined for the United States, we intend to instruct CBP to liquidate those entries at the all-others rate calculated in the less-than-fair-value (LTFV) investigation if there is no rate for the intermediate company(ies) involved in the transaction.[24]

For Angel Camacho Alimentación, S.L., which was not selected for individual examination, we will assign an assessment rate based on the review-specific rate, calculated as noted in the rate table above. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.[25]

For Plasoliva and those companies listed in Appendix II for which the review is being rescinded, Commerce will instruct CBP to assess antidumping duties on all appropriate entries. Antidumping duties shall be assessed at rates equal to the cash deposit rate for estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue rescission instructions to CBP no earlier than 35 days after the date of publication of this notice in the **Federal Register**.

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

Cash Deposit Requirements

The following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the company listed above will be that established 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) for previously investigated or reviewed companies not covered by this review, the cash deposit rate will continue to be the company-specific cash deposit rate published for the most recently completed segment of this proceeding in which the company participated; (3) if the exporter is not a firm covered in this review, or the LTFV investigation, but the manufacturer is, then the cash deposit rate will be the rate established for the most recent segment for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 19.98 percent, the all-others rate established in the LTFV investigation.[26] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a preliminary 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.

Notification to Interested Parties

We are issuing and publishing these preliminary results of review in

[20] *See APO and Service Procedures.*

[21] *See* 19 CFR 351.310(d).

[22] *See* 19 CFR 351.212(b)(1).

[23] *See* 19 CFR 351.106(c)(2); *see also Antidumping Proceeding: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification,* 77 FR 8101, 8103 (February 14, 2012).

[24] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

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

[26] *See Order,* 83 FR at 37466*; see also Amended Order,* 83 FR at 39692.

accordance with sections 751(a)(1) and 777(i)(1) of the Act, 19 CFR 351.213(d)(4), 19 CFR 351.213(h), and 19 CFR 351.221(b)(4).

Dated: November 9, 2026.

Kasey O'Connor,

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

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Discussion of Methodology
V. Currency Conversion
VI. Recommendation

Appendix II

Companies With No Reviewable Entries Rescinded From Review

1. Alimentary Group DCOOP, S.Coop.And.
2. Aceitunera del Norte de Cáceres, S.C.L.

[FR Doc. 2026–23268 Filed 11–13–26; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–871]

Finished Carbon Steel Flanges From India: Preliminary Results and Rescission, in Part, 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) preliminarily determines that producers and/or exporters subject to this administrative review made sales of subject merchandise at less than normal value (NV) during the period of review (POR), August 1, 2024, through July 31, 2025. In addition, we are rescinding the review with respect to 27 companies. Interested parties are invited to comment on these preliminary results.

DATES: Applicable November 16, 2026.

FOR FURTHER INFORMATION CONTACT: Preston Cox, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (240) 956–8630.

SUPPLEMENTARY INFORMATION:

Background

On August 24, 2017, Commerce published in the **Federal Register** the antidumping duty order on finished carbon steel flanges (steel flanges) from India.[1] On August 1, 2025, Commerce published a notice of opportunity to request an administrative review of the *Order.*[2] On September 25, 2025, based on timely requests for review, in accordance with 19 CFR 351.221(c)(1)(i), we initiated an administrative review of the antidumping duty order on steel flanges from India.[3] On November 26, 2025, Commerce selected Norma Group [4] and R. N. Gupta & Co., Ltd. (RNG) as mandatory respondents in this administrative review.[5]

Due to the lapse in appropriations and Federal Government shutdown on November 14, 2025, Commerce tolled all deadlines in administrative proceedings by 47 days.[6] 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.[7] Between June 9 and October 27, 2026, Commerce extended the deadline for the preliminary results of this review by 120 days.[8] Accordingly, the deadline for Commerce to issue these preliminary results is November 9, 2026.

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[9] A list of topics included in the Preliminary Decision Memorandum is included as Appendix I 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 merchandise covered by the *Order* is steel flanges. For a complete description of the scope of the *Order, see* the Preliminary 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.[10] Normally, upon completion of an administrative review, the suspended entries are liquidated at the antidumping duty assessment rate for the review period.[11] Therefore, for an administrative review to be conducted, there must be a reviewable, suspended entry that Commerce can instruct U.S. Customs and Border Protection (CBP) to liquidate at the antidumping duty assessment rate calculated for the POR.[12]

[1] *See Finished Carbon Steel Flanges from India and Italy: Antidumping Duty Orders,* 82 FR 40136 (August 24, 2017) (*Order*).

[2] *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review and Join Annual Inquiry Service List,* 90 FR 36141 (August 1, 2025).

[3] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 90 FR 46173 (September 25, 2025).

[4] In prior segments of this proceeding, we determined that Norma (India) Limited, USK Exports Private Limited, Uma Shanker Khandelwal & Co., and Bansidhar Chiranjilal were affiliated and should be treated as a single entity (Norma Group). *See, e.g., Finished Carbon Steel Flanges from India: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination,* 82 FR 9719 (February 8, 2017), and accompanying Preliminary Decision Memorandum, at 4–5, unchanged in *Finished Carbon Steel Flanges from India: Final Determination of Sales at Less Than Fair Value,* 82 FR 29483 (June 29, 2017). In this review, Norma (India) Limited and its affiliated entities have affirmed that the factual basis on which Commerce made its prior determinations has not changed. Therefore, Commerce continues to treat these four companies as a single entity.

[5] *See* Memorandum, ''Respondent Selection,'' dated November 26, 2025 (Respondent Selection Memorandum).

[6] *See* Memorandum, ''Deadlines Affected by the Shutdown of the Federal Government,'' dated November 14, 2025.

[7] *See* Memorandum, ''Tolling of all Case Deadlines,'' dated November 24, 2025.

[8] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated June 9, 2026; *see also* ''Second Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated October 27, 2026.

[9] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the Administrative Review of the Antidumping Duty Order on Finished Carbon Steel Flanges from India; 2024–2025,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[10] *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).

[11] *See* 19 CFR 351.212(b)(1).

[12] *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, and accompanying Issues and Decision Memorandum at Comment 4; and

Commerce notified all interested parties of its intent to rescind the instant review regarding the companies listed in Appendix III because there were no reviewable, suspended entries of subject merchandise from these companies during the POR and invited interested parties to comment.[13] No party commented on this memorandum. In the absence of any suspended entries of subject merchandise from these companies during the POR, we are rescinding this administrative review for the companies listed in Appendix III, in accordance with 19 CFR 351.213(d)(3).

Methodology

Commerce is conducting this review in accordance with sections 751(a)(1)(B) and (2) of the Act. Export price is calculated in accordance with section 772 of the Act. NV is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying these preliminary results, *see* the Preliminary Decision Memorandum.

Rate for Non-Selected Companies

The Act does not address the establishment of a rate to be applied to companies not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(c)(2) of the Act. However, Commerce's regulation at 19 CFR 351.109(g) states that Commerce will determine the rate for non-selected companies by following the process set forth in 19 CFR 351.109(f)(1)–(2), which generally parallels the process for calculating the all-others rate in a market economy investigation under section 735(c)(5) of the Act. Under section 735(c)(5)(A) of the Act and 19 CFR 351.109(f)(1)(i), the all-others rate is normally ''an amount equal to the weighted average of the estimated weighted average dumping margins established for exporters and producers individually investigated, excluding any zero or *de minimis* margins, and any margins determined entirely {on the basis of facts available}.''

In this review, we preliminarily calculated a weighted-average dumping margin of 7.15 percent for RNG, which is the only non-*de minimis* dumping margin calculated for this POR. Consistent with the U.S. Court of Appeals for the Federal Circuit's decision in *Albemarle,*[14] and our practice, we have preliminarily assigned to the non-examined companies a dumping margin of 7.15 percent in accordance with section 735(c)(5)(B) of the Act.[15]

Preliminary Results of Review

As a result of this review, we preliminarily determine the following estimated weighted-average dumping margins exist for the period August 1, 2024, through July 31, 2025:

Producer/exporter	Weighted-average dumping margin (percent)
R. N. Gupta & Company Limited	7.15
Norma (India) Limited/USK Exports Private Limited/Uma Shanker Khandelwal & Co./Bansidhar Chiranjilal	0.00
Non-Selected Companies[16]	7.15

Disclosure

Commerce intends to disclose to interested parties the calculations performed in connection with 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).

Verification

As provided in section 782(i)(3) of the Act, Commerce intends to verify the information relied upon in making its final results.

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the last verification report is issued in this review. 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.[17] 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.[18] 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.[19] Further, we request that interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public 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 public 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).[20]

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,

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'').

[13] *See* Memorandum, ''Notice of Intent to Rescind Review, In Part,'' dated October 19, 2026.

[14] *See Albemarle Corp.* v. *United States,* 821 F.3d 1345 (Fed. Cir. 2016) (*Albemarle*).

[15] *See* Memorandum, ''Calculation of Margin for Respondents Not Selected for Individual Examination,'' dated concurrently with this notice.

[16] *See* Appendix II for a list of companies not selected for individual examination.

[17] *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*).

[18] *See* 19 CFR 351.309(c)(2) and (d)(2).

[19] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[20] *See APO and Service Procedures.*

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.[21]

Assessment Rates

Upon completion of this administrative review, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. If the weighted-average dumping margin for a mandatory respondent is not zero or *de minimis* in the final results of this review, we will calculate an importer-specific assessment rate on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of such sales in accordance with 19 CFR 351.212(b)(1).[22] If the weighted-average dumping margin is zero or *de minimis* in the final results of review, or if an importer-specific assessment rate is zero or *de minimis,* Commerce will instruct CBP to liquidate appropriate entries without regard to antidumping duties.[23] For entries of subject merchandise during the period of review produced by the respondents for which they did not know its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries pursuant to the reseller policy, *i.e.,* the assessment rate for such entries will be the all-others rate established in the investigation if there is no rate for the intermediate company(ies) involved in the transaction.[24]

For the companies which were not selected for individual examination, we intend to assign an antidumping duty assessment rate equal to the weighted-average dumping margin determined for the non-examined companies in the final results of review.

For the companies for which the administrative review is rescinded, antidumping duties shall be assessed at a rate equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). 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**.

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). The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future cash deposits of estimated antidumping duties, where applicable.[25]

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication in the **Federal Register** of the final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for companies subject to this review will be equal to the company-specific weighted-average dumping margin established in the final results of this administrative review; (2) for merchandise exported by a company not covered in this review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published in the completed segment for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the less-than-fair-value investigation, but the producer is, then the cash deposit rate will be the rate established in the most recently completed segment of the proceeding for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 8.91 percent, the all-others rate established in the less-than-fair-value investigation.[26] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a preliminary 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 countervailing duties.

Notification to Interested Parties

These preliminary results of review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: November 9, 2026.

Kasey O'Connor,

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

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Discussion of the Methodology
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Appendix II

List of Companies Not Selected for Individual Examination

1. Balkrishna Steel Forge Pvt. Ltd.
2. Brai Technoforge Pvt. Ltd.
3. C.D. Industries
4. Cetus Engineering Private Limited
5. CHW Forge
6. Echjay Industries Pvt. Ltd.
7. JAI Auto Private Limited
8. Munish Forge Private Limited[27]
9. R. D. Forge
10. Renin Piping Products
11. Rollwell Forge Engineering Components and Flanges
12. Rollwell Forge Pvt. Ltd.
13. Steel Shape India
14. Technotrak Engineers

[21] *See* 19 CFR 351.310(d).

[22] *See Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification,* 77 FR 8101, 8103 (February 14, 2012).

[23] *Id.,* 77 FR at 8102–03; *see also* 19 CFR 351.106(c)(2).

[24] *See Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

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

[26] *See Order,* 82 FR at 40138.

[27] With respect to Munish Forge Private Limited, this company reported that it changed its name from Munish Forge Private Limited to Munish Forge Limited. Commerce found that Munish Forge Limited is the new name for Munish Forge Private Limited and thus are treating both names as referring to the same respondent. Further, we intend to assign both companies (Munish Forge Private Limited and Munish Forge Limited) the same cash deposit rate. *See Finished Carbon Steel Flanges from India: Preliminary Results and Rescission, in Part, of Countervailing Duty Administrative Review; 2023,* 91 FR 4869 (February 3, 2026); *see also Finished Carbon Steel Flanges from India; Final Results of Countervailing Duty Administrative Review; 2023,* 91 FR 34605 (June 8, 2026).

15. Tirupati Forge Pvt. Ltd.

Appendix III

Companies for Which the Administrative Review Is Rescinded

1. Adinath International
2. Aditya Forge Limited
3. Allena Group
4. Alloyed Steel
5. BFN Forgings Private Limited
6. Bebitz Flanges Works Private Limited
7. Citizen Metal Depot
8. Corum Flange
9. DN Forge Industries
10. Echjay Forgings Limited
11. Falcon Valves and Flanges Private Limited
12. Heubach International
13. Hindon Forge Pvt. Ltd.
14. Jiten Steel Industries
15. Kinnari Steel Corporation
16. M F Rings and Bearing Races Ltd
17. Mascot Metal Manufacturers
18. OM Exports
19. Punjab Steel Works
20. Raaj Sagar Steels
21. Ravi Ratan Metal Industries
22. Rolex Fittings India Pvt. Ltd
23. SHM (ShinHeung Machinery)
24. Siddhagiri Metal & Tubes
25. Sizer India
26. Sudhir Forgings Pvt. Ltd.
27. Umashanker Khandelwal Forging Limited

[FR Doc. 2026–23278 Filed 11–13–26; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–557–813]

Polyethylene Retail Carrier Bags From Malaysia: Preliminary 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) preliminarily determines that Euro SME Sdn. Bhd. and Euro Nature Green Sdn. Bhd (collectively, Euro SME) did not make sales of subject merchandise at less than normal value (NV) during the period of review (POR), August 1, 2024, through July 31, 2025. Interested parties are invited to comment on these preliminary results of review.

DATES: Applicable November 16, 2026.

FOR FURTHER INFORMATION CONTACT: Frank Schmitt, 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) 482–4880.

SUPPLEMENTARY INFORMATION:

Background

On September 25, 2025, based on timely requests for review, in accordance with 19 CFR 351.221(c)(1)(i), we initiated an administrative review of the antidumping duty order on polyethylene retail carrier bags (bags) from Malaysia.[1] Euro SME in the only company under review.[2]

Due to the lapse in appropriations and Federal Government shutdown, on November 14, 2025, Commerce tolled all deadlines in administrative proceedings by 47 days.[3] Additionally, due to a backlog of documents that were electronically filed via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) during the Federal Government shutdown, on November 24, 2025, Commerce tolled all deadlines in administrative proceedings by an additional 21 days.[4] Between June 10, and October 23, 2026, we extended the preliminary results of this review to no later than November 9, 2026.[5]

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[6] A list of the topics discussed in the Preliminary Decision Memorandum is attached as an appendix to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via ACCESS. ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/frnotices.*

Scope of the Order

The merchandise subject to the *Order* is bags from Malaysia. For a complete description of the scope of the *Order, see* the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act). Export price and constructed export price are calculated in accordance with section 772 of the Act. NV is calculated in accordance with section 773 of the Act. 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 estimated weighted-average dumping margin exists for the period August 1, 2024, through July 31, 2025:

Producer/exporter	Weighted-average dumping margin (percent)
Euro SME Sdn. Bhd.; Euro Nature Green Sdn. Bhd[7]	0.00

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).

Verification

As provided in section 782(i)(3) of the Act, Commerce intends to verify the information relied upon in making its final results.

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the last verification report is issued in this review. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for

[1] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 90 FR 46173 (September 25, 2025) (*Initiation Notice*); *see also Polyethylene Retail Carrier Bags from Malaysia: Antidumping Duty Orders,* 69 FR 48203 (August 9, 2004) (*Order*).

[2] *See Initiation Notice.*

[3] *See* Memorandum, ''Deadlines Affected by the Shutdown of the Federal Government,'' dated November 14, 2025.

[4] *See* Memorandum, ''Tolling of all Case Deadlines,'' dated November 24, 2025.

[5] *See* Memoranda, ''Extension of Deadline for Preliminary Results of 2024–2025 Antidumping Duty Administrative Review,'' dated June 10, 2026; and ''Extension of Deadline for Preliminary Results of 2024–2025 Antidumping Duty Administrative Review,'' dated October 23, 2026.

[6] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the Administrative Review of the Antidumping Duty Order on Polyethylene Retail Carrier Bags from Malaysia; 2024–2025,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[7] In the 2018–2019 review, Commerce treated Euro SME and Euro Nature Green Sdn. Bhd. (Nature Green) as a single entity. *See Polyethylene Retail Carrier Bags from Malaysia: Preliminary Results of Antidumping Duty Administrative Review; 2018–2019,* 85 FR 83515 (December 22, 2020), and accompanying Preliminary Decision Memorandum at 3–5, unchanged in *Polyethylene Retail Carrier Bags from Malaysia: Final Results of Antidumping Duty Administrative Review; 2018–19,* 86 FR 22019 (April 26, 2021). Our treatment of Euro SME and Nature Green remains unchanged in this review.

filing case briefs.[8] 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.[9] 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.[10] Further, we request that interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public 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 public 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).[11]

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.[12]

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b)(1), Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review.

If Euro SME's weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.50 percent) in the final results of this review, Commerce intends to calculate importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales to the total entered value of those sales. Where we do not have entered values for all U.S. sales to a particular importer, we will calculate an importer-specific, per-unit assessment rate on the basis of the ratio of the total amount of dumping calculated for the importer's examined sales to the total quantity of those sales.[13] To determine whether an importer-specific, per-unit assessment rate is *de minimis,* in accordance with 19 CFR 351.106(c)(2), we also will calculate an importer-specific *ad valorem* ratio based on estimated entered values. If Euro SME's weighted-average dumping margin is zero or *de minimis* or where an importer-specific *ad valorem* assessment rate is zero or *de minimis,* we will instruct CBP to liquidate appropriate entries without regard to antidumping duties.[14]

In accordance with Commerce's ''automatic assessment'' practice, for entries of subject merchandise during the POR produced by Euro SME's for which it did not know that the merchandise was destined for the United States, we intend to instruct CBP to liquidate those entries at the all-others rate calculated in the less-than-fair-value (LTFV) investigation if there is no rate for the intermediate company(ies) involved in the transaction.[15]

The final results of this administrative review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.[16] Commerce intends to issue assessment instructions to CBP regarding Euro SME no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the company listed above will be that established 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) for previously investigated or reviewed companies not covered by this review, the cash deposit rate will continue to be the company-specific cash deposit rate published for the most recently completed segment of this proceeding in which the company participated; (3) if the exporter is not a firm covered in this review, or the LTFV investigation, but the manufacturer is, then the cash deposit rate will be the rate established for the most recent segment for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 84.94 percent, the all-others rate established in the LTFV investigation.[17] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

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

Notification to Interested Parties

We are issuing and publishing these preliminary results of review in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

[8] *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*).

[9] *See* 19 CFR 351.309(c)(2) and (d)(2).

[10] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[11] *See APO and Service Procedures.*

[12] *See* 19 CFR 351.310(d).

[13] *See* 19 CFR 351.212(b)(1).

[14] *See* 19 CFR 351.106(c)(2); *see also Antidumping Proceeding: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification,* 77 FR 8101, 8103 (February 14, 2012).

[15] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

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

[17] *See Order,* 69 FR at 48204.

Dated: November 9, 2026.

Kasey O'Connor,

Deputy General Counsel, 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. Discussion of the Methodology
V. Currency Conversion
VI. Recommendation

[FR Doc. 2026–23261 Filed 11–13–26; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–900]

Diamond Sawblades and Parts Thereof From the People's Republic of China: Continuation of Antidumping 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) order on diamond sawblades and parts thereof (diamond sawblades) from the People's Republic of China (China) would likely lead to the continuation or recurrence of dumping and material injury to an industry in the United States, Commerce is publishing a notice of continuation of this AD order.

DATES: Applicable October 30, 2026.

FOR FURTHER INFORMATION CONTACT: Yang Jin Chun, 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) 482–5760.

SUPPLEMENTARY INFORMATION:

Background

On November 4, 2009, Commerce published in the **Federal Register** the AD order on diamond sawblades from China.[1] On March 2, 2026, the ITC instituted,[2] and Commerce initiated,[3] the third sunset review of the *Order,* pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act). As a result of its review, Commerce determined that revocation of the *Order* would likely lead to the continuation or recurrence of dumping, and therefore, notified the ITC of the magnitude of the margins of dumping likely to prevail should the *Order* be revoked.[4]

On October 30, 2026, the ITC published its determination, pursuant to sections 751(c) and 752(a) of the Act, that revocation of the *Order* 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 Order

The products covered by this *Order* are all finished circular sawblades, whether slotted or not, with a working part that is comprised of a diamond segment or segments, and parts thereof, regardless of specification or size, except as specifically excluded below. Within the scope of the *Order* are semi-finished diamond sawblades, including diamond sawblade cores and diamond sawblade segments. Diamond sawblade cores are circular steel plates, whether or not attached to non-steel plates, with slots. Diamond sawblade cores are manufactured principally, but not exclusively, from alloy steel. A diamond sawblade segment consists of a mixture of diamonds (whether natural or synthetic, and regardless of the quantity of diamonds) and metal powders (including, but not limited to, iron, cobalt, nickel, tungsten carbide) that are formed together into a solid shape (from generally, but not limited to, a heating and pressing process).

Sawblades with diamonds directly attached to the core with a resin or electroplated bond, which thereby do not contain a diamond segment, are not included within the scope of this *Order.* Diamond sawblades and/or sawblade cores with a thickness of less than 0.025 inches, or with a thickness greater than 1.1 inches, are excluded from the scope of this *Order.* Circular steel plates that have a cutting edge of non-diamond material, such as external teeth that protrude from the outer diameter of the plate, whether or not finished, are excluded from the scope of this *Order.* Diamond sawblade cores with a Rockwell C hardness of less than 25 are excluded from the scope of this *Order.* Diamond sawblades and/or diamond segment(s) with diamonds that predominantly have a mesh size number greater than 240 (such as 250 or 260) are excluded from the scope of this *Order.*

Merchandise subject to the order is typically imported under heading 8202.39.00.00 of the Harmonized Tariff Schedule of the United States (HTSUS). When packaged together as a set for retail sale with an item that is separately classified under headings 8202 to 8205 of the HTSUS, diamond sawblades or parts thereof may be imported under heading 8206.00.00.00 of the HTSUS. On October 11, 2011, Commerce included the 6804.21.00.00 HTSUS classification number to the customs case reference file, pursuant to a request by U.S. Customs and Border Protection (CBP).[6] Pursuant to requests by CBP, Commerce included to the customs case reference file the following HTSUS classification numbers: 8202.39.0040 and 8202.39.0070 on January 22, 2015, and 6804.21.0010 and 6804.21.0080 on January 26, 2015.[7]

The tariff classification is provided for convenience and customs purposes; however, the written description of the scope of this *Order* is dispositive.

Continuation of the Order

As a result of the determinations by Commerce and the ITC that revocation of the *Order* would likely lead to continuation or recurrence of dumping 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 *Order.* U.S. Customs and Border Protection will continue to collect AD 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 *Order* will be October 30, 2026.[8] 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 *Order* not later than 30

[1] *See Diamond Sawblades and Parts Thereof from the People's Republic of China and the Republic of Korea: Antidumping Duty Orders,* 74 FR 57145 (November 4, 2009).

[2] *See Diamond Sawblades and Parts Thereof from China; Institution of a Five-Year Review,* 91 FR 10131 (March 2, 2026).

[3] *See Initiation of Five-Year (Sunset) Reviews,* 91 FR 10053 (March 2, 2026).

[4] *See Diamond Sawblades and Parts Thereof from the People's Republic of China: Final Results of the Expedited Third Sunset Review of the Antidumping Duty Order,* 91 FR 40976 (July 6, 2026), and accompanying Issues and Decision Memorandum (IDM).

[5] *See Diamond Sawblades and Parts Thereof from China; Determination,* 91 FR 68557 (October 30, 2026) (*ITC Final Determination*).

[6] *See Diamond Sawblades and Parts Thereof from the Republic of Korea: Preliminary Results of Antidumping Duty Administrative Review,* 76 FR 76128 (December 6, 2011).

[7] *See Diamond Sawblades and Parts Thereof from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2016–2017,* 83 FR 64331 (December 14, 2018), and accompanying IDM at 3.

[8] *See ITC Final Determination.*

days prior to fifth anniversary of the date of the last determination by the ITC.

Administrative Protective Order

This notice also serves as a final reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(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

This five-year (sunset) review 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: November 10, 2026.

Scot Fullerton,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2026–23253 Filed 11–13–26; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–910]

Paper File Folders From India: Final Results of Antidumping Duty Administrative Review; 2023–2024

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that Navneet Education Limited (Navneet) made sales of paper file folders from India in the United States at prices below normal value (NV) during the period of review (POR) May 17, 2023, through October 31, 2024.

DATES: Applicable November 16, 2026.

FOR FURTHER INFORMATION CONTACT: Colin Thrasher, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3004.

SUPPLEMENTARY INFORMATION:

Background

On May 13, 2026, Commerce published in the **Federal Register** the *Preliminary Results* of this administrative review and invited interested parties to comment.[1] On August 10, 2026, we extended the deadline for issuance of these final results by 53 days.[2] On October 29, 2026, we extended the deadline for the final results by an additional seven days.[3] Accordingly, the deadline for these final results is now November 9, 2026. Commerce conducted this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act).

For a complete description of the events that occurred since Commerce published the *Preliminary Results, see* the Issues and Decision Memorandum.[4] The Issues and Decision Memorandum is a public document and is on file electronically via ACCESS. ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/frnotices.*

Scope of the Order [5]

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

Analysis of Comments Received

All issues raised in the case and rebuttal briefs are addressed in the Issues and Decision Memorandum. A list of the issues addressed in the Issues and Decision Memorandum is attached to this notice as an Appendix.

Changes Since the Preliminary Results

Based on our review of the record, Commerce made certain revisions to the margin calculations for Navneet. For a detailed discussion of the changes since the *Preliminary Results, see* the Issues and Decision Memorandum.

Final Results of the Administrative Review

Commerce determines that the following weighted-average dumping margin exists for the period May 17, 2023, through October 31, 2024:

Exporter/producer	Weighted-average dumping margin (percent)
Navneet Education Limited	5.73

Disclosure

Commerce intends to disclose to parties in this proceeding the calculations performed for the final results of this 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).

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 in accordance with the final results of this review. Because Navneet's weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.5 percent) in the final results of this review, we calculated an importer-specific assessment rate based on the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of those same sales in accordance with 19 CFR 351.212(b)(1). Where an importer-specific assessment rate is zero or *de minimis* (*i.e.,* less than 0.5 percent), the entries by that importer will be liquidated without regard to antidumping duties. The final results of this administrative review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.[6]

Commerce's ''reseller policy'' will apply to entries of subject merchandise during the POR produced by the company included in these final results of review for which the reviewed company did not know that the merchandise it sold to the intermediary (*e.g.,* a reseller, trading company, or

[1] *See Paper File Folders from India: Preliminary Results and Rescission, in Part, of Antidumping Duty Administrative Review; 2023–2024,* 91 FR 27007 (May 13, 2026) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

[2] *See* Memorandum, ''Extension of Deadline for Final Results of Antidumping Duty Administrative Review,'' dated August 10, 2026.

[3] *See* Memorandum, 'Extension of Deadline for Final Results of Antidumping Duty Administrative Review,'' dated October 29, 2026.

[4] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results of the Administrative Review of the Antidumping Duty Order on Paper File Folders from India; 2023–2024,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[5] *See Paper File Folders from the People's Republic of China, India, and the Socialist Republic of Vietnam: Antidumping Duty Orders; and Paper File Folders from India: Countervailing Duty Order,* 88 FR 81048 (November 21, 2023) (*Order*).

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

exporter) was destined for the United States. In such instance, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.[7]

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 paper file folders from India entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for Navneet will be equal to the weighted-average dumping margin established in these final results; (2) for merchandise exported by producers or exporters not covered in this review but covered in a prior completed segment of this proceeding, the cash deposit rate will continue to be the company-specific rate published in the most recently completed segment of this proceeding in which the producer or exporter participated; (3) if the exporter is not a firm covered in this review or the less-than-fair-value (LTFV) investigation, but the producer is, then the cash deposit rate will be the cash deposit rate established for the most recently completed segment for the producer of the subject merchandise; and (4) the cash deposit rate for all other producers and exporters will continue to be the all-others rate established in the LTFV investigation (*i.e.,* 13.44 percent *ad valorem*).[8] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

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

Administrative Protective Order (APO)

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

Notification to Interested Parties

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

Dated: November 9, 2026.

Kasey O'Connor,

Deputy General Counsel, 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. Changes Since the *Preliminary Results*
IV. Scope of the *Order*
V. Discussion of the Issues
Comment 1: Constructed Value (CV) Profit
Comment 2: CV Selling Expenses
Comment 3: Calculation of Foreign Unit Price in Dollars (FUPDOL)
VI. Recommendation

[FR Doc. 2026–23259 Filed 11–13–26; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–107]

Wooden Cabinets and Vanities and Components Thereof From the People's Republic of China: Final 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) determines that certain producers and exporters of wooden cabinets and vanities and components thereof (wooden cabinets) from the People's Republic of China (China) received countervailable subsidies during the period of review (POR) January 1, 2024, through December 31, 2024.

DATES: Applicable November 16, 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 13, 2026, Commerce published the *Preliminary Results* of this administrative review in the **Federal Register** and invited comments from interested parties.[1] No interested party submitted comments. Thus, for these final results of review, Commerce made no changes from the *Preliminary Results,* which are herein adopted as the final results of review; thus, no decision memorandum accompanies this notice. Commerce conducted this review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order [2]

The products covered by the *Order* are wooden cabinets from China. For a full description of the scope of the *Order, see Order* or *Preliminary Results* PDM.

Use of Adverse Facts Available (AFA)

As discussed in the *Preliminary Results,* because the Government of China (GOC) did not respond to Section II of the initial questionnaire by the due date, we found it appropriate to use adverse inferences in selecting from among the facts otherwise available, pursuant to section 776(b)(1)(A) of the Act.[3] There is no new information on the record that would cause us to revisit our decision in the *Preliminary Results.* Accordingly, for these final results, we continue to find that the application of AFA pursuant to section 776(b)(1)(A) of

[7] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[8] *See Order,* 88 FR at 81049.

[1] *See Wooden Cabinets and Vanities and Components Thereof from People's Republic of China: Preliminary Results and Partial Rescission of Countervailing Duty Administrative Review; 2024,* 91 FR 42934 (July 13, 2026) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

[2] *See Wooden Cabinets and Vanities and Components Thereof from the People's Republic of China: Countervailing Duty Order,* 85 FR 22134 (April 21, 2020) (*Order*).

[3] *See Preliminary Results* PDM at Section VII.

the Act is warranted with respect to the GOC.

Final Results of Administrative Review

Commerce determines that the following net countervailable subsidy rates exist for the period January 1, 2024, through December 31, 2024:

Producer/exporter	Subsidy rate (percent *ad valorem*)
Yixing Pengjia Technology Co., Ltd.[4]	5.48
Jiangsu Xiangsheng Bedtime Furniture Co., Ltd	5.48
KM Cabinetry Co, Ltd[5]	113.08
Dalian Hualing Wood Co., Ltd[6]	113.08
KM Cabinetry Co, Ltd. and Zhongshan Nu Furniture Co., Ltd.[7]	113.08

Disclosure

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

Assessment

In accordance with section 751(a)(1) and (a)(2)(C) of the Act and 19 CFR 351.212(b)(2), 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 no earlier than 35 days after 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 administrative review, as follows: (1) the cash deposit rate for the companies listed above will be equal to the company-specific estimated individual countervailable subsidy rates determined in the final results of this review, except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) if both the producer and exporter of the subject merchandise have company-specific estimated subsidy rates assigned, and their rates differ, then the applicable cash deposit rate will be the higher of these two rates; (3) if either the producer or the exporter, but not both, of the subject merchandise has a company specific estimated subsidy rate assigned, the applicable cash deposit rate will be that company's company-specific rate; and (4) the cash deposit rate for all other producers and exporters will be continue to be 18.75 percent, the all-others subsidy rate established in the investigation.[8] These cash deposit requirements, effective upon publication of these final results, shall remain in effect until further notice.

Certification

Following the publication of this notice, the importer, or the importer's agent, must continue to submit any required certifications to CBP as part of the entry process by uploading them into the document imaging system in CBP's Automated Commercial Environment at the time of entry summary filing. Consistent with CBP's procedures, importers shall also identify entries required to have certifications by using importers' additional declaration (record 54) AD/CVD Certification Designation (type code 06) when filing entry summary.[9]

Administrative Protective Order (APO)

This notice also serves as a final 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 violation subject to sanction.

Notification to Interested Parties

The 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: November 10, 2026.

Kasey O'Connor,

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

[FR Doc. 2026–23264 Filed 11–13–26; 8:45 am]

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[4] This company was formerly known as Yixing Pengjia Cabinetry Co., Ltd. *See Wooden Cabinets and Vanities and Components Thereof from the People's Republic of China: Final results of Countervailing Duty Administrative Review: 2023,* 91 FR 12349 (March 13, 2026).

[5] Non-Responsive AFA.

[6] Non-Responsive AFA.

[7] As discussed in the Preliminary Decision Memorandum, we are applying a chain rate to subject merchandise produced by Zhongshan Nu Furniture Co., Ltd. and exported by KM Cabinetry Co, Ltd. *See Preliminary Results.*

[8] *See Wooden Cabinets and Vanities and Components Thereof from the People's Republic of China: Notice of Court Decision Not in Harmony with the Final Determination of Countervailing Duty Investigation; Notice of Amended Final Determination; Notice of Amended Countervailing Duty Order, In Part,* 90 FR 28,995 (July 2, 2025).

[9] *See* Cargo System Messaging Service #59384253, dated 02/12/2024; *see also Announcing an Importer's Additional Declaration in the Automated Commercial Environment Specific to Antidumping/Countervailing Duty Certifications,* 89 FR 7372 (February 2, 2024).

DEPARTMENT OF COMMERCE

International Trade Administration

[A–560–833]

Utility Scale Wind Towers From Indonesia: Preliminary Results and Partial Rescission of the Antidumping Duty Administrative Review; 2024–2025

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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that producers/exporters

subject to this review did not make sales of subject merchandise at less than normal value (NV) during the period of review (POR), August 1, 2024, through July 31, 2025. In addition, we are rescinding the review with respect to six companies. Interested parties are invited to comment on these preliminary results of review.

DATES: Applicable November 16, 2026.

FOR FURTHER INFORMATION CONTACT: Katie Smith, 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) 482–0557.

SUPPLEMENTARY INFORMATION:

Background

On September 25, 2025, based on timely requests for review, in accordance with 19 CFR 351.221(c)(1)(i), we initiated an administrative review of the antidumping duty order on utility scale wind towers (wind towers) from Indonesia.[1] On December 12, 2025, Commerce identified PT. Kenertec Power System (Kenertec) as the mandatory respondent in this review.[2]

Due to the lapse in appropriations and Federal Government shutdown, on November 14, 2025, Commerce tolled all deadlines in administrative proceedings by 47 days.[3] Additionally, due to a backlog of documents that were electronically filed via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) during the Federal Government shutdown, on November 24, 2025, Commerce tolled all deadlines in administrative proceedings by an additional 21 days.[4] On June 23, 2026, we extended the preliminary results of this review to November 2, 2026.[5] On October 26, 2026 we fully extended the preliminary results of this review to no later than November 9, 2026.[6]

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[7] A list of the topics discussed in the Preliminary Decision Memorandum is attached as Appendix I 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 merchandise subject to the *Order* are wind towers from Indonesia. For a complete description of the scope of the *Order, see* the Preliminary 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.[8] Normally, upon completion of an administrative review, the suspended entries are liquidated at the antidumping duty assessment rate for the review period.[9] Therefore, for an administrative review to be conducted, there must be a reviewable, suspended entry that Commerce can instruct U.S. Customs and Border Protection (CBP) to liquidate at the AD assessment rate calculated for the POR.[10]

Commerce notified all interested parties of its intent to rescind the instant review regarding the companies listed in Appendix II because there were no reviewable, suspended entries of subject merchandise from these companies during the POR and invited interested parties to comment.[11] No party commented on this memorandum. In the absence of any suspended entries of subject merchandise from these companies during the POR, we are rescinding this administrative review for the companies listed in Appendix II, in accordance with 19 CFR 351.213(d)(3).

Methodology

Commerce is conducting this review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act). Constructed export price is calculated in accordance with section 772 of the Act. NV is calculated in accordance with section 773 of the Act. 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 estimated weighted-average dumping margin exists for the period August 1, 2024, through July 31, 2025:

Producer/exporter	Weighted-average dumping margin (percent)
PT. Kenertec Power System	0.00

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

[1] *See Initiation of Antidumping and Countervailing Duty Reviews,* 90 FR 46175 (September 25, 2025) (*Initiation Notice*); *see also Utility Scale Wind Towers from Canada, Indonesia, the Republic of Korea, and the Socialist Republic of Vietnam: Antidumping Duty Orders,* 85 FR 52546 (August 26, 2020) (*Order*), as corrected in *Utility Scale Wind Towers from Canada, Indonesia, the Republic of Korea, and the Socialist Republic of Vietnam: Notice of Correction to the Antidumping Duty Orders,* 85 FR 56213 (September 11, 2020).

[2] *See* Memorandum, ''Respondent Identification,'' dated December 9, 2025.

[3] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated December 9, 2024.

[4] *See* Memorandum, ''Tolling of All Case Deadlines,'' dated November 24, 2025.

[5] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated June 23, 2026.

[6] *See* Memorandum, ''Second Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated October 26, 2026.

[7] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the Administrative Review of the Antidumping Duty Order on Utility Scale Wind Towers; 2024–2025,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[8] *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).

[9] *See* 19 CFR 351.212(b)(1).

[10] *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, 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'').

[11] *See* Memorandum, ''Notice of Intent to Rescind Review, In Part,'' dated May 21, 2026.

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.[12] 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.[13] 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.[14] 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.[15] Further, we request that interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public 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 public 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).[16]

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.[17]

[12] *See* 19 CFR 351.309.

[13] *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*).

[14] *See* 19 CFR 351.309(c)(2) and (d)(2).

[15] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[16] *See APO and Service Procedures.*

[17] *See* 19 CFR 351.310(d).

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b)(1), Commerce will determine, and CBP shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. If Kenertec's weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.50 percent) in the final results of this review, Commerce intends to calculate importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales to the total entered value of those sales. Where we do not have entered values for all U.S. sales to a particular importer, we will calculate an importer-specific, per-unit assessment rate on the basis of the ratio of the total amount of dumping calculated for the importer's examined sales to the total quantity of those sales.[18] To determine whether an importer-specific, per-unit assessment rate is *de minimis,* in accordance with 19 CFR 351.106(c)(2), we also will calculate an importer-specific *ad valorem* ratio based on estimated entered values. If Kenertec's weighted-average dumping margin is zero or *de minimis* or where an importer-specific *ad valorem* assessment rate is zero or *de minimis,* we will instruct CBP to liquidate appropriate entries without regard to antidumping duties.[19]

In accordance with Commerce's ''automatic assessment'' practice, for entries of subject merchandise during the POR produced by Kenertec for which it did not know that the merchandise was destined for the United States, we intend to instruct CBP to liquidate those entries at the all-others rate calculated in the less-than-fair-value (LTFV) investigation if there is no rate for the intermediate company(ies) involved in the transaction.[20]

For the companies listed in Appendix II for which the review is being rescinded, Commerce will instruct CBP to assess antidumping duties on all appropriate entries. Antidumping duties shall be assessed at rates equal to the cash deposit rate for estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue rescission instructions to CBP no earlier than 35 days after the date of publication of this notice 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).

[18] *See* 19 CFR 351.212(b)(1).

[19] *See* 19 CFR 351.106(c)(2); *see also Antidumping Proceeding: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification,* 77 FR 8101, 8103 (February 14, 2012).

[20] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

Cash Deposit Requirements

The following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the company listed above will be that established 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) for previously investigated or reviewed companies not covered by this review, the cash deposit rate will continue to be the company-specific cash deposit rate published for the most recently completed segment of this proceeding in which the company participated; (3) if the exporter is not a firm covered in this review, or the LTFV investigation, but the manufacturer is, then the cash deposit rate will be the rate established for the most recent segment for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 8.53 percent, the all-others rate established in the LTFV investigation.[21] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

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

[21] *See Order.*

Notification to Interested Parties

We are issuing and publishing these preliminary results of review in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: November 9, 2026.

Kasey O'Connor,

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

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Discussion of the Methodology
V. Currency Conversion
VI. Recommendation

Appendix II

Companies With No Reviewable Entries Rescinded From Review

1. GE Indonesia
2. GE Renewable Energy
3. General Electric Indonesia
4. Korindo Wind
5. Nordex SE
6. PT. Siemens Gamesa Renewable Energy

[FR Doc. 2026–23273 Filed 11–13–26; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–525–001]

Common Alloy Aluminum Sheet From the Kingdom of Bahrain: 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) finds that Gulf Aluminium Rolling Mill B.S.C. (GARMCO) subject to this administrative review made sales of common alloy aluminum sheet (aluminum sheet) from the Kingdom of Bahrain (Bahrain) at less than normal value during the period of review (POR) April 1, 2024, through March 31, 2025.

DATES: Applicable November 16, 2026.

FOR FURTHER INFORMATION CONTACT: Mei Bradford, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0197.

SUPPLEMENTARY INFORMATION:

Background

On July 13, 2026, Commerce published in the **Federal Register** the *Preliminary Results* [1] of this administrative review of the *Order*.[2] For a complete of the events that followed the *Preliminary Results, see* the Issues and Decision Memorandum.[3] 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 at *https://access.trade.gov/frnotices*.

Commerce conducted this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order

The merchandise covered by the *Order* is aluminum sheet from Bahrain. For a full description of the scope of the *Order, see* the Issues and Decision Memorandum.[4]

Analysis of Comments Received

All issues raised in the case and rebuttal briefs filed by parties in this review are listed as an appendix to this notice and addressed in the Issues and Decision Memorandum.

Changes Since the Preliminary Results

Based on our review of the record and comments received from interested parties, regarding the *Preliminary Results,* and for the reasons discussed in the Issues and Decision Memorandum, we made certain changes to the *Preliminary Results*.

Final Results of Administrative Review

For the final results of review. Commerce determines that the following estimated weighted-average dumping margin exists for the period April 1, 2024, through March 31, 2025:

Producer and/or exporter	Weighted-average dumping margin (percent)
Gulf Aluminium Rolling Mill B.S.C.	10.90

Disclosure

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

Assessment

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b), Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. For entries of subject merchandise during the POR produced by GARMCO for which GARMCO did not know that the merchandise was destined to the United States, we will instruct CBP to liquidate those entries at the all-others rate in the *Final Determination* of the investigation of sales at less than fair value (LTFV), *i.e.,* 4.83 percent,[5] if there is no rate for the intermediate company(ies) involved in the transaction.[6]

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 the final results of

[1] *See Common Alloy Aluminum Sheet from the Kingdom of Bahrain: Preliminary Results of Antidumping Duty Administrative Review; 2024–2025,* 91 FR 42928 (July 13, 2026) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See Common Alloy Aluminum Sheet from Bahrain, Brazil, Croatia, Egypt, Germany, India, Indonesia, Italy, Oman, Romania, Serbia, Slovenia, South Africa, Spain, Taiwan and the Republic of Turkey: Antidumping Duty Orders,* 86 FR 22139 (April 27, 2021) (*Order*).

[3] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results of Antidumping Duty Administrative Review: Common Alloy Aluminum Sheet from the Kingdom of Bahrain; 2024–2025,'' dated concurrently with, and hereby adopted by this notice (Issues and Decision Memorandum).

[4] *Id.*

[5] *See Common Alloy Aluminum Sheet from Bahrain: Final Affirmative Determination of Sales at Less Than Fair Value,* 86 FR 13331, 13332 (March 8, 2021) (*Final Determination*); *see also Order,* 86 FR at 22141.

[6] *See Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for GARMCO will be equal to the company-specific weighted-average dumping margin established in the final results of the review; (2) for merchandise exported by companies not covered in this review but covered in a prior segment of this proceeding, the cash deposit rate will continue to be the company-specific rate published in the completed segment for the most recent period; (3) if the exporter is not a firm covered in this review or a prior segment of the proceeding (*e.g.,* the LTFV investigation) but the producer is, then the cash deposit rate will be the rate established in the completed segment for the most recent period for the producer of the merchandise; and (4) the cash deposit rate for all other producers and exporters will continue to be 4.83 percent, the all-others rate established in the LTFV investigation.

These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping and/or countervailing duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping and/or countervailing duties occurred and the subsequent assessment of double antidumping duties, and/or an increase in the amount of antidumping duties by the amount of the countervailing duties.

Administrative Protective Order (APO)

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

Notification to Interested Parties

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

Dated: November 6, 2026.

Steven Presing,

Executive Director for Policy and Negotiations.

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: Major Input Adjustments
Comment 2: Cost of Production Offset
Comment 3: General and Administrative and Interest Expense Ratios
VI. Recommendation

[FR Doc. 2026–23234 Filed 11–13–26; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–201–873]

Certain Railway Tank Cars and Subassemblies Thereof From Mexico: Initiation of Countervailing Duty Investigation

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

DATES: Applicable November 9, 2026.

FOR FURTHER INFORMATION CONTACT: Stefan Smith, Office I, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4342.

SUPPLEMENTARY INFORMATION:

The Petition

On September 30, 2026, the U.S. Department of Commerce (Commerce) received a countervailing duty (CVD) petition concerning imports of certain railway tank cars and subassemblies thereof (tank cars) [1] from Mexico, filed in proper form on behalf of UTLX Manufacturing LLC (the petitioner), a domestic producer of tank cars.[2] The CVD Petition was accompanied by an antidumping duty (AD) petition concerning imports of tank cars from Mexico.[3]

On October 20, 2026, after considering comments regarding industry support, Commerce extended the initiation deadline by 20 days to further examine the issue of industry support, because it was not clear from the Petition whether the industry support criteria had been met.[4]

Between October 6 and 23, 2026, Commerce requested supplemental information pertaining to certain aspects of the Petition in supplemental questionnaires.[5] Between October 13 and 28, 2026, the petitioner filed timely responses to these requests for additional information.[6]

In accordance with section 702(b)(1) of the Tariff Act of 1930, as amended (the Act), the petitioner alleges that the Government of Mexico (GOM) is providing countervailable subsidies, within the meaning of sections 701 and 771(5) of the Act, to producers of tank cars from Mexico, and that such imports are materially injuring, or threatening material injury to, the domestic industry producing tank cars in the United States. Consistent with section 702(b)(1) of the Act and 19 CFR 351.202(b), for those alleged programs on which we are initiating a CVD investigation, the Petition was accompanied by information reasonably available to the petitioner supporting its allegations.

Commerce finds that the petitioner filed the Petition on behalf of the domestic industry, because the petitioner is an interested party, as defined in section 771(9)(C) of the Act. Commerce also finds that the petitioner demonstrated sufficient industry

[1] *See* Memorandum, ''Product Name Change,'' dated October 23, 2026.

[2] *See* Petitioner's Letter, ''Petition for the Imposition of Antidumping and Countervailing Duties,'' dated September 30, 2026 (Petition).

[3] *Id.*

[4] *See Notice of Extension of the Deadline for Determining the Adequacy of the Antidumping and Countervailing Duty Petitions: Certain Railway Tank Cars and Parts Thereof from Mexico,* 91 FR 67288 (October 26, 2026).

[5] *See* Commerce's Letters, ''General Issues Supplemental Questions,'' dated October 6, 2026 (First General Issues Supplemental Questionnaire); ''Second General Issues Supplemental Questions,'' dated October 14, 2026 (Second General Issues Supplemental Questionnaire); ''Third Supplemental Questions,'' dated October 23, 2026 (Third General Issues Supplemental Questionnaire); ''Supplemental Questions,'' dated October 6, 2026 (First Mexico CVD Supplemental Questionnaire); and ''Second CVD Supplemental Questions,'' dated October 14, 2026 (Second Mexico CVD Supplemental Questionnaire).

[6] *See* Petitioner's Letters, ''Response to Supplemental Questions Regarding Volume I of the Petition,'' dated October 13, 2026 (First General Issues Supplement); ''Petitioner Response to the Second Supplemental Questionnaire Regarding Common Issues and Injury Volume I of the Petition,'' dated October 16, 2026 (Second General Issues Supplement); ''Response to Third Supplemental Questionnaire Regarding Volume I of the Petition,'' dated October 28, 2026 (Third General Issues Supplement); ''Response to Supplemental Questions Regarding Volume III of the Petition,'' dated October 13, 2026 (First Mexico CVD Supplement); and ''Response to Second Supplemental Questionnaire Regarding Volume III of the Petition,'' dated October 16, 2026 (Second Mexico CVD Supplement).

support with respect to the initiation of the requested CVD investigation.[7]

Period of Investigation (POI)

Because the Petition was filed on September 30, 2026, the POI is January 1, 2025, through December 31, 2025.[8]

Scope of the Investigation

The products covered by this investigation are tank cars from Mexico. For a full description of the scope of this investigation, *see* the appendix to this notice.

Comments on the Scope of the Investigation

Between October 6 and 23, 2026, Commerce requested information and clarification from the petitioner regarding the proposed scope to ensure that the scope language in the Petition is an accurate reflection of the products for which the domestic industry is seeking relief.[9] Between October 13 and 28, 2026, the petitioner provided clarifications and revised the scope.[10] The description of merchandise covered by this investigation, as described in the appendix to this notice, reflects these clarifications.

As discussed in the *Preamble* to Commerce's regulations, we are setting aside a period for interested parties to raise issues regarding product coverage (*i.e.,* scope).[11] Commerce will consider all scope comments received from interested parties and, if necessary, will consult with interested parties prior to the issuance of the preliminary determination. If scope comments include factual information, all such factual information should be limited to public information.[12] Commerce requests that interested parties provide at the beginning of their scope comments a public executive summary for each comment or issue raised in their submission. Commerce further requests that interested parties limit their public executive summary of each comment or issue to no more than 450 words, not including citations. Commerce intends to use the public executive summaries as the basis of the comment summaries included in the analysis of scope comments. To facilitate preparation of its questionnaires, Commerce requests that scope comments be submitted by 5:00 p.m. Eastern Time (ET) on November 30, 2026, which is the next business day after 20 calendar days from the signature date of this notice.[13] Any rebuttal comments, which may include factual information, and should also be limited to public information, must be filed by 5:00 p.m. ET on December 10, 2026, which is 10 calendar days from the initial comment deadline.

Commerce requests that any factual information that parties consider relevant to the scope of this investigation be submitted during that period. However, if a party subsequently finds that additional factual information pertaining to the scope of the investigation may be relevant, the party must contact Commerce and request permission to submit the additional information. All scope comments must be filed simultaneously on the records of the concurrent AD and CVD investigations.

Filing Requirements

All submissions to Commerce must be filed electronically via Enforcement and Compliance's Antidumping Duty and Countervailing Duty Centralized Electronic Service System (ACCESS), unless an exception applies.[14] An electronically filed document must be received successfully in its entirety by the time and date it is due.

Consultations

Pursuant to sections 702(b)(4)(A)(i) and (ii) of the Act, Commerce notified the GOM of the receipt of the Petition and provided an opportunity for consultations with respect to the Petition.[15] Commerce held consultations with the GOM on October 16, 2026.[16]

Additionally, given the nature of certain subsidy programs alleged in the Petition, on September 30, 2026, Commerce issued a letter to the Government of the People's Republic of China (GOC), providing the GOC with the opportunity to meet with Commerce officials.[17] The GOC did not request to meet with Commerce officials, but submitted comments regarding the allegations.[18]

Determination of Industry Support for the Petition

Section 702(b)(1) of the Act requires that a petition be filed on behalf of the domestic industry. Section 702(c)(4)(A) of the Act provides that a petition meets this requirement if the domestic producers or workers who support the petition account for: (i) at least 25 percent of the total production of the domestic like product; and (ii) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition. Moreover, section 702(c)(4)(D) of the Act provides that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, Commerce shall: (i) poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A); or (ii) determine industry support using a statistically valid sampling method to poll the ''industry.''

Section 771(4)(A) of the Act defines the ''industry'' as the producers as a whole of a domestic like product. Thus, to determine whether a petition has the requisite industry support, the statute directs Commerce to look to producers and workers who produce the domestic like product. The U.S. International Trade Commission (ITC), which is responsible for determining whether ''the domestic industry'' has been injured, must also determine what constitutes a domestic like product in order to define the industry. While both

[7] *See* section on ''Determination of Industry Support for the Petition,'' *infra.*

[8] *See* 19 CFR 351.204(b)(2).

[9] *See* First General Issues Supplemental Questionnaire; *see also* Second General Issues Supplemental Questionnaire; and Third General Issues Supplemental Questionnaire.

[10] *See* First General Issues Supplement at 2–12 and Exhibit I–Supp–2; *see also* Second General Issues Supplement at 1–5; and Third General Issues Supplement at 1–6 and Exhibits 1 and 2.

[11] *See Antidumping Duties; Countervailing Duties, Final Rule,* 62 FR 27296, 27323 (May 19, 1997) (*Preamble*); *see also* 19 CFR 351.312.

[12] *See* 19 CFR 351.102(b)(21) (defining ''factual information'').

[13] The deadline for scope comments falls on November 29, 2026, which is a Sunday. Commerce's practice dictates that where a deadline falls on a weekend or federal holiday, the appropriate deadline is the next business day (in this instance, November 30, 2026). *See* 19 CFR 351.303(b)(1) (''For both electronically filed and manually filed documents, if the applicable due date falls on a non-business day, the Secretary will accept documents that are filed on the next business day'').

[14] *See Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures,* 76 FR 39263 (July 6, 2011); *see also Enforcement and Compliance; Change of Electronic Filing System Name,* 79 FR 69046 (November 20, 2014), for details of Commerce's electronic filing requirements, effective August 5, 2011. Information on using ACCESS can be found at *https://access.trade.gov/help* and a handbook can be found at *https://access.trade.gov/ACCESS%20Handbook%20on%20Electronic%20Filing%20Procedures_March2026.pdf.*

[15] *See* Commerce's Letter, ''Invitation for Consultations to Discuss the Countervailing Duty Petition,'' dated September 30, 2026.

[16] *See* Memorandum, ''Consultations with the Government of Mexico,'' dated October 27, 2026; *see also* GOM's Letter, ''Consultations Paper of the Government of Mexico,'' dated October 16, 2026.

[17] *See* Commerce's Letter, ''Alleged Transnational Subsidy Programs,'' dated September 30, 2026.

[18] *See* GOC's Letter, ''Comments on CVD Petition on Certain Railway Tank Cars and Parts Thereof from Mexico: Alleged Transnational Subsidy Programs (C–201–873),'' dated October 16, 2026.

Commerce and the ITC apply the same statutory definition regarding the domestic like product,[19] they do so for different purposes and pursuant to a separate and distinct authority. In addition, Commerce's determination is subject to limitations of time and information. Although this may result in different definitions of the like product, such differences do not render the decision of either agency contrary to law.[20]

Section 771(10) of the Act defines the domestic like product as ''a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this title.'' Thus, the reference point from which the domestic like product analysis begins is ''the article subject to an investigation'' (*i.e.,* the class or kind of merchandise to be investigated, which normally will be the scope as defined in the petition).

With regard to the domestic like product, the petitioner does not offer a definition of the domestic like product distinct from the scope of the investigation.[21] Based on our analysis of the information submitted on the record, we have determined that tank cars, as defined in the scope, constitute a single domestic like product, and we have analyzed industry support in terms of that domestic like product.[22]

On October 13 and 30, 2026, we received comments on industry support from Trinity Tank Car, Inc. (Trinity), a U.S. producer, U.S. importer and foreign producer of tank cars, and The Greenbrier Companies, Inc. (Greenbrier), a U.S. producer and foreign producer of tank cars, both of which opposed the Petition and provided their 2025 production of tank cars.[23] On October 19 and November 2, 2026, the petitioner responded to the comments from Trinity and Greenbrier in rebuttal submissions.[24] As noted above, on October 20, 2026, Commerce extended the initiation deadline by 20 days to further examine the issue of industry support. In determining whether the petitioner has standing under section 702(c)(4)(A) of the Act, we considered the industry support data provided by the petitioner, Trinity, and Greenbrier with reference to the domestic like product as defined in the ''Scope of the Investigation,'' in the appendix to this notice.[25]

Our review of the data provided by the petitioner, Trinity, and Greenbrier, and other information readily available to Commerce indicates that the petitioner has established industry support for the Petition.[26] First, the information on the record established support from domestic producers (or workers) accounting for more than 50 percent of the total production of the domestic like product and, as such, Commerce is not required to take further action in order to evaluate industry support (*e.g.,* polling).[27] Second, the domestic producers (or workers) have met the statutory criteria for industry support under section 702(c)(4)(A)(i) of the Act because the domestic producers (or workers) who support the Petition account for at least 25 percent of the total production of the domestic like product.[28] Finally, the domestic producers (or workers) have met the statutory criteria for industry support under section 702(c)(4)(A)(ii) of the Act because the domestic producers (or workers) who support the Petition account for more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the Petition.[29] Accordingly, Commerce determines that the Petition was filed on behalf of the domestic industry within the meaning of section 702(b)(1) of the Act.[30]

Injury Test

Because Mexico is a ''Subsidies Agreement Country'' within the meaning of section 701(b) of the Act, section 701(a)(2) of the Act applies to this investigation. Accordingly, the ITC must determine whether imports of the subject merchandise from Mexico materially injure, or threaten material injury to, a U.S. industry.

Allegations and Evidence of Material Injury and Causation

The petitioner alleges that imports of the subject merchandise are benefiting from countervailable subsidies and that such imports are causing, or threaten to cause, material injury to the U.S. industry producing the domestic like product. In addition, the petitioner alleges that subject imports exceed the negligibility threshold provided for under section 771(24)(A) of the Act.[31]

The petitioner contends that the industry's injured condition is illustrated by a significant increase in the volume of subject imports; reduced market share; underselling and price depression and suppression; negative impact on financial performance; lost sales and revenue; and adverse impact on production, capacity utilization, and employment variables.[32] We assessed the allegations and supporting evidence regarding material injury, threat of material injury, causation, as well as negligibility, and we have determined that these allegations are properly supported by adequate evidence, and meet the statutory requirements for initiation.[33]

Initiation of CVD Investigation

Based upon the examination of the Petition and supplemental responses, we find that they meet the requirements of section 702 of the Act. Therefore, we are initiating a CVD investigation to determine whether imports of tank cars from Mexico benefit from countervailable subsidies conferred by the GOM. In accordance with section 703(b)(1) of the Act and 19 CFR 351.205(b)(1), unless postponed, we will make our preliminary determination no later than 65 days after the date of this initiation.

Based on our review of the Petition, we find that there is sufficient information to initiate a CVD investigation on 23 programs alleged by

[19] *See* section 771(10) of the Act.

[20] *See USEC, Inc.* v. *United States,* 132 F.Supp.2d 1, 8 (CIT 2001) (citing *Algoma Steel Corp., Ltd.* v. *United States,* 688 F.Supp.639, 644 (CIT 1988), *aff'd Algoma Steel Corp., Ltd.* v. *United States,* 865 F.2d 240 (Fed. Cir. 1989)).

[21] For a discussion of the domestic like product analysis as applied to this case and information regarding industry support, *see* Checklist, ''Countervailing Duty Investigation Initiation Checklist: Certain Railway Tank Cars and Subassemblies Thereof from Mexico,'' dated concurrently with, and hereby adopted by, this notice (Mexico CVD Initiation Checklist), at Attachment II, Analysis of Industry Support for the Antidumping and Countervailing Duty Petitions Covering Certain Railway Tank Cars and Subassemblies Thereof From Mexico (Attachment II). This checklist is on file electronically via ACCESS.

[22] For further discussion, *see* Attachment II of the Mexico CVD Initiation Checklist.

[23] *See* Trinity's Letter, ''Industry Support Comments,'' dated October 13, 2026; *see also* Greenbrier's Letter, ''Support Comments of The Greenbrier Companies, Inc.,'' dated October 13, 2026; and Trinity's Letter, ''Supplemental Comments Regarding Industry Support,'' dated October 30, 2026.

[24] *See* Petitioner's Letters, ''Petitioner's Rebuttal Industry Support Comments,'' dated October 19, 2026, and ''Petitioner's Request to Reject Supplemental Industry Support Comments,'' dated November 2, 2026.

[25] For further discussion, *see* Attachment II of the Mexico CVD Initiation Checklist.

[26] *Id.*

[27] *Id.; see also* section 702(c)(4)(D) of the Act.

[28] *See* Attachment II of the Mexico CVD Initiation Checklist.

[29] *Id.*

[30] *Id.*

[31] For further discussion, *see* Mexico CVD Initiation Checklist at Attachment III, Analysis of Allegations and Evidence of Material Injury and Causation for the Antidumping and Countervailing Duty Petitions Covering Certain Railway Tank Cars and Subassemblies Thereof from Mexico.

[32] *Id.*

[33] *Id.*

the petitioner. For a full discussion of the basis for our decision to initiate on each program, *see* the Mexico CVD Initiation Checklist. A public version of the initiation checklist for this investigation is available on ACCESS.

Respondent Selection

In the Petition, the petitioner identified two companies (*i.e.,* Greenbrier and Trinity) as producers/exporters of tank cars and provided independent third-party information as support.[34] We currently know of no additional producers/exporters of tank cars from Mexico.

Accordingly, Commerce intends to individually examine all known producers/exporters in the investigation from Mexico (*i.e.,* Greenbrier and Trinity). We invite interested parties to comment on this issue. Such comments may include factual information within the meaning of 19 CFR 351.102(b)(21). Parties wishing to comment must do so within three business days of the publication of this notice in the **Federal Register**. Comments must be filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety via ACCESS by 5:00 p.m. ET on the specified deadline. Because we intend to examine all known producers/exporters in Mexico, if no comments are received or if comments received further support the existence of only these producers/exporters in Mexico, we do not intend to conduct respondent selection and will proceed to issue the initial CVD questionnaire to the companies identified. However, if comments are received which create a need for a respondent selection process, we intend to finalize our decision regarding respondent selection within 20 days of publication of this notice.

Distribution of a Copy of the Petition

In accordance with section 702(b)(4)(A) of the Act and 19 CFR 351.202(f), a copy of the public version of the Petition has been provided to the GOM via ACCESS. To the extent practicable, we will attempt to provide a copy of the public version of the Petition to each exporter named in the Petition, as provided under 19 CFR 351.203(c)(2).

ITC Notification

Commerce will notify the ITC of its initiation, as required by section 702(d) of the Act.

FOR FURTHER INFORMATION CONTACT:

Preliminary Determination by the ITC

The ITC will preliminarily determine, within 25 days after the date on which the ITC receives notice from Commerce of initiation of the investigation, whether there is a reasonable indication that imports of tank cars from Mexico are materially injuring, or threatening material injury to, a U.S. industry.[35] A negative ITC determination will result in the investigation being terminated.[36] Otherwise, this CVD investigation will proceed according to statutory and regulatory time limits.

Submission of Factual Information

Factual information is defined in 19 CFR 351.102(b)(21) as: (i) evidence submitted in response to questionnaires; (ii) evidence submitted in support of allegations; (iii) publicly available information to value factors of production under 19 CFR 351.408(c) or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2); (iv) evidence placed on the record by Commerce; and (v) evidence other than factual information described in (b)(21)(i)–(iv). Section 351.301(b) of Commerce's regulations requires any party, when submitting factual information, to specify under which subsection of 19 CFR 351.102(b)(21) the information is being submitted [37] and, if the information is submitted to rebut, clarify, or correct factual information already on the record, to provide an explanation identifying the information already on the record that the factual information seeks to rebut, clarify, or correct.[38] Time limits for the submission of factual information are addressed in 19 CFR 351.301, which provides specific time limits based on the type of factual information being submitted. Interested parties should review the regulations prior to submitting factual information in this investigation.

Extensions of Time Limits

Parties may request an extension of time limits before the expiration of a time limit established under 19 CFR 351.301, or as otherwise specified by Commerce. In general, an extension request will be considered untimely if it is filed after the expiration of the time limit established under 19 CFR 351.301, or as otherwise specified by Commerce.[39] For submissions that are due from multiple parties simultaneously, an extension request will be considered untimely if it is filed after 10:00 a.m. ET on the due date. Under certain circumstances, Commerce may elect to specify a different time limit by which extension requests will be considered untimely for submissions which are due from multiple parties simultaneously. In such a case, we will inform parties in a letter or memorandum of the deadline (including a specified time) by which extension requests must be filed to be considered timely. An extension request must be made in a separate, standalone submission; under limited circumstances we will grant untimely filed requests for the extension of time limits, where we determine, based on 19 CFR 351.302, that extraordinary circumstances exist. Parties should review Commerce's regulations concerning the extension of time limits and the *Time Limits Final Rule* prior to submitting factual information in this investigation.[40]

Certification Requirements

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information.[41] Parties must use the certification formats provided in 19 CFR 351.303(g).[42] Commerce intends to reject factual submissions if the submitting party does not comply with the applicable certification requirements.

Notification to Interested Parties

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305. Parties wishing to participate in this investigation should ensure that they meet the requirements of 19 CFR 351.103(d) (*e.g.,* by filing the required letters of appearance). Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).[43]

[34] *See* Petition at Volume I (page 12 and Exhibits I–4, I–5, and I–18); *see also* First General Issues Supplement at 1–2 and Exhibits I–Supp–1 and I–Supp–18.

[35] *See* section 703(a)(1) of the Act.

[36] *Id.*

[37] *See* 19 CFR 351.301(b).

[38] *See* 19 CFR 351.301(b)(2).

[39] *See* 19 CFR 351.302.

[40] *See* 19 CFR 351.301; *see also Extension of Time Limits; Final Rule,* 78 FR 57790 (September 20, 2013) (*Time Limits Final Rule*), available at *https://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm.*

[41] *See* section 782(b) of the Act.

[42] *See Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings,* 78 FR 42678 (July 17, 2023) (*Final Rule*). Additional information regarding the *Final Rule* is available at *https://www.trade.gov/sites/default/files/2026-08/FAQ%20for%20Certifications.pdf?v=1787683944756.*

[43] *See Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings,* 88 FR 67069 (September 29, 2023).

This notice is issued and published pursuant to sections 702 and 777(i) of the Act, and 19 CFR 351.203(c).

Dated: November 9, 2026.

Kasey O'Connor,

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

Appendix

Scope of the Investigation

The merchandise subject to this investigation is pressure and non-pressure railway tank cars, whether finished or unfinished, and regardless of capacity, dimensions, tare weight, shell thickness, insulation, thermal protection system, jacket configuration, underframe design, or tank compartment configuration. A tank car is a type of freight railcar that typically includes, but is not limited to, tanks, truck sets, underframes, wheelsets, couplers, draft systems, running gear, jackets, valves, fittings, end platforms, ladders, and top platforms.

Subject tank cars meet or exceed the following standards: DOT–111, DOT–115, DOT–117, AAR–206, AAR–211, DOT–105, DOT–109, DOT–112, DOT–114, DOT–120, including standards that are substantially similar to such standards and/or subsequently developed standards. In-scope DOT–111 tank cars have tank shells and tank heads constructed primarily of non-stainless steel.

Subject merchandise includes the following subassemblies:

- Tank assemblies, whether finished or unfinished, consisting of one or more cylindrical shell sections or courses joined by welding and enclosed by tank heads or end closures. The tank assembly is capable of transporting bulk liquids, gases, and other lading and may be uninsulated, insulated, jacketed, clad, lined, equipped with a thermal protection system, or otherwise configured for specific service requirements. An unfinished tank assembly is a tank without one or more of the following attached: insulation, a jacket, lining, or a thermal production system. Tank assemblies may be imported separately from the underframe assembly.
- Underframe assemblies, whether finished or unfinished, consisting of a center sill or stub sills, body bolsters, and draft sill or draft-pocket structures, with or without crossbearers, crossties, end sills, center plates, draft gear components, safety appliances, mounting structures, or other structural attachments. Underframe assemblies support the tank assembly and associated equipment and transmit the buffing, draft, and other service loads encountered during rail transportation. An unfinished underframe assembly is the center sill or stub sill, with or without one or more of the following attached: draft sill or draft pocket structures, body bolsters, crossbearers, crossties, end sills, center plates, draft gear components, safety appliances, or mounting structures.

These subassemblies are subject to this investigation, whether entered alone or with other subassemblies and whether assembled or unassembled and whether finished or unfinished. The absence of any subassembly from an otherwise finished or unfinished tank car does not remove the tank car from this investigation.

Processing, re-processing, refurbishment, or assembly of finished or unfinished tank cars or subassemblies (including re-jacketing operations performed in Mexico and/or a third country) including, but not limited to, welding, pressing, shaping, cleaning, plating, coating, bolting, painting, and machining, does not remove the product from the scope. Inclusion of other components not identified as comprising the finished or unfinished tank car does not remove the product from the scope.

Specifically excluded from the scope of this investigation are DOT–111 tank cars with tank shells and tank heads constructed primarily of stainless steel; DOT–105 and DOT–112 tank cars with a specified pressure rating of 499 pounds per square inch gauge or greater; and DOT–113 cryogenic tank cars.

The merchandise subject to this investigation is classified under the Harmonized Tariff Schedule of the United States (HTSUS) statistical subheading 8606.10.0000. Merchandise subject to this investigation may also be imported under subheadings 7309.00.0030, 7309.00.0090, 7311.00.0030, 7311.00.0060, 7311.00.0090, 7326.90.8688, 8607.99.1000, and 8609.00.0000. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this investigation is dispositive.

[FR Doc. 2026–23291 Filed 11–13–26; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–533–907]

Sodium Nitrite From India: Final Results and Rescission, in Part, of Countervailing Duty Administrative Review; 2024

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that certain producers and exporters of sodium nitrite from India received countervailable subsidies during the period of review (POR) January 1, 2024, through December 31, 2024. In addition, Commerce is rescinding this review, in part, with respect to three companies.

DATES: Applicable November 16, 2026.

FOR FURTHER INFORMATION CONTACT: Joshua Jacobson, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0266.

SUPPLEMENTARY INFORMATION:

Background

On May 13, 2026, Commerce published the *Preliminary Results* of this administrative review and invited interested parties to comment.[1] On June 1, 2026, the petitioner submitted a request for an extension of 14 days to submit case briefs.[2] On June 2, 2026, Commerce stated they could not grant the petitioner's request in full; however, Commerce granted all interested parties an extension of seven days.[3] On June 10, 2026, the petitioner, Deepak Nitrite Limited (DNL), and the Government of India (GOI) submitted separate case briefs.[4] On June 15, 2026, we received rebuttal briefs from the petitioner, DNL and the GOI.[5]

On September 2, 2026, Commerce extended the deadline for issuing the final results of this review by 53 days, until November 2, 2026, in accordance with section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act).[6] On October 27, 2026, Commerce extended the deadline for an additional seven days, until November 9, 2026.[7]

[1] *Sodium Nitrite from India: Preliminary Results and Intent To Rescind, in Part, of Countervailing Duty Administrative Review; 2024,* 91 FR 26992 (May 13, 2026) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See* Petitioner's Letter, ''Request for Extension of Time to Submit Case Briefs,'' dated June 1, 2026 (Extension Request).

[3] *See* Memorandum, ''Extension of Deadline for Case and Rebuttal Briefs'', dated June 2, 2026.

[4] *See* Petitioner's Letter, ''Sodium Nitrite from India: Case Brief '', dated June 10, 2026 (Petitioner's Case Brief) *see also* DNL's Letter, ''Case Brief on Behalf of Deepak Nitrite Limited'', dated June 10, 2026 (DNL's Case Brief) and GOI's Letter, ''Case Brief on Behalf of the Government of India'', dated June 10, 2026 (GOI's Case Brief).

[5] *See* Petitioners' Letter, ''Rebuttal Brief,'' dated June 15, 2026 (Petitioners' Rebuttal Brief) *see also* DNL's Letter ''Rebuttal Brief'', dated June 15, 2026 (DNL's Rebuttal Brief) and GOI's Letter, ''Rebuttal Brief'', dated June 15, 2026 (GOI's Rebuttal Brief).

[6] *See* Memorandum, ''Extension of Deadline for Final Results of Countervailing Duty Administrative Review,'' dated September 2, 2026.

[7] *See* Memorandum, ''Second Extension of Deadline for Final Results of Countervailing Duty Administrative Review,'' dated October 27, 2026

For a complete description of the events that occurred since the *Preliminary Results, see* the Issues and Decision Memorandum.[8] 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 Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/frnotices.*

Scope of the Order

The products covered by the *Order* are sodium nitrite from India. For a full description of the scope of the *Order, see* the Issues and Decision Memorandum.

Rescission of the Review, In Part

In the *Preliminary Results,* we notified our intent to rescind administrative review with respect to non-individually examined companies Buradon Inc., Palvi Industries Limited, and Lotus Global Pvt. Ltd., and invited interested parties to comment.[9] We received no comments opposing our intent to rescind. Accordingly, we are rescinding the administrative review, in part, with respect to these three companies for which the record provides no evidence of suspended entries during the POR, pursuant to 19 CFR 351.213(d)(3).

Analysis of Comments Received

All issues raised by the interested parties in their case and rebuttal briefs are addressed in the Issues and Decision Memorandum. The topics discussed and the issues raised by parties to which we responded in the Issues and Decision Memorandum are listed in an appendix to this notice.

Methodology

Commerce is conducting 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 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.[10] 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 Preliminary Decision Memorandum.

Non-Selected Company Rate

The Act and Commerce's regulations do not address the establishment of a rate to apply to companies not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(e)(2) of the Act. Generally, Commerce looks to section 705(c)(5) of the Act, which provides instructions for calculating the all-others rate in a CVD investigation. Section 777A(e)(2) of the Act provides that ''the individual countervailable subsidy rates determined under subparagraph (A) shall be used to determine the all-others rate under section 705(c)(5) {of the Act}.'' Under section 705(c)(5)(A)(i) of the Act, the all-others rate is normally an amount equal to the weighted average countervailable subsidy rates established for each of the companies individually investigated, excluding any rates that are zero, *de minimis* (*i.e.,* less than 0.5 percent), or determined entirely on the basis of facts available. Where the countervailable subsidy rates for each of the individually examined companies is zero, *de minimis,* or based entirely on facts available, section 705(c)(5)(A)(ii) of the Act provides that Commerce may use ''any reasonable method to establish an all-others rate for exporters and producers not individually investigated, including averaging the weighted average countervailable subsidy rates determined for the exporters and producers individually investigated.''

For these final results, because the rate calculated for Kutch Chemical is based entirely on facts available, we are assigning to the company under review (*i.e.,* Kronox Lab Sciences Pvt Ltd.) that was not selected for individual examination a countervailable subsidy rate based on the rate calculated for DNL.

Final Results of the Administrative Review

As a result of this review, we determine the following net countervailable subsidy rates exist for the POR, January 1, 2024, through December 31, 2024:

Company	Subsidy rate (percent *ad valorem*)
Deepak Nitrite Limited	2.26
Kronox Lab Sciences Pvt Ltd	2.26
Kutch Chemical Industries Limited	63.60

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).

Assessment

In accordance with section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(2), 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 no earlier than 35 days after 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, we also intend to instruct CBP to collect cash deposits of estimated countervailing duties in the amount shown for the companies listed above 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 firms, we will instruct CBP to continue to collect cash deposits of estimated countervailing duties at the all-others rate or the most recent company-specific rate applicable to the company, as appropriate. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Administrative Protective Order

This notice also serves as a final reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely

[8] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results of the Administrative Review of the Countervailing Duty Order on Sodium Nitrite from India; 2024,'' dated concurrently with this notice.

[9] *See Preliminary Results,* 91 FR at 26992–26993.

[10] *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.

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.

Notification to Interested Parties

The 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: November 9, 2026.

Kasey O'Connor,

Deputy General Counsel, 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. Changes Since the *Preliminary Results*
IV. Scope of the *Order*
V. Use of Facts Otherwise Available and Application of Adverse Inferences
VI. Subsidies and Valuation
VII. Benchmarks and Discount Rates
VIII. Analysis of Programs
IX. Discussion of the Issues
Comment 1: Whether To Find the Deduction under Section 80JJAA of the Income Tax Act Non-Countervailable
Comment 2: Whether To Find That DNL Received A Countervailable Subsidy In Providing Water At Less Than Adequate Rates (LTAR) To Companies Located In Gujarat Industrial Development Corporation (GIDC) Estates
Comment 3: Whether To Countervail DNL's Purchases Of Coal For LTAR And Should Calculate Benefits For All DNL's Coal Purchases Made During the POR
X. Recommendation

[FR Doc. 2026–23275 Filed 11–13–26; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

Notice of Scope Ruling Applications Filed in Antidumping and Countervailing Duty Proceedings

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

SUMMARY: The U.S. Department of Commerce (Commerce) received scope ruling applications, requesting that scope inquiries be conducted to determine whether identified products are covered by the scope of antidumping duty (AD) and/or countervailing duty (CVD) orders and that Commerce issue scope rulings pursuant to those inquiries. In accordance with Commerce's regulations, we are notifying the public of the filing of the scope ruling applications listed below in the month of September 2026.

DATES: Applicable November 16, 2026.

FOR FURTHER INFORMATION CONTACT: Yasmin Bordas, AD/CVD Operations, Customs Liaison Unit, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, telephone: (202) 482–3813.

SUPPLEMENTARY INFORMATION:

Notice of Scope Ruling Applications

In accordance with 19 CFR 351.225(d)(3), we are notifying the public of the following scope ruling applications related to AD and CVD orders and findings filed in or around the month of September 2026. This notification includes, for each scope application: (1) identification of the AD and/or CVD orders at issue (19 CFR 351.225(c)(1)); (2) concise public descriptions of the products at issue, including the physical characteristics (including chemical, dimensional and technical characteristics) of the products (19 CFR 351.225(c)(2)(ii)); (3) the countries where the products are produced and the countries from where the products are exported (19 CFR 351.225(c)(2)(i)(B)); (4) the full names of the applicants; and (5) the dates that the scope applications were filed with Commerce and the name of the ACCESS scope segment where the scope applications can be found.[1] This notice does not include applications which have been rejected and not properly resubmitted. The scope ruling applications listed below are available on Commerce's online e-filing and document management system, Antidumping and Countervailing Duty Electronic Service System (ACCESS), at *https://access.trade.gov.*

Scope Ruling Applications

Corrosion-Resistant Steel Products from the People's Republic of China (China) (A–570–026/C–570–027); Stone-Coated Steel Roofing Tiles;[2] produced in China; submitted by La Viata Investment Firm LLC (''La Viata''); September 16, 2026; ACCESS scope segment ''SCO—La Viata''.

Malleable Cast Iron Pipe Fittings from China (A–570–881); Threadless Structural Fittings;[3] produced in and exported from China; submitted by B&K LLC (''B&K''); September 21, 2026; ACCESS scope segment ''SCO—Threadless Structural Fittings''.

Light-Walled Rectangular Pipe and Tube from China (A–570–914/C–570–915); Posts and Uprights;[4] produced in and exported from China; submitted by Master-Halco, Inc. (''Master Halco''); September 23, 2026; ACCESS scope segment ''SCO—Master Halco''.

Light-Walled Rectangular Carbon Steel Tubing from Taiwan (A–583–803); Posts and Uprights;[5] produced in and exported from Taiwan; submitted by Master Halco; September 23, 2026; ACCESS scope segment ''SCO—Master Halco''.

Corrosion-Resistant Steel Products from China (A–570–026/C–570–027); Side Skirts for Truck Trailers;[6]

[1] *See Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws,* 86 FR 52300, 52316 (September 20, 2021) (*Final Rule*) (''It is our expectation that the **Federal Register** list will include, where appropriate, for each scope application the following data: (1) identification of the AD and/or CVD orders at issue; (2) a concise public summary of the product's description, including the physical characteristics (including chemical, dimensional and technical characteristics) of the product; (3) the country(ies) where the product is produced and the country from where the product is exported; (4) the full name of the applicant; and (5) the date that the scope application was filed with Commerce.'').

[2] The products are non-flat with roof-specific geometry, made of steel substrate that is coated with aluminum-zinc alloy and stamped. Stone granules are permanently embedded into an adhesive coating, and the product is cured and sealed. They measure approximately 1280–1400 mm (length) x 420–430 mm (width), and the weight is approximately 2.8–3.1 kg per tile, depending on profile.

[3] The products are composed of various non-threaded tees, adjustable side outlets, sockets, elbows, straight couplings, crosses, flanges, gate eyes and pins, railing supports, cross overs, hooks, plugs, swivel bases and combinations, and other fittings of cast malleable iron make and varying sizes, dimensions, and weights produced to meet the American Society for Testing and Materials A197 standard specification for cupola malleable iron. The fittings may be hot-dipped galvanized or have a black electrophoretic coating. Noting the large number of products covered by this scope inquiry, please refer to B&K's Scope Application (ACCESS Barcode: 4954897–01) at Exhibit 1 (ACCESS Barcode: 4954886–02) to verify whether your product is relevant to the scope inquiry.

[4] The products are fence posts and gate uprights. The posts have a typical height between 6′–12′ and have a typical width between 2″–2.5″ but may be as wide as 6″. The uprights have a typical height of 4′–6′ and have a typical width between 1.25″–1.5″ but may be as low as 1″. The wall thickness ranges from 18 gauge (0.049″) to 11 gauge (0.120″).

[5] The products are fence posts and gate uprights. The posts have a typical height between 6′–12 ′ and have a typical width between 2″–2.5″ but may be as wide as 6″. The uprights have a typical height of 4′–6′ and have a typical width between 1.25″–1.5″ but may be as low as 1″. The wall thickness ranges from 18 gauge (0.049″) to 11 gauge (0.120″).

[6] The products are steel composite panels produced in rectangular sheets in a process that combines a thermoplastic core, galvanized steel faces, and coatings. The layers are as follows: PVDF (Kynar 500) coating, epoxy resin primer, chromate treatment, 0.5 mm steel outer face, 3 mm thermoplastic core, 0.5 mm steel inner face, chromate treatment, and finally internal coating. The two steel layers (Nos. 4 and 6) are attached to

produced in and exported from China; submitted by FleetAero, LLC (''FleetAero''); September 30, 2026; ACCESS scope segment ''SCO—FleetAero''.

Notification to Interested Parties

This list of scope ruling applications is not an identification of scope inquiries that have been initiated. In accordance with 19 CFR 351.225(d)(1), if Commerce has not rejected a scope ruling application nor initiated the scope inquiry within 30 days after the filing of the application, the application will be deemed accepted and a scope inquiry will be deemed initiated the following day—day 31.[7] Commerce's practice generally dictates that where a deadline falls on a weekend, Federal holiday, or other non-business day, the appropriate deadline is the next business day.[8] Accordingly, if the 30th day after the filing of the application falls on a non-business day, the next business day will be considered the ''updated'' 30th day, and if the application is not rejected or a scope inquiry initiated by or on that particular business day, the application will be deemed accepted and a scope inquiry will be deemed initiated on the next business day which follows the ''updated'' 30th day.[9]

In accordance with 19 CFR 351.225(m)(2), if there are companion AD and CVD orders covering the same merchandise from the same country of origin, the scope inquiry will be conducted on the record of the AD proceeding. Further, please note that pursuant to 19 CFR 351.225(m)(1), Commerce may either apply a scope ruling to all products from the same country with the same relevant physical characteristics, (including chemical, dimensional, and technical characteristics) as the product at issue, on a country-wide basis, regardless of the producer, exporter, or importer of those products, or on a company-specific basis.

For further information on procedures for filing information with Commerce through ACCESS and participating in scope inquiries, please refer to the Filing Instructions section of the Scope Ruling Application Guide, at *https://www.trade.gov/file-scope-ruling.* Interested parties, apart from the scope ruling applicant, who wish to participate in a scope inquiry and be added to the public service list for that segment of the proceeding must file an entry of appearance in accordance with 19 CFR 351.103(d)(1) and 19 CFR 351.225(n)(4). Interested parties are advised to refer to the case segment in ACCESS as well as 19 CFR 351.225(f) for further information on the scope inquiry procedures, including the timelines for the submission of comments.

Please note that this notice of scope ruling applications filed in AD and CVD proceedings may be published before any potential initiation, or after the initiation, of a given scope inquiry based on a scope ruling application identified in this notice. Therefore, please refer to the case segment on ACCESS to determine whether a scope ruling application has been accepted or rejected and whether a scope inquiry has been initiated.

Interested parties who wish to be served scope ruling applications for a particular AD or CVD order may file a request to be included on the annual inquiry service list during the anniversary month of the publication of the AD or CVD order in accordance with 19 CFR 351.225(n) and Commerce's procedures.[10]

Interested parties are invited to comment on the completeness of this monthly list of scope ruling applications received by Commerce. Any comments should be submitted to Scot Fullerton, Acting Deputy Assistant Secretary for AD/CVD Operations, Enforcement and Compliance, International Trade Administration, via email to *CommerceCLU@trade.gov.*

This notice of scope ruling applications filed in AD and CVD proceedings is published in accordance with 19 CFR 351.225(d)(3).

Dated: November 10, 2026.

Scot Fullerton,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2026–23250 Filed 11–13–26; 8:45 am]

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the thermoplastic core (No. 5). The side of the steel layers not attached to the thermoplastic core are treated with chromate (Nos. 3 and 7).

[7] In accordance with 19 CFR 351.225(d)(2), within 30 days after the filing of a scope ruling application, if Commerce determines that it intends to address the scope issue raised in the application in another segment of the proceeding (such as a circumvention inquiry under 19 CFR 351.226 or a covered merchandise inquiry under 19 CFR 351.227), it will notify the applicant that it will not initiate a scope inquiry, but will instead determine if the product is covered by the scope at issue in that alternative segment.

[8] *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).

[9] This structure maintains the intent of the applicable regulation, 19 CFR 351.225(d)(1), to allow day 30 and day 31 to be separate business days.

[10] *See Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions,* 86 FR 53205 (September 27, 2021).

DEPARTMENT OF COMMERCE

International Trade Administration

[A–549–839]

Steel Propane Cylinders From Thailand: Preliminary 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) preliminarily determines that Sahamitr Pressure Container Public Company Limited (also known as Sahamitr Pressure Container Plc.) (SMPC) made sales of subject merchandise at less than normal value (NV) during the period of review (POR), August 1, 2024, through July 31, 2025. Interested parties are invited to comment on these preliminary results of review.

DATES: Applicable November 16, 2026.

FOR FURTHER INFORMATION CONTACT: Samuel Brummitt 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) 482–7851.

SUPPLEMENTARY INFORMATION:

Background

On August 15, 2019, Commerce published the antidumping duty order on steel propane cylinders from Thailand.[1] On September 25, 2025, based on timely requests for review, in accordance with section 751(a)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.221(c)(1)(i), Commerce initiated an administrative review of the *Order.*[2]

Due to the lapse in appropriations and Federal Government shutdown, on November 14, 2025, Commerce tolled all deadlines in administrative proceedings by 47 days.[3] Additionally, due to a backlog of documents that were electronically filed via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized

[1] *See Steel Propane Cylinders from the People's Republic of China and Thailand: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Orders,* 84 FR 41703 (August 15, 2019) (*Order*).

[2] *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review and Join Annual Inquiry Service List,* 90 FR 36141 (August 1, 2025); *see also Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 90 FR 46173, 46179 (September 25, 2025).

[3] *See* Memorandum, ''Deadlines Affected by the Shutdown of the Federal Government,'' dated November 14, 2025.

Electronic Service System (ACCESS) during the Federal Government shutdown, on November 24, 2025, Commerce tolled all deadlines in administrative proceedings by an additional 21 days.[4] On July 6, 2026, Commerce extended the deadline for these preliminary results by 112 days to October 30, 2026.[5] On October 26, 2026, we extended the preliminary results of this review to no later than November 9, 2026.[6]

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[7] A list of the topics discussed in the Preliminary Decision Memorandum is attached as an 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 products covered by this *Order* are steel propane cylinders from Thailand. For a complete description of the scope of the *Order, see* the Preliminary Decision Memorandum.[8]

Methodology

Commerce is conducting this review in accordance with section 751(a) of the Act. Export price was calculated in accordance with section 772 of the Act. NV was calculated in accordance with section 773 of the Act. In addition, Commerce has preliminarily relied on partial adverse facts available under sections 776(a) and (b) of the Act. For a full description of the methodology underlying these preliminary results, *see* the Preliminary Decision Memorandum.

Preliminary Results of Review

As a result of this review, we preliminarily determine the following estimated weighted-average dumping margin exists for the period August 1, 2024, through July 31, 2025:

Producer/exporter	Weighted-average dumping margin (percent)
Sahamitr Pressure Container Public Company Limited	13.14

Disclosure

Commerce intends to disclose to interested parties the calculations performed in connection with 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).

Verification

As provided in section 782(i)(3) of the Act, Commerce intends to verify the information relied upon in making its final results.

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance.[9] We intend to verify SMPC and seek further information from SMPC subsequent to the issuance of these preliminary results; therefore, a timeline for the submission of case briefs and written comments will be provided to interested parties at a later date. 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 briefs 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 public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public 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 public 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 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.[14]

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b)(1), Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review.

If SMPC's weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.50 percent) in the final results of this review, Commerce intends to calculate importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales to the total entered value of those sales. Where we do not have entered values for all U.S. sales to a particular importer, we will calculate an importer-specific, per-unit assessment rate on the basis of the ratio of the total amount of dumping calculated for the importer's examined sales to the total quantity of those sales.[15] To determine whether an importer-specific, per-unit assessment rate is *de minimis,* in accordance with

[4] *See* Memorandum, ''Tolling of all Case Deadlines,'' dated November 24, 2025.

[5] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated July 6, 2026.

[6] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated October 26, 2026.

[7] *See* Memorandum, ''Decision Memorandum for Preliminary Results of the Administrative Review of the Antidumping Duty Order on Steel Propane Cylinders from Thailand; 2024–2025,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[8] *See* Preliminary Decision Memorandum at ''Scope of the *Order*.''

[9] *See* 19 CFR 351.309(c)(1)(ii); *see also* 19 CFR 351.303 (for general filing requirements).

[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 Procedures*).

[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 Procedures.*

[14] *See* 19 CFR 351.310(d).

[15] *See* 19 CFR 351.212(b)(1).

19 CFR 351.106(c)(2), we also will calculate an importer-specific *ad valorem* ratio based on estimated entered values. If SMPC's weighted-average dumping margin is zero or *de minimis* or where an importer-specific *ad valorem* assessment rate is zero or *de minimis,* we will instruct CBP to liquidate appropriate entries without regard to antidumping duties.[16]

In accordance with Commerce's ''automatic assessment'' practice, for entries of subject merchandise during the POR produced by SMPC's for which it did not know that the merchandise was destined for the United States, we intend to instruct CBP to liquidate those entries at the all-others rate calculated in the less-than-fair-value (LTFV) investigation (*i.e.,* 10.77 percent)[17] if there is no rate for the intermediate company(ies) involved in the transaction.[18]

Cash Deposit Requirements

The following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the company-specific cash deposit rate for SMPC will be that established 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) for previously investigated or reviewed companies not covered by this review, the cash deposit rate will continue to be the company-specific cash deposit rate published for the most recently completed segment of this proceeding in which the company participated; (3) if the exporter is not a firm covered in this review, or the LTFV investigation, but the manufacturer is, then the cash deposit rate will be the rate established for the most recent segment for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 10.77 percent, the all-others rate established in the LTFV investigation.[19] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

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

Notification to Interested Parties

We are issuing and publishing these preliminary results of review in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: November 9, 2026.

Kasey O'Connor,

Deputy General Counsel, 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. Application of Facts Available and Use of Adverse Inferences
V. Discussion of the Methodology
VI. Currency Conversion
VII. Recommendation

[FR Doc. 2026–23266 Filed 11–13–26; 8:45 am]

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[16] *See* 19 CFR 351.106(c)(2); *see also Antidumping Proceeding: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification,* 77 FR 8101, 8103 (February 14, 2012).

[17] *See Order,* 84 FR at 41704.

[18] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[19] *See Order,* 84 FR at 41704.

DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–134]

Certain Metal Lockers and Parts Thereof From the People's Republic of China: Preliminary Results and Rescission, in Part, 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 Xingyi Metalworking Technology (Zhejiang) Co., Ltd. (XMT) for Certain Metal Lockers and Parts Thereof (Metal Lockers) from the People's Republic of China (China). The period of review (POR) is January 1, 2024, through December 31, 2024. In addition, Commerce is rescinding this review, in part, with respect to six companies. Interested parties are invited to comment on these preliminary results.

DATES: Applicable November 16, 2026.

FOR FURTHER INFORMATION CONTACT: Frank Schmitt, 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- 4880.

SUPPLEMENTARY INFORMATION:

Background

On September 25, 2025, based on timely requests for review, in accordance with 19 CFR 351.221(c)(1)(i), we initiated an administrative review of the countervailing duty order on metal lockers from China.[1] On February 19, 2026, Commerce selected XMT and Hangzhou Xline Machinery (Hangzhou Xline) as the mandatory respondents in this review.[2] On February 27, 2026, the petitioner timely withdrew its request for 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 Srvice System (ACCESS) during the Federal Government shutdown, on November 24, 2025, Commerce tolled all deadlines in administrative proceedings by an additional 21 days.[5] Between July 1, and October 27, 2026, we extended the deadline for the preliminary results of this review until November 9, 2026.[6]

[1] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 90 FR 46173 (September 25, 2025) (*Initiation Notice); see also Certain Metal Lockers and Parts Thereof from the People's Republic of China: Antidumping and Countervailing Duty Orders,* 86 FR 46826 (August 20, 2021) (*Order*).

[2] *See* Memorandum, ''Respondent Selection,'' dated February 19, 2026.

[3] *See* Petitioner's Letter, ''Domestic Industry's Withdrawal of Request for Fourth Administrative Review of the Countervailing Duty Order,'' dated February 27, 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 1, 2026; *see*

Continued

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 an 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 metal lockers from China. For a complete description of the scope of the *Order, see* the Preliminary Decision Memorandum.

Rescission of Administrative Review, in Part

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if all parties that requested the review withdraw their requests within 90 days of the date of publication of the notice of initiation. As noted above, Commerce received timely-filed withdrawal requests with respect to the petitioner, and no other parties requested a review of: (1) Hangzhou Xline; (2) Hangzhou Evernew Machinery & Equipment Company, Ltd.; Zhejiang Yinghong Metalware Co., Ltd.;[8] (3) Kunshan Dongchu Precision Machinery Co., Ltd.; (4) Pinghu Chenda Storage Office Co., Ltd.; (5) Tianjin Jia Mei Metal Furniture Ltd.; and (6) Zhejiang Xingyi Metal Products Co., Ltd. Therefore, we are rescinding this administrative review with respect to these six companies, pursuant to 19 CFR 351.213(d)(1).

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 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.[9] 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 Preliminary Decision Memorandum.

Preliminary Results of Review

As a result of this review, we preliminarily determine the following net countervailable subsidy rate exists for the POR, January 1, 2024, through December 31, 2024:

Company	Subsidy rate (percent *ad valorem*)
Xingyi Metalworking Technology (Zhejiang) Co., Ltd	21.74

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

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.

For the companies listed above 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). Commerce intends to issue rescission instructions to CBP

also Memorandum, ''Second Extension of Deadline for Preliminary Results of Countervailing Duty Administrative Review,'' dated October 27, 2026.

[7] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the Administrative Review of the Countervailing Duty Order on Certain Metal Lockers and Parts Thereof from the People's Republic of China; 2024,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[8] Commerce has previously found Hangzhou Evernew Machinery & Equipment Company, Ltd. and Zhejiang Yinghong Metalware Co., Ltd. to be cross-owned. *See Certain Metal Lockers and Parts Thereof from the People's Republic of China: Final Results and Final Rescission, In Part, of Countervailing Duty Administrative Review; 2022,* 90 FR 25023 (June 13, 2025).

[9] *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.

[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).

no earlier than 35 days after the date of publication of this notice in the **Federal Register**.

Commerce intends to issue assessment instructions to CBP regarding XMT 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 24.66 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 Review

Unless the deadline is extended, Commerce intends to issue the final results of this administrative review, which will include the results of Commerce's analysis of the issues raised in the case briefs, within 120 days of publication of these preliminary results in the **Federal Register**, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

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: November 9, 2026.

Kasey O'Connor,

Deputy General Counsel, 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. Analysis of China's Financial System
V. Diversification of China's Economy
VI. Use of Facts Otherwise Available and Application of Adverse Inferences
VII. Subsidies Valuation Information
VIII. Benchmarks
IX. Analysis of Programs
X. Recommendation

[FR Doc. 2026–23271 Filed 11–13–26; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XG128]

Marine Mammals and Endangered Species

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

ACTION: Notice; issuance of permits, including an amendment.

SUMMARY: Notice is hereby given that permits have been issued under the Marine Mammal Protection Act (MMPA) and the Endangered Species Act (ESA), as applicable.

ADDRESSES: The permits and related documents are available for review upon written request via email to *NMFS.Pr1Comments@noaa.gov.*

FOR FURTHER INFORMATION CONTACT: Amy Hapeman (File No. 29716), Shasta McClenahan, Ph.D. (No. 25739), and Erin Markin, Ph.D. (No. 29126); at (301) 427–8401.

SUPPLEMENTARY INFORMATION: The requested permits have been issued under the MMPA of 1972, as amended (16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the ESA of 1973, as amended (16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222–226), as applicable. Notices were published in the **Federal Register** on the dates listed below that requests had been submitted. To locate the **Federal Register** notice that announced our receipt of the application and a complete description of the activities, go to *https://www.federalregister.gov* and search for the file number provided in table 1 below.

TABLE 1—ISSUED PERMITS

File No.	Version No.	RTID	Applicant	Previous **Federal Register** notice	Issuance date
25739	01	0648–XB277	New England Aquarium, Central Wharf, Boston, MA 02110 (Responsible Party; Vikki Spruill).	86 FR 56900, October 13, 2021.	October 20, 2026.
29126	N/A	0648–XG048	U.S. Virgin Islands Department of Planning and Natural Resources, Division of Coastal Zone Management, 4611 Tutu Park Mall, Suite 300, 2nd Floor, St. Thomas, VI 00802 (Responsible Party: Marlon Hibbert).	91 FR 57862, September 11, 2026.	October 20, 2026.
29716	N/A	0648–XF918	ABR, Inc. Environmental Research and Services, P.O. Box 80410, Fairbanks, AK 99708 (Responsible Party: Adrian Gall, Ph.D.).	91 FR 46897, July 27, 2026.	October 13, 2026.

[16] *See Certain Metal Lockers and Parts Thereof from the People's Republic of China: Antidumping and Countervailing Duty Orders,* 86 FR 46826 (August 20, 2021).

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), a final determination has been made that the activities proposed are categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

As required by the ESA, as applicable, issuance was based on a finding that such permits: (1) were applied for in good faith; (2) will not operate to the disadvantage of such endangered species; and (3) are consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: November 10, 2026.

Larissa Plants,

Deputy Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2026–23226 Filed 11–13–26; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XG144]

Determination of Overfishing or an Overfished Condition

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

ACTION: Notice.

SUMMARY: This action serves as a notice that NMFS has found that Eastern Gulf of Maine Atlantic cod, Western Gulf of Maine Atlantic cod, Georges Bank Atlantic cod, and Southern New England Atlantic cod are overfished; and Western Gulf of Maine Atlantic cod and Southern New England Atlantic cod are also subject to overfishing.

FOR FURTHER INFORMATION CONTACT: Malloree Hagerty, (301) 427–2543.

SUPPLEMENTARY INFORMATION: Pursuant to section 304(e)(2) of the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1854(e)(2), NMFS must notify the appropriate Fishery Management Council, and publish a notice in the **Federal Register**, whenever it determines that a stock or stock complex is subject to overfishing, overfished, or approaching an overfished condition.

NMFS has determined that Eastern Gulf of Maine Atlantic cod, Western Gulf of Maine Atlantic cod, Georges Bank Atlantic cod, and Southern New England Atlantic cod are overfished. These determinations are based on the most recent stock assessments completed in 2024, using data through 2023, that found the spawning stock biomass for each stock is less than their minimum stock size thresholds, which supports the determination that the stocks are overfished. NMFS has informed the New England Fishery Management Council that it must prepare rebuilding plans for these stocks.

NMFS has determined that Western Gulf of Maine Atlantic cod and Southern New England Atlantic cod are also subject to overfishing. These determinations are based on the most recent stock assessments completed in 2024, using data through 2023, that found the fishing mortality for both stocks is greater than their maximum fishing mortality thresholds, which supports the determination that the stocks are subject to overfishing. NMFS has informed the New England Fishery Management Council that it must end overfishing for these stocks.

Dated: November 12, 2026.

Shannon Bettridge,

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

[FR Doc. 2026–23248 Filed 11–13–26; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XG190]

Western Pacific Fishery Management Council; Public Meetings

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

ACTION: Notice of public meetings.

SUMMARY: The Western Pacific Fishery Management Council (Council) will hold its 162nd Scientific and Statistical Committee (SSC) and Fishing Industry Advisory Committee (FIAC) meetings to discuss and make recommendations on fishery management issues in the Western Pacific Region.

DATES: The meetings will be held between December 8 and December 10, 2026. For specific times and agendas, see **SUPPLEMENTARY INFORMATION**.

ADDRESSES: The 162nd SSC and FIAC meetings will be held by web conference via Webex. Specific information for connecting to the web conference and providing oral public comments will be posted on the Council website at *https://www.wpcouncil.org.* For assistance with the web conference connection, contact the Council office at (808) 522–8220.

FOR FURTHER INFORMATION CONTACT: Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council; phone: (808) 522–8220.

SUPPLEMENTARY INFORMATION: The 162nd SSC meeting will be held between 11 a.m. and 5 p.m. Hawaii Standard Time (HST) on December 8–9, 2026, and between 11 a.m. and 2 p.m. HST on December 10, 2026. The FIAC meeting will be held between 2 p.m. and 5 p.m. HST on December 10, 2026.

The order in which agenda items are addressed may change and will be announced as soon as practicable before the listed agenda item during the meetings. The meetings will run as late as necessary to complete scheduled business.

Agenda for the 162nd SSC Meeting

Tuesday, December 8, 2026, 11 a.m. to 5 p.m. HST

1. Introductions
2. Approval of Draft Agenda and Assignment of Rapporteurs
3. Status of the 161st SSC Meeting Recommendations
4. Pacific Islands Fisheries Science Center Director's Report
5. Pelagic & International Fisheries
   - A. Revising the Hawaii Shallow-set Longline Fishery Sea Turtle Measures
   - A.1. Draft Alternatives and Overview of Analyses
   - A.2. Estimating Anticipated Turtle Interactions without Interaction Limits & SSC Working Group (WG) Review
   - A.3. Assessment of Population Level Impacts of North Pacific (NP) Loggerhead and Western Pacific (WP) Leatherback Turtles in the Hawaii Shallow-set Longline Fishery
   - B. Revising the American Samoa Longline Fishery Sea Turtle Measures
   - B.1. Draft Alternatives and Overview of Analyses
   - B.2. Effects of Amendment 5 on Target and Non-target Catch, and Sea Turtle Interactions
   - C. Revising the Swordfish Retention Limit in the Hawaii Deep-set Longline Fishery
   - D. Electronic Monitoring (EM) Sampling and Footage Review Approach
   - E. Stock Assessment Feasibility and Data Evaluation for Hawai'i's Secondary Pelagics
   - F. Western and Central Pacific Fisheries Commission (WCPFC) Outcomes and Discussion

G. Public Comment
H. SSC Discussion and Recommendations

Wednesday, December 9, 2026, 11 a.m. to 5 p.m. HST

6. Island Fisheries
A. Update on Monuments and Fishing Regulations
A.1. Experimental Fishing Permit for the Northwestern Hawaiian Islands (NWHI)
A.2. Monument Science Plan
B. Guam Bottomfish Assessment Framework Workshop Report and Discussion on Next Steps
C. Public Comment
D. SSC Discussion and Recommendations
7. Program Planning and Research
A. Review and Update of the 3-year SSC Plan
B. Review and Update of the SSC Special Projects List
C. Inflation Reduction Act (IRA) Project Updates
C.1. Community Consultation Projects
C.2. Protected Species Phase 2 Final Report
D. Public Comment
E. SSC Discussion and Recommendations

Thursday, December 10, 2026, 11 a.m. to 2 p.m. HST

8. Other Business
A. SSC Meeting Schedule and Potential WGs
9. Summary of SSC Recommendations to the Council

Agenda for the FIAC Meeting

Thursday, December 10, 2026, 2 p.m. to 5 p.m. HST

1. Welcome and Introductions
2. Status Report on Previous FIAC Recommendations
3. Roundtable Update on Fishing/Market Issues/Impacts
4. Experimental Fishing Permit for NWHI
5. Fishery Development and Opportunity Needs
A. Hawaii
B. Guam
C. Commonwealth of the Northern Mariana Islands (CNMI)
D. American Samoa
6. Seafood Executive Order Priority Actions
A. Revising the Hawaii Shallow-set Sea Turtle Measures
B. Revising the American Samoa Longline Fishery Sea Turtle Measures
C. Removing the Swordfish Retention Limit in Hawaii Deep-set Fishery
7. WCPFC Outcomes
8. Legislative Updates
9. Other Issues
10. Public Comment
11. Discussion and Recommendations

Special Accommodations

These meetings are accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds, (808) 522–8220 (voice) or (808) 522–8226 (fax), at least 5 days prior to the meeting date.

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

Dated: November 12, 2026.

Rey Israel Marquez,

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

[FR Doc. 2026–23247 Filed 11–13–26; 8:45 am]

BILLING CODE 3510–22–P

COMMODITY FUTURES TRADING COMMISSION

Agency Information Collection Activities: Notice of Intent To Extend Collection 3038–0082, Whistleblower Provisions

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice.

SUMMARY: The Commodity Futures Trading Commission (''Commission'' or ''CFTC'') is announcing an opportunity for public comment on the proposed renewal of a collection of certain information by the agency. Under the Paperwork Reduction Act of 1995 (''PRA''), Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment. This notice solicits comments on the extension of information collection requirements related to implementing the Whistleblower Provisions of Section 23 of the Commodity Exchange Act.

DATES: Comments must be submitted on or before January 15, 2027.

ADDRESSES: You may submit comments, identified by ''OMB Control No. 3038–0082,'' by any of the following methods:

• *Regulations.gov:* Go to *https://www.regulations.gov* and press the ''Search'' button, then proceed as follows:

1. Under Refine Documents Results—check the box to ''Only show documents open for comment'';

2. Under Agency—select ''See More'' and check the box for ''Commodity Futures Trading Commission,'' then press the Apply button;

3. Identify this notice in the list of CFTC documents open for comment, press the ''Comment'' button to open the submission form, and follow the instructions on the form.

Alternatively, if you are viewing this notice on *www.federalregister.gov,* click the ''Submit A Public Comment'' button at the top of the page to open the comment form. Follow the instructions on the form to submit your comment to *Regulations.gov.*

• *Mail:* Send to—Christopher Kirkpatrick, Secretary of the Commission, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581.

• *Hand Delivery/Courier:* Address to—CFTC Comment Submission, Attn: Christopher Kirkpatrick, Secretary of the Commission, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581.

Please submit your comments using only one of these methods. To avoid possible delays with mail or in-person deliveries, submissions through *Regulations.gov* are encouraged.

All comments must be submitted in English, or if not, accompanied by an English translation. Do not include in your comment text or attachments any personal identifying information or business information that you do not want published online. Comments (regardless of submission method) will be published without review for, and without removal of, any personal identifying information or information your business may consider confidential.

If you wish to submit confidential information for the Commission's consideration, please contact the CFTC personnel listed in this Notice under **FOR FURTHER INFORMATION CONTACT** before making any submission. Please also carefully review the Commission's procedures in 17 CFR 145.9 for requesting confidential treatment under the Freedom of Information Act (''FOIA'') of information submitted to the Commission.

The CFTC reserves the right, but shall have no obligation, to review, pre-screen, filter, or redact all or any part of your comment submission. The CFTC also reserves the right, without further notification, to refuse to publish or to remove from public view all or any part of your submission to the extent it contains content inappropriate for publication in a comment file, such as—without limitation—obscene language, threats of violence, solicitations for commercial sales or illegal activity, or obvious spam. If a submission that is

refused for or withdrawn from publication because of inappropriate content also contains comments on the merits of this notice, such submission will be retained in the record for the matter and will be considered as required under the Administrative Procedure Act, the Paperwork Reduction Act, and other applicable laws, and may be accessible under the FOIA.

FOR FURTHER INFORMATION CONTACT: Raagnee Beri, Director, Whistleblower Office, Commodity Futures Trading Commission, (202) 418–5986; email: *rberi@cftc.gov,* and refer to OMB Control No. 3038–0082.

SUPPLEMENTARY INFORMATION: Under the PRA, 44 U.S.C. 3501 *et seq.,* Federal agencies must obtain approval from the Office of Management and Budget (''OMB'') for each collection of information they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR. 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA, 44 U.S.C. 3506(c)(2)(A), requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, the CFTC is publishing notice of the proposed extension of the currently approved collection of information listed below. 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.[1]

Title: Implementing the Whistleblower Provisions of Section 23 of the Commodity Exchange Act, OMB Control Number 3038–0082. This is a request for extension of a currently approved information collection.

Abstract: Section 23 of the Commodity Exchange Act, 7 U.S.C. 26, directs that the Commission establish a fund from which to pay awards of 10 to 30 percent of sanctions collected from successful enforcement of covered judicial or administrative actions, or related actions, to individuals who provide information that leads to the successful enforcement of an action in which sanctions exceeding $1,000,000 are obtained. Section 23(c) establishes procedures for the determination or denial of an award. Commission Rules 165.3 and 165.7 implement these statutory provisions.[2] Rule 165.3(a) requires the submission of information to the Commission on a Form TCR. The Form TCR, ''Tip, Complaint, or Referral,'' and the instructions thereto, are designed to capture basic identifying information about a complainant and elicit sufficient information to determine whether the conduct alleged suggests a violation of the Commodity Exchange Act. Rule 165.7(b)(1) requires the submission of information to the Commission on a Form WB–APP. The Form WB–APP, ''Application for Award for Original Information Provided Pursuant to Section 23 of the Commodity Exchange Act,'' and the instructions thereto, are designed to elicit sufficient information to determine whether and to what extent a claimant qualifies for a whistleblower award.

With respect to the collection of information, the CFTC invites comments on:

- Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have a practical use;
- The accuracy of the Commission's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Ways to enhance the quality, usefulness, and clarity of the information to be collected; and
- Ways to minimize the burden of 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.

Burden Statement: The respondent burden for this collection is estimated to be as follows:

Respondents/Affected Entities: Individuals.

Estimated Number of Respondents: 1,800 per year.

Estimated Average Burden Hours per Respondent: 0.5.

Estimated Total Annual Burden Hours: 900 hours.

Frequency of Collection: Once.

There are no capital costs or operating and maintenance costs associated with this collection.

(Authority: 44 U.S.C. 3501 *et seq.*)

Dated: November 10, 2026.

Robert Sidman,

Deputy Secretary of the Commission.

[FR Doc. 2026–23203 Filed 11–13–26; 8:45 am]

BILLING CODE 6351–01–P

[1] 44 U.S.C. 3512, 5 CFR 1320.5(b)(2)(i) and 1320.8(b)(3)(vi).

[2] 17 CFR 165.3 and 165.7.

CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC–2010–0112]

Agency Information Collection Activities; Extension of Collection; Comment Request; Contests, Challenges, and Awards

AGENCY: Consumer Product Safety Commission.

ACTION: Notice of information collection; request for comment.

SUMMARY: As required by the Paperwork Reduction Act of 1995 (PRA), the Consumer Product Safety Commission (CPSC or Commission) requests comments on a proposed extension of approval of a generic collection of information for CPSC-sponsored contests, challenges, and awards. The Office of Management and Budget (OMB) previously approved the collection of information under control number 3041–0151. OMB's most recent extension of approval will expire on February 28, 2027. The Commission will consider all comments received in response to this notice before requesting an extension of this collection of information from OMB.

DATES: Submit comments on the collection of information by January 12, 2027.

ADDRESSES: You may submit comments, identified by Docket No. CPSC–2010–0112, within 60 days of publication of this notice by any of the following methods:

Electronic Submissions: Submit electronic comments to the Federal eRulemaking Portal at: *https://www.regulations.gov.* Follow the instructions for submitting comments. Do not submit the following through this website: confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public. The Commission typically does not accept comments submitted by email, except as described below.

Mail/hand delivery/courier/written submissions: CPSC encourages you to submit electronic comments by using the Federal eRulemaking Portal. You may, however, submit comments by mail/hand delivery/courier to: Office of the Secretary, Consumer Product Safety Commission, 441 G Street NW,

Washington, DC 20548; telephone (301) 504–7923.

Instructions: All submissions received must include the agency name and docket number for this notice. CPSC may post all comments without change, including any personal identifiers, contact information, or other personal information provided, to: *https://www.regulations.gov.* If you wish to submit confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public, you may submit such comments by email to *cpsc-os@cpsc.gov.*

Docket: For access to the docket to read background documents or comments received, go to: *https://www.regulations.gov,* insert docket number CPSC–2010–0112.

FOR FURTHER INFORMATION CONTACT: Cynthia Gillham, Consumer Product Safety Commission, 441 G Street NW, Washington, DC 20548; (301) 504–7791, or by email to: *pra@cpsc.gov.*

SUPPLEMENTARY INFORMATION: CPSC seeks to renew the following currently approved collection of information:

Title: Contests, Challenges, and Awards.

OMB Number: 3041–0151.

Type of Review: Renewal of collection.

Frequency of Response: On occasion.

Affected Public: Contestants, award nominees, award nominators.

General Description of Collection: The Commission establishes contests, challenges, and awards to increase the public's knowledge and awareness of safety hazards. The Commission also recognizes through awards certain individuals, firms, and organizations that work to address issues related to consumer product safety. The information to be collected from contestants and award nominees or nominators includes contact and background information necessary to conduct a contest or award program. Limited background or biographical information similar to data found on a resume, such as a nominee's education and work experience, may be requested for some contests or awards. Additionally, substantive entries such as essays, posters, drawings, or videos may be requested for contestants and award nominees.

Estimated Number of Respondents: CPSC estimates that there will be 500 contest or award participants each year.

Estimated Time per Response: The estimated time to complete a contest or award submission is five hours per participant.

Total Estimated Annual Burden: Based on CPSC's estimates that there will be 500 participants who require five hours each to complete their submissions, CPSC estimates that the total annual burden of this collection is 2,500 hours. The annualized cost to respondents for the information collection is approximately $123,650 (2,500 hours × $49.46/hr.), as estimated from total compensation data available from the U.S. Bureau of Labor Statistics, ''Employer Costs for Employee Compensation,'' June 2026, Table 1, Total compensation for all civilian workers: *https://www.bls.gov/news.release/archives/ecec_09092026.htm.*

Request for Comments: The Commission solicits written comments from all interested persons about the proposed collection of information. The Commission specifically solicits information relevant to the following topics:

- whether the collection of information described above is necessary for the proper performance of the Commission's functions, including whether the information would have practical utility;
- whether the estimated burden of the proposed collection of information is accurate;
- whether the quality, utility, and clarity of the information to be collected could be enhanced; and
- whether the burden imposed by the collection of information could be minimized by use of automated, electronic or other technological collection techniques, or other forms of information technology.

Alberta E. Mills,

Secretary, Consumer Product Safety Commission.

[FR Doc. 2026–23199 Filed 11–13–26; 8:45 am]

BILLING CODE 6355–01–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD–2026–OS–2215]

Privacy Act of 1974; Matching Program

Correction

In notice document 2026–20951 beginning on page 65198 in the issue of Wednesday, October 14, 2026, make the following correction:

On page 65199, in the first column, in the **DATES** section, in the second line, ''December 14, 2026'' should read ''November 13, 2026''.

[FR Doc. C1–2026–20951 Filed 11–13–26; 8:45 am]

BILLING CODE 0099–10–D

DEPARTMENT OF EDUCATION

[Docket No.: ED–2026–SCC–3302]

Agency Information Collection Activities; Comment Request; Loan Discharge Applications (DL/FFEL/Perkins)

AGENCY: Federal Student Aid (FSA), 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 January 15, 2027.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use *http://www.regulations.gov* by searching the Docket ID number ED–2026–SCC–3302. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. If the *regulations.gov* site is not available to the public for any reason, the Department will temporarily accept comments at *ICDocketMgr@ed.gov.* Please include the docket ID number and the title of the information collection request when requesting documents or submitting comments. Please note that comments submitted after the comment period will not be accepted. Written requests for information or comments submitted by postal mail or delivery should be addressed to Carolyn Rose, U.S. Department of Education, Federal Student Aid, 400 Maryland Avenue SW, Washington, DC 20202–1200.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Carolyn Rose, (202) 453–5967.

SUPPLEMENTARY INFORMATION: The Department, in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. The

Department is soliciting comments on the proposed information collection request (ICR) that is described below. The Department is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Loan Discharge Applications (DL/FFEL/Perkins).

OMB Control Number: 1845–0058.

Type of Review: Revision of a currently approved ICR.

Respondents/Affected Public: State, Local, and Tribal Governments; Private Sector; Individuals and Households.

Total Estimated Number of Annual Responses: 35,547.

Total Estimated Number of Annual Burden Hours: 24,162.

Abstract: The Higher Education Act of 1965, as amended (HEA), established the Federal Family Education Loan (FFEL) Program, the William D. Ford Federal Direct Loan (Direct Loan) Program, and the Federal Perkins (Perkins) Loan programs under Title IV, Parts B, D, and E, respectively. Section 437(c)(1) of the HEA authorizes the discharge of a FFEL or Direct Loan program loan borrower's obligation to repay their loan(s) based on school closure or false certification of student eligibility. Section 464(g)(1) of the HEA authorizes the discharge of a Perkins Loan Program loan based on school closure. For the FFEL and Direct Loan programs, the regulations governing closed school and false certification loan discharges are in 34 CFR 682.402(d) and (e) (FFEL Program) and 34 CFR 685.212, 214 and 215 (Direct Loan Program). For the Perkins Loan Program, the regulations governing closed school discharges are in 34 CFR 674.33(g).

This information collection includes the following 8 loan discharge applications:

1. Loan Discharge Application: School Closure
2. Loan Discharge Application: False Certification (High School Graduation Status)
3. Loan Discharge Application: False Certification (Disqualifying Status)
4. Loan Discharge Application: False Certification (Unauthorized Signature/Unauthorized Payment)
5. Loan Discharge Application: Unpaid Refund
6. Loan Discharge Application: False Certification (Identity Theft)
7. Group Loan Discharge Application: False Certification of Student Eligibility or Unauthorized Payment
8. Loan Discharge Application: Forgery

Ross Santy,

Chief Data Officer, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2026–23262 Filed 11–13–26; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2756–068]

Burlington Electric Department; Notice of Application Tendered for Filing With the Commission and Establishing Procedural Schedule for Licensing and Deadline for Submission of Final Amendments

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* New Major License.

b. *Project No.:* 2756–068.

c. *Date Filed:* October 30, 2026.

d. *Applicant:* Burlington Electric Department (Burlington).

e. *Name of Project:* Chace Mill Hydroelectric Project.

f. *Location:* The project is located on the Winooski River in the cities of Burlington and Winooski in Chittenden County, Vermont.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* James Gibbons, Director of Policy and Planning, Burlington Electric Department, 585 Pine Street, Burlington, VT 05401; telephone at (802) 658–0300; email at *jgibbons@burlingtonelectric.com.*

i. *FERC Contact:* Joshua Dub, Project Coordinator, Great Lakes Branch, Division of Hydropower Licensing; telephone at (202) 502–8138; email at *Joshua.Dub@ferc.gov.*

j. The application is not ready for environmental analysis at this time.

k. *Project Description:* The project includes an approximately 252.6-foot-long, 29-foot-high dam that includes two spillway sections that are overtopped with inflatable rubber crest gates with maximum crest elevations of 136 feet National Geodetic Vertical Datum of 1929 (NGVD 29) and a powerhouse that includes an intake structure with a trashrack with 0.8-inch clear bar spacing for the upper 8 feet of the trashrack and 2-inch clear bar spacing on the bottom section, and three 2.485-MW Kaplan turbine-generator units, for a total installed capacity of 7.455 MW.

The dam creates an impoundment that has a normal surface area of 6.7 acres at 136.0 feet NGVD 29. From the impoundment, water flows through the powerhouse to a 190-foot-long tailrace, where it returns to the Winooski River. Water also flows through the intake structure to a downstream fishway that includes a collection chamber behind the trashracks and a 3-foot-diameter pipe that discharges to the tailrace on the east side of the powerhouse. The project creates an approximately 230-foot-long bypassed reach of the Winooski River.

The project includes an upstream fish passage facility that consists of a trap and truck facility with a concrete fish lift located on the west side of the powerhouse. Project recreation facilities include: (1) an approximately 660-foot-long paved walkway on the north shoreline of the impoundment; (2) an approximately 745-foot-long public access trail on the north shoreline of the Winooski River, to the west of the project dam; and (3) a public access and overlook area on top of the powerhouse. The project includes a 200-foot-long access road on the northern bank of the impoundment.

Electricity generated at the project is transmitted to the electric grid via an underground 400-foot-long, 13.8-kilovolt transmission line.

l. *Locations of the Application:* A copy of the application may be viewed on the Commission's website at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). A copy is also available for inspection and reproduction at the address in item h above.

m. You may also register online at *https://ferconline.ferc.gov/eSubscription.aspx* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

n. For public inquiries and assistance with making filings such as interventions, comments, or requests for

rehearing, contact the Office of Public Participation at (202) 502–6595 or *OPP@ferc.gov.*

o. *Procedural Schedule:* The application will be processed according to the following preliminary schedule. Revisions to the schedule will be made as appropriate.

Milestone	Target date
Notice of Acceptance/Notice of Ready for Environmental Analysis	May 2027.
Filing of recommendations, preliminary terms and conditions, and fishway prescriptions	July 2027.

p. Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

(Authority: 18 CFR 2.1)

Dated: November 10, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–23285 Filed 11–13–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #2

Take notice that the Commission received the following Accounting Request filings:

Docket Numbers: AC26–98–000.

Applicants: Duke Energy Indiana, LLC.

Description: Duke Energy Indiana, LLC submits supplement to final accounting entries filed 08/27/2026 re a jurisdictional transfer transaction consummated on 03/04/2026 between Duke Energy Indiana, LLC and In Solar I, LLC.

Filed Date: 11/4/26.

Accession Number: 20261104–5246.

Comment Date: 5 p.m. ET 11/25/26.

Take notice that the Commission received the following Complaints and Compliance filings in EL Dockets:

Docket Numbers: EL27–13–000.

Applicants: Sweetwater Energy Storage, LLC v. *Public Service Company of New Mexico.*

Description: Complaint of Sweetwater Energy Storage, LLC v. *Public Service Company of New Mexico.*

Filed Date: 11/5/26.

Accession Number: 20261105–5225.

Comment Date: 5 p.m. ET 11/25/26.

Take notice that the Commission received the following Electric Rate filings:

Docket Numbers: ER23–113–007; ER25–3039–004; ER25–3360–003; ER26–1074–001; ER24–773–006; ER19–115–008; ER24–2220–007; ER25–2682–004; ER26–40–004; ER23–2899–006; ER24–619–007; ER25–1446–005.

Applicants: MS Solar 7, LLC, MS Solar 5, LLC, MS Solar 6, LLC, IN Solar 1, LLC, FL Solar 8, LLC, FL Solar 7, LLC, FL Solar 5, LLC, Escalante Solar, LLC, Chalan CA Solar Storage, LLC, AL Solar H, LLC, AL Solar G, LLC, AL Solar D, LLC.

Description: Notice of Change in Status of AL Solar D, LLC, et al.

Filed Date: 11/2/26.

Accession Number: 20261102–5417.

Comment Date: 5 p.m. ET 11/23/26.

Docket Numbers: ER23–2595–003.

Applicants: Stony Creek Wind Farm, LLC.

Description: Compliance filing: Compliance Filing—Replacement Rate Schedule to be effective 4/1/2024.

Filed Date: 11/10/26.

Accession Number: 20261110–5070.

Comment Date: 5 p.m. ET 12/1/26.

Docket Numbers: ER27–4–001.

Applicants: Southwest Power Pool, Inc.

Description: Tariff Amendment: 2415R25 Kansas Municipal Energy Agency NITSA and NOA to be effective 9/1/2026.

Filed Date: 11/10/26.

Accession Number: 20261110–5100.

Comment Date: 5 p.m. ET 12/1/26.

Docket Numbers: ER27–432–001.

Applicants: Southwest Power Pool, Inc.

Description: Tariff Amendment: Amended Filing—Revisions to Schedule 15 and Attachment T for SPP West Region to be effective 2/1/2027.

Filed Date: 11/10/26.

Accession Number: 20261110–5175.

Comment Date: 5 p.m. ET 12/1/26.

Docket Numbers: ER27–458–000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2026–11–10_SA 4906 MRES-Fern Roth Solar Farm GIA (J2276) to be effective 1/10/2027.

Filed Date: 11/10/26.

Accession Number: 20261110–5060.

Comment Date: 5 p.m. ET 12/1/26.

Docket Numbers: ER27–459–000.

Applicants: PJM Interconnection, L.L.C.

Description: Tariff Amendment: Notice of Cancellation SA No. 7909; Project Identifier No. AF2–350 to be effective 1/10/2027.

Filed Date: 11/10/26.

Accession Number: 20261110–5071.

Comment Date: 5 p.m. ET 12/1/26.

Docket Numbers: ER27–460–000.

Applicants: The Connecticut Light and Power Company.

Description: § 205(d) Rate Filing: Huntsbrook Abandoned Plant Incentive to be effective 1/10/2027.

Filed Date: 11/10/26.

Accession Number: 20261110–5103.

Comment Date: 5 p.m. ET 12/1/26.

Docket Numbers: ER27–461–000.

Applicants: Veolia Flexible Energy Services North America, LLC.

Description: Initial Rate Filing: Market-Based Rate Application to be effective 1/10/2027.

Filed Date: 11/10/26.

Accession Number: 20261110–5109.

Comment Date: 5 p.m. ET 12/1/26.

Docket Numbers: ER27–462–000.

Applicants: Arizona Public Service Company.

Description: § 205(d) Rate Filing: Service Agreement No. 423, UES Grandview LLC E&P Agreement to be effective 1/10/2027.

Filed Date: 11/10/26.

Accession Number: 20261110–5124.

Comment Date: 5 p.m. ET 12/1/26.

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: November 10, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–23283 Filed 11–13–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP15–490–005]

Delfin LNG LLC; Notice of Request for Extension of Time

Take notice that on October 30, 2026, Delfin LNG LLC (Delfin) requested that the Commission grant an extension of time, until September 28, 2030, to construct and place into service certain onshore metering, compression, and piping facilities located in Cameron Parish, Louisiana (Onshore Facilities or Project) [1] that will be used solely to transport natural gas to Delfin's planned Deepwater Port as authorized in the Order Issuing Certificate, Granting Abandonment, and on Clarification (Order).[2] The Order required Delfin to complete construction of the Project and make it available for service within two years of the date of the Order, or by September 28, 2019. The Commission has subsequently granted five extensions of time, making the current date for the Project facilities to be constructed and placed into service September 28, 2027.[3]

In 2025, the Maritime Administration issued the final Deepwater Port Act license authorizing Delfin's deepwater port and the Department of Energy granted two extensions of time for Delfin to commence LNG exports, resulting in a current requirement to do so by June 1, 2031. On June 3, 2026, Delfin reached a $5 billion Final Investment Decision for the first floating LNG vessel that will be moored at the deepwater port and executed an agreement with Samsung Heavy Industries for the liquefaction technology. Because that floating LNG vessel will not be in-place at Delfin's deepwater port until 2030, Delfin requests an additional three-year extension of the time for its Onshore Facilities to be constructed and placed in service by September 28, 2030.

This notice establishes a 15-calendar day intervention and comment period deadline. Any person wishing to comment on Delfin's request for an extension of time may do so. No reply comments or answers will be considered. If you wish to obtain legal status by becoming a party to the proceedings for this request, you should, on or before the comment date stated below, file a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (NGA) (18 CFR 157.10).

As a matter of practice, the Commission itself generally acts on requests for extensions of time to complete construction for NGA facilities when such requests are contested before order issuance. For those extension requests that are contested,[4] the Commission will aim to issue an order acting on the request within 45 days.[5] The Commission will address all arguments relating to whether the applicant has demonstrated there is good cause to grant the extension.[6] The Commission will not consider arguments that re-litigate the issuance of the certificate order, including whether the Commission properly found the project to be in the public convenience and necessity and whether the Commission's environmental analysis for the certificate complied with the National Environmental Policy Act (NEPA).[7] At the time a pipeline requests an extension of time, orders on certificates of public convenience and necessity are final and the Commission will not re-litigate their issuance.[8] The Director of the Office of Energy Projects, or his or her designee, will act on all of those extension requests that are uncontested.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (*http://www.ferc.gov*). From the Commission's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

User assistance is available for eLibrary and the Commission's website during normal business hours from FERC Online Support at (202) 502–6652 (toll free at 1–866–208–3676) or email at *ferconlinesupport@ferc.gov,* or the Public Reference Room at (202) 502–8371, TTY (202) 502–8659. Email the Public Reference Room at *public.referenceroom@ferc.gov.*

The Commission strongly encourages electronic filings of comments in lieu of paper using the ''eFile'' link at *http://www.ferc.gov.* In lieu of electronic filing, you may submit a paper copy which must reference the Project docket number.

To file via USPS: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

To file via any other courier: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502–6595 or *OPP@ferc.gov.* Comment Date: 5:00 p.m. Eastern Time on November 25, 2026.

(Authority: 18 CFR 2.1)

Dated: November 10, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–23232 Filed 11–13–26; 8:45 am]

BILLING CODE 6717–01–P

[1] The licensing of Delfin LNG's proposed deepwater port export facilities falls under the jurisdiction of the U.S. Department of Transportation Maritime Administration and the U.S. Coast Guard, in accordance with the Deepwater Port Act of 1974, 33 U.S.C. 1501–1524 (2012), as amended.

[2] Delfin LNG LLC, et al., 160 FERC ¶ 61,130 (2017).

[3] Delegated letter orders issued on July 8, 2019, and July 15, 2020; Order Granting Extension of Time Request 178 FERC ¶ 61,031 (2022), Order Granting Extension of Time 181 FERC ¶ 61,144 (2022), Order Granting Extension of Time, 185 FERC ¶ 61,009 (2023).

[4] Contested proceedings are those where an intervenor disputes any material issue of the filing. 18 CFR 385.2201(c)(1).

[5] *Algonquin Gas Transmission, LLC,* 170 FERC ¶ 61,144, at P 40 (2020).

[6] *Id.* at P 40.

[7] Similarly, the Commission will not re-litigate the issuance of an NGA section 3 authorization, including whether a proposed project is not inconsistent with the public interest and whether the Commission's environmental analysis for the permit order complied with NEPA.

[8] *Algonquin Gas Transmission, LLC,* 170 FERC ¶ 61,144, at P 40 (2020).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2077–132]

Great River Hydro, LLC; Notice of Intent To Prepare an Environmental Assessment

On September 10, 2026, Great River Hydro, LLC filed an application for a temporary variance from minimum flows under Article 401 for the Fifteen Mile Falls Hydroelectric Project No. 2077. The project is located on the Connecticut River in Grafton County, New Hampshire, and Caledonia County, Vermont. The project does not occupy federal lands.

Due to unusually low precipitation and river flow, Great River Hydro, LLC plans to reduce minimum flows from the Comerford Development, beginning on the date when the Moore reservoir drops two feet below its historic minimum operating level and upstream flow forecasts are below the required minimum flow, and ending on December 31, 2026. A variance in the minimum flows required by Article 401 is necessary to preserve the depleted storage capacity of its upstream Moore reservoir. The variance will allow the licensee to decrease the seasonal minimum flows of 818 cubic feet per second (cfs) from June 1 to September 30, and 1,145 cfs from October 1 to March 31, to 600 cfs. On September 17, 2026, the Commission issued a public notice, soliciting for comments, motions to intervene, and protests. On October 19, 2026, Vermont Department of Environmental Conservation filed a motion to intervene.

This notice identifies Commission staff's intention to prepare an environmental assessment (EA) under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) for the project.[1] Commission staff plans to issue an EA by December 30, 2026. Revisions to the schedule may be made as appropriate. The EA will be issued for a 30-day comment period. All comments filed on the EA will be reviewed by staff and considered in the Commission's final decision on the proceeding.

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.*

Any questions regarding this notice may be directed to Kari Bradberry at (202) 502–8743 or *Kari.Bradberry@ferc.gov.*

(Authority: 18 CFR 2.1)

Dated: November 10, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–23231 Filed 11–13–26; 8:45 am]

BILLING CODE 6717–01–P

[1] The unique identification number for documents relating to this environmental review is EAXX–019–20–000–1790074165.

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following Electric Rate filings:

Docket Numbers: ER17–1394–017; ER22–1627–013; ER14–1964–029; ER17–482–023; ER19–1074–033; ER10–1427–026; ER20–1447–019; ER19–1075–033; ER19–529–033; ER22–2412–005; ER10–2460–027; ER10–2461–028; ER23–2933–005; ER12–1504–015; ER19–2584–003; ER10–2920–030; ER12–682–028; ER22–192–022; ER20–1487–010; ER17–2–012; ER22–497–005; ER26–137–004; ER26–131–004; ER13–1139–033; ER12–1502–015; ER22–398–012; ER24–672–007; ER13–17–026; ER19–89–010; ER25–3235–002; ER22–2411–005; ER22–2413–005; ER23–2934–005; ER24–673–007; ER14–25–028; ER14–2630–026; ER22–2410–005; ER23–1889–007; ER22–1010–021; ER24–188–004.

Applicants: Wild Springs Solar, LLC, TerraForm IWG Acquisition Holdings II, LLC, Sweetland Wind Farm, LLC, Sonny Solar, LLC, Regulus Solar, LLC, Prairie Breeze Wind Energy LLC, PGR 2022 Lessee 5, LLC, PGR 2022 Lessee 4, LLC, PGR 2021 Lessee 9, LLC, PGR 2021 Lessee 13, LLC, Old Hayneville Solar, LLC, North Rosamond Solar, LLC, Niagara Wind Power, LLC, Moonshot Solar, LLC, Mesa Wind Power LLC, Ironwood Windpower, LLC, Imperial Valley Solar 1, LLC, Gonzaga Ridge Wind Farm, LLC, Gonzaga Ridge Battery Facility, LLC, NG Renewables Energy Marketing, LLC, Frontier Windpower, LLC, Frontier Windpower II, LLC, Evolugen Trading and Marketing LP, Erie Wind, LLC, Erie Boulevard Hydropower, L.P., Crocker Wind Farm, LLC, Cimarron Windpower II, LLC, Cane Creek Solar, LLC, Canandaigua Power Partners II, LLC, Canandaigua Power Partners, LLC, Bulldog Solar, LLC, Brookfield Renewable Trading and Marketing LP, Brookfield Renewable Energy Marketing US LLC, Brookfield Energy Marketing US LLC, Brookfield Energy Marketing LP, Brookfield Energy Marketing Inc., BREG Aggregator LLC, LSP Safe Harbor Holdings, LLC, AM Wind Repower LLC, 83WI 8me, LLC.

Description: Notice of Non-Material Change in Status of 83WI 8me, LLC, et al.

Filed Date: 11/2/26.

Accession Number: 20261102–5415.

Comment Date: 5 p.m. ET 11/23/26.

Docket Numbers: ER20–391–021; ER21–2557–018; ER22–2662–018; ER22–2663–018; ER22–2664–018; ER23–1275–016; ER23–1276–016; ER24–1276–008; ER24–2249–014; ER24–2250–008; ER24–2251–013; ER24–2854–012; ER24–2855–012; ER24–2856–012; ER25–939–010; ER25–940–010; ER25–1422–006; ER26–178–004; ER26–181–004; ER26–671–002; ER26–672–002; ER26–673–004; ER26–676–003; ER26–2695–003; ER26–2696–004.

Applicants: Aron Energy Prepay 73 LLC, Aron Energy Prepay 70 LLC, Aron Energy Prepay 68 LLC, Aron Energy Prepay 66 LLC, Aron Energy Prepay 65 LLC, Aron Energy Prepay 64 LLC, Aron Energy Prepay 62 LLC, Aron Energy Prepay 60 LLC, Aron Energy Prepay 57 LLC, Aron Energy Prepay 53 LLC, Aron Energy Prepay 52 LLC, Aron Energy Prepay 46 LLC, Aron Energy Prepay 45 LLC, Aron Energy Prepay 44 LLC, Aron Energy Prepay 43 LLC, Aron Energy Prepay 42 LLC, Aron Energy Prepay 41 LLC, Aron Energy Prepay 35 LLC, Aron Energy Prepay 22 LLC, Aron Energy Prepay 21 LLC., Aron Energy Prepay 16 LLC, Aron Energy Prepay 15 LLC, Aron Energy Prepay 14 LLC, Aron Energy Prepay 5 LLC, J. Aron & Company LLC.

Description: Notice of Non-Material Change in Status of J. Aron & Company LLC, et al.

Filed Date: 11/2/26.

Accession Number: 20261102–5416.

Comment Date: 5 p.m. ET 11/23/26.

Docket Numbers: ER20–2819–000.

Applicants: Pleinmont Solar 1, LLC.

Description: Refund Report: Refund Report to be effective N/A.

Filed Date: 11/10/26.

Accession Number: 20261110–5034.

Comment Date: 5 p.m. ET 12/1/26.

Docket Numbers: ER21–350–000.

Applicants: Highlander Solar Energy Station 1, LLC.

Description: Refund Report: Refund Report to be effective N/A.

Filed Date: 11/10/26.

Accession Number: 20261110–5047.

Comment Date: 5 p.m. ET 12/1/26.

Docket Numbers: ER21–521–000.

Applicants: Richmond Spider Solar, LLC.

Description: Refund Report: Refund Report to be effective N/A.

Filed Date: 11/10/26.

Accession Number: 20261110–5039.
Comment Date: 5 p.m. ET 12/1/26.

Docket Numbers: ER21–2474–000.
Applicants: Pleinmont Solar 2, LLC.
Description: Refund Report: Refund Report to be effective N/A.
Filed Date: 11/10/26.
Accession Number: 20261110–5035.
Comment Date: 5 p.m. ET 12/1/26.

Docket Numbers: ER21–2557–017; ER22–2662–017; ER22–2663–017; ER22–2664–017; ER23–1275–015; ER23–1276–015; ER24–2249–013; ER24–2251–012; ER24–2854–011; ER24–2855–011; ER24–2856–011; ER25–939–009; ER25–940–009; ER26–178–003; ER26–181–003; ER26–673–003; ER26–2695–002; ER26–2696–003.
Applicants: Aron Energy Prepay 73 LLC, Aron Energy Prepay 70 LLC, Aron Energy Prepay 66 LLC, Aron Energy Prepay 62 LLC, Aron Energy Prepay 60 LLC, Aron Energy Prepay 53 LLC, Aron Energy Prepay 52 LLC, Aron Energy Prepay 46 LLC, Aron Energy Prepay 45 LLC, Aron Energy Prepay 44 LLC, Aron Energy Prepay 43 LLC, Aron Energy Prepay 41 LLC, Aron Energy Prepay 22 LLC, Aron Energy Prepay 21 LLC, Aron Energy Prepay 16 LLC, Aron Energy Prepay 15 LLC, Aron Energy Prepay 14 LLC, Aron Energy Prepay 5 LLC.
Description: Notice of Non-Material Change in Status of Aron Energy Prepay 5 LLC, et al.
Filed Date: 11/2/26.
Accession Number: 20261102–5413.
Comment Date: 5 p.m. ET 11/23/26.

Docket Numbers: ER22–2867–005.
Applicants: Bluegrass Solar, LLC.
Description: Refund Report: Refund Report to be effective N/A.
Filed Date: 11/9/26.
Accession Number: 20261109–5196.
Comment Date: 5 p.m. ET 11/30/26.

Docket Numbers: ER23–628–000.
Applicants: Bellflower Solar 1, LLC.
Description: Refund Report: Refund Report to be effective N/A.
Filed Date: 11/10/26.
Accession Number: 20261110–5023.
Comment Date: 5 p.m. ET 12/1/26.

Docket Numbers: ER23–1736–000.
Applicants: Big Plain Solar, LLC.
Description: Refund Report: Refund Report to be effective N/A.
Filed Date: 11/10/26.
Accession Number: 20261110–5031.
Comment Date: 5 p.m. ET 12/1/26.

Docket Numbers: ER26–3515–002.
Applicants: PJM Interconnection, L.L.C.
Description: Compliance filing: Compliance Filing re Large Load Definition and Large Load Registry to be effective 10/12/2026.
Filed Date: 11/9/26.
Accession Number: 20261109–5217.
Comment Date: 5 p.m. ET 11/30/26.

Docket Numbers: ER27–454–000.
Applicants: PJM Interconnection, L.L.C.
Description: § 205(d) Rate Filing: Revised Reliability Backstop Procurement Rules in ER26–3380–000 to be effective 1/29/2027.
Filed Date: 11/9/26.
Accession Number: 20261109–5216.
Comment Date: 5 p.m. ET 11/30/26.

Docket Numbers: ER27–455–000.
Applicants: PJM Interconnection, L.L.C.
Description: Tariff Amendment: Notice of Cancellation SA No. 7551, Project Identifier No. AG1–365 to be effective 1/10/2027.
Filed Date: 11/10/26.
Accession Number: 20261110–5038.
Comment Date: 5 p.m. ET 12/1/26.

Docket Numbers: ER27–456–000.
Applicants: PJM Interconnection, L.L.C.
Description: Tariff Amendment: Notice of Cancellation of ISA, Service Agreement No. 6370; Queue No. AC1–191 to be effective 1/10/2027.
Filed Date: 11/10/26.
Accession Number: 20261110–5053.
Comment Date: 5 p.m. ET 12/1/26.

Docket Numbers: ER27–457–000.
Applicants: Clearway Power Marketing LLC.
Description: § 205(d) Rate Filing: Market-Based Rate Tariff Revisions to be effective 11/11/2026.
Filed Date: 11/10/26.
Accession Number: 20261110–5058.
Comment Date: 5 p.m. ET 12/1/26.

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: November 10, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–23282 Filed 11–13–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP27–162–000.
Applicants: Iroquois Gas Transmission System, L.P.
Description: § 4(d) Rate Filing: 11.10.26 Negotiated Rates—Castleton Commodities Merchant Trading H–4010–89 to be effective 11/12/2026.
Filed Date: 11/10/26.
Accession Number: 20261110–5024.
Comment Date: 5 p.m. ET 11/23/26.

Docket Numbers: RP27–163–000.
Applicants: Iroquois Gas Transmission System, L.P.
Description: § 4(d) Rate Filing: 11.10.26 Negotiated Rates—Freepoint Commodities LLC H–7250–89 to be effective 11/12/2026.
Filed Date: 11/10/26.
Accession Number: 20261110–5025.
Comment Date: 5 p.m. ET 11/23/26.

Docket Numbers: RP27–164–000.
Applicants: Equitrans, L.P.
Description: § 4(d) Rate Filing: Negotiated Rate Capacity Release Agreement—11/10/2026 to be effective 11/8/2026.
Filed Date: 11/10/26.
Accession Number: 20261110–5059.
Comment Date: 5 p.m. ET 11/23/26.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern Time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

Filings in Existing Proceedings

Docket Numbers: RP25–989–011.
Applicants: Northern Natural Gas Company.
Description: Compliance filing: 20261109 Compliance of Settlement

Supplemental Filing to be effective 2/1/2026.

Filed Date: 11/9/26.

Accession Number: 20261109–5188.

Comment Date: 5 p.m. ET 11/23/26.

Any person desiring to protest in any of 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: November 10, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–23284 Filed 11–13–26; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPPT–2018–0430; FRL–137087–01–OCSPP]

1,3,4,6,7,8-Hexahydro-4,6,6,7,8,8-hexamethylcyclopenta[γ]-2-benzopyran (HHCB); Risk Evaluation Under the Toxic Substances Control Act (TSCA); Notice of Data Availability and Request for Comment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA or Agency) is announcing the availability of data and supporting materials related to the draft risk evaluation under the Toxic Substances Control Act (TSCA) for 1,3,4,6,7,8-Hexahydro-4,6,6,7,8,8-hexamethylcyclopenta[γ]-2-benzopyran (HHCB) (CASRN 1222–05–5). These materials are intended to inform the public and interested parties about the information considered by the Agency in the draft risk evaluation. During the public comment period for the draft risk evaluation of HHCB (April 14, 2026, to June 15, 2026), EPA became aware of an inadvertent administrative issue in its Health and Environmental Research Online (HERO) system that made 24 industry-submitted studies considered in *Draft Risk Evaluation for 1,3,4,6,7,8-Hexahydro-4,6,6,7,8,8-hexamethylcyclopenta[γ]-2-benzopyran (HHCB)* unavailable to the public. On October 14, 2026, this issue was resolved and the studies were made available to the public in HERO. The Agency invites interested persons to review the newly available materials in the context of the draft risk evaluation and submit comments within a 30-day comment period.

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

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPPT–2018–0430, is available online at *https://www.regulations.gov.* Additional information about dockets generally, along with instructions for visiting the docket in person, is available at *https://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT:

For technical information: Jeffery Putt, Existing Chemical Risk Management Division (7404M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 564–3703; email address: *HHCB.TSCA@epa.gov.*

For general information: The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554–1404; email address: *TSCA-Hotline@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Executive Summary

A. Does this action apply to me?

This action is directed to the public in general and may be of particular interest to those involved in the manufacture (defined under TSCA section 3(9) to include import), processing, distribution, use, and disposal of HHCB, related industry trade organizations, non-governmental organizations with an interest in human and environmental health, State and local governments, Tribal Nations, and/or those interested in the assessment of risks involving chemical substances and mixtures regulated under TSCA. As such, the Agency has not attempted to describe all the specific entities that this action might apply to. If you need help determining applicability, consult the technical contact listed under **FOR FURTHER INFORMATION CONTACT**.

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

The Agency is conducting the draft risk evaluation under TSCA section 6, 15 U.S.C. 2605, which requires that EPA conduct risk evaluations on chemical substances and identifies the minimum components EPA must include in the risk evaluations. Each risk evaluation must be conducted consistent with the best available science, be based on the weight of the scientific evidence, and consider reasonably available information, and not consider costs or non-risk factors. 15 U.S.C. 2625(h), (i), and (k). See also the implementing procedural regulations at 40 CFR part 702 and for more information about the TSCA risk evaluation process for existing chemicals, go to *https://www.epa.gov/assessing-and-managing-chemicals-under-tsca.*

C. What action is the Agency taking?

EPA is announcing the availability and providing a 30-day public comment period on supporting materials for the draft risk evaluation under TSCA for HHCB. These materials are intended to inform the public and interested parties about the information considered by the Agency in the draft risk evaluation. During the public comment period for the draft risk evaluation of HHCB (April 14, 2026, to June 15, 2026), EPA became aware of an administrative issue in its HERO system that made 24 industry-submitted studies considered in *Draft Risk Evaluation for 1,3,4,6,7,8-Hexahydro-4,6,6,7,8,8-hexamethylcyclopenta[γ]-2-benzopyran (HHCB)* unavailable to the public. On October 14, 2026, this issue was resolved and the studies were made available to the public in HERO (*https://hero.epa.gov*). A list of these 24 studies can be found in the memo titled *HHCB Data Availability Memorandum,* which is located in docket EPA–HQ–OPPT–2018–0430. The Agency invites interested persons to review the newly available materials in the context of the draft risk evaluation and submit comments.

D. What should I consider as I prepare my comments?

1. Submitting CBI

Do not submit CBI to EPA through *https://www.regulations.gov* or email. If you wish to include CBI in your comment, please follow the applicable instructions at *https://www.epa.gov/dockets/commenting-epa-dockets#rules* and clearly mark the information that you claim to be CBI. Information so marked will not be disclosed except in

accordance with procedures set forth in 40 CFR parts 2 and 703, as applicable.

2. Tips for Preparing Your Comments

When preparing and submitting your comments, see the commenting tips at *https://www.epa.gov/dockets/commenting-epa-dockets.*

II. Background

A. What is HHCB?

HHCB is primarily used as a synthetic musk compound found widely in fragrances. HHCB is utilized in household products such as detergents, cleaners, and air fresheners. HHCB is also a key ingredient in non-TSCA uses including perfumes, cosmetics, and personal care products due to its long-lasting scent properties. Workers may be exposed to HHCB through dust, mist, or vapor when making or using these products. Consumers may be exposed to HHCB through dust, mist, or vapor during intended product use (*e.g.,* cleaning a counter, placing an air freshener in a bathroom or small room, or doing laundry). Environmental releases occur primarily when fragrance products are disposed of down the drain, leading to HHCB entering wastewater and, after treatment, being discharged in effluent from Publicly Owned Treatment Works (POTWs). HHCB may also enter wastewater through transfers of manufacturing wastes to POTWs.

B. Risk Evaluation of HHCB

In December 2019, EPA announced its designation of HHCB (Docket ID: EPA–HQ–OPPT–2018–0430) as a high-priority substance for risk evaluation under TSCA. In April 2020, EPA published and sought public comment on the draft scope of the HHCB risk evaluation (85 FR 19941, April 9, 2020) (FRL–10007–11–OCSPP) and, after considering public comments, issued the final scope in August 2020 (85 FR 55281, September 4, 2020) (FRL–10013–90–OCSPP). In April 2026, EPA released the *Draft Risk Evaluation for 1,3,4,6,7,8-Hexahydro-4,6,6,7,8,8-hexamethylcyclopenta[γ]-2-benzopyran (HHCB)* for public comment and external peer review by the Science Advisory Committee on Chemicals (SACC) (85 FR 19941, April 06, 2026) (FRL–13304–01–OCSPP).

III. Request for Comment

EPA seeks feedback on the newly available supporting materials in the context of the draft risk evaluation under TSCA for HHCB. Specifically, EPA seeks feedback 24 studies considered in the *Draft Human Health and Environmental Hazard Assessment for 1,3,4,6,7,8-Hexahydro-4,6,6,7,8,8-hexamethylcyclopenta[γ]-2-benzopyran (HHCB)* that were inadvertently not accessible due to an administrative issue with the HERO database during the public comment period for the draft risk evaluation of HHCB (April 14, 2026, to June 15, 2026). A copy of the memo which includes a list of the newly available 24 studies can be found in docket EPA–HQ–OPPT–2018–0430. EPA encourages all potentially interested parties, including individuals, governmental and non-governmental organizations, non-profit organizations, academic institutions, research institutions, and private sector entities to provide comment during the 30-day public comment period.

IV. Next Steps

EPA will consider comments received on this notice of data availability submitted to the docket while finalizing the HHCB risk evaluation. EPA will announce the availability of the final risk evaluation for HHCB in the coming months. Under TSCA section 6, EPA must use the final risk evaluation as a basis to determine, based on the weight of scientific evidence, whether or not the chemical presents an unreasonable risk to health or the environment under the chemical's conditions of use. This includes risks to subpopulations who may be at greater risks than the general population, such as children and workers. TSCA prohibits EPA from considering non-risk factors (*e.g.,* costs/benefits) during risk evaluation.

If at the end of the risk evaluation process, EPA determines that a chemical presents an unreasonable risk to health or the environment under the conditions of use, the chemical must move to risk management action under TSCA section 6(a). EPA is required to implement, via regulation, regulatory restrictions on the manufacture (including import), processing, distribution, use, or disposal of the chemical to eliminate the identified unreasonable risk. Like the prioritization and risk evaluation processes, there is an opportunity for public comment on any proposed risk management actions.

For more information about the TSCA risk evaluation process for existing chemicals, go to *https://www.epa.gov/assessing-and-managing-chemicals-under-tsca.*

Authority: 15 U.S.C. 2601 *et seq.*

Dated: November 12, 2026.

Douglas M. Troutman,

Assistant Administrator, Office of Chemical Safety and Pollution Prevention.

[FR Doc. 2026–23263 Filed 11–13–26; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0546, OMB 3060–1326; FR ID 377154]

Information Collections Being Reviewed by the Federal Communications Commission Under Delegated Authority

AGENCY: Federal Communications Commission.

ACTION: Notice; request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

DATES: Written PRA comments should be submitted on or before January 15, 2027. If you anticipate that you will be submitting comments but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email to *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov*.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection, contact Cathy Williams at (202) 418–2918.

SUPPLEMENTARY INFORMATION: The FCC may not conduct or sponsor a collection of information unless it displays a

currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

OMB Control Number: 3060–0546.

Title: Section 76.59 Definition of Markets for Purposes of the Cable Television Mandatory Television Broadcast Signal Carriage Rules.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business and other for-profit entities.

Number of Respondents and Responses: 120 respondents and 130 responses.

Estimated Time per Response: 0.5 to 40 hours.

Frequency of Response: On occasion reporting requirement; Third party disclosure requirement; Recordkeeping requirement.

Total Annual Burden: 958 hours.

Total Annual Cost: $640,150.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this collection is contained in 47 U.S.C. 151, 154(i), 303(r), 338 and 534.

Needs and Uses: Market modification allows the Commission to modify the local television market of a particular commercial television broadcast station to enable commercial television stations, cable operators and satellite carriers to better serve the interests of local communities. Market modification provides a means to avoid rigid adherence to DMA designations and to promote consumer access to in-state and other relevant television programming. Section 338(l) of the Communications Act (the satellite market modification provision) and section 614(h)(1)(C) of the Communications Act (the corresponding cable provision) permit the Commission to add communities to or delete communities from a station's local television market following a written request. Furthermore, the Commission may determine that particular communities are part of more than one television market.

OMB Control Number: 3060–1326.

Title: Class A Television Stations—Low Power Protection Act.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities, not-for-profit institutions, and state, local, or tribal governments.

Number of Respondents and Responses: 50 respondents; 250 responses.

Estimated Time per Response: 1 hour.

Frequency of Response: One-time reporting requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this collection of information is contained in 47 U.S.C. 151, 152, 154(i), 154(j), 303, 307, 309, 311, 336(f), and the Low Power Protection Act, Public Law 117–344, 136 Stat. 6193 (2023).

Total Annual Burden: 250 hours.

Total Annual Cost: No cost.

Needs and Uses: The Commission will use the information collected under this information collection to determine whether applicants can convert to Class A status pursuant to the Low Power Protection Act.

On December 11, 2023, the Commission adopted a Report and Order, FCC 23–112, to implement the Low Power Protection Act (LPPA or Act), which was enacted on January 5, 2023. The LPPA provides certain low power television (LPTV) stations with a limited window of opportunity to apply for primary spectrum use status as Class A television stations. The Report and Order establishes the period during which eligible stations may file applications for Class A status, eligibility and interference requirements, and the process for submitting applications.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2026–23216 Filed 11–13–26; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0120; FR ID 377155]

Information Collections Being Reviewed by the Federal Communications Commission

AGENCY: Federal Communications Commission.

ACTION: Notice; request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

DATES: Written PRA comments should be submitted on or before January 15, 2027. If you anticipate that you will be submitting comments but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email to *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov*.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection, contact Cathy Williams at (202) 418–2918.

SUPPLEMENTARY INFORMATION: The FCC may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

OMB Control Number: 3060–0120.

Title: Broadcast EEO Model Program Report, FCC Form 396–A.

Form Number: FCC Form 396–A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities, not-for-profit institutions.

Number of Respondents and Responses: 5,000 respondents, 5,000 responses.

Estimated Time per Response: 1 hour.

Frequency of Response: On occasion reporting requirement.

Obligation to Respond: Required to obtain benefits. The statutory authority for this collection of information is contained in section 154(i) and 303 of the Communications Act of 1934, as amended.

Total Annual Burden: 5,000 hours.

Total Annual Cost: No cost.

Needs and Uses: The Broadcast Equal Employment Opportunity (EEO) Model Program Report, FCC Form 396–A, is filed in conjunction with applicants seeking authority to: construct a new broadcast station; to obtain assignment of construction permit or license; and/or seeking authority to acquire control

of an entity holding a construction permit or license. This program report is designed to assist the applicant in establishing an effective EEO program for its stations.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2026–23217 Filed 11–13–26; 8:45 am]

BILLING CODE 6712–01–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 December 16, 2026.

A. Federal Reserve Bank of Dallas (Lindsey Wieck, Director, Mergers & Acquisitions) 2200 North Pearl Street, Dallas, Texas 75201–2272. Comments can also be sent electronically to *Comments.applications@dal.frb.org:*

1. *Third Coast Bancshares, Inc., Humble, Texas;* to acquire Great Plains Bancshares, Inc., and thereby indirectly acquire Great Plains National Bank, both of Elk City, Oklahoma.

Board of Governors of the Federal Reserve System.

Benjamin W. McDonough,

Secretary of the Board.

[FR Doc. 2026–23245 Filed 11–13–26; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (Act) (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the applications are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at *https://www.federalreserve.gov/foia/request.htm.* Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Benjamin W. McDonough, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551–0001, not later than December 1, 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. *The Todd A. Burich Citizens Bancshares of Hutchinson, Inc. Revocable Trust, Todd A. Burich as trustee, both of New York, New York; the Heather M. Knorr Citizens Bancshares of Hutchinson, Inc. Revocable Trust, Heather M. Knorr as trustee, both of Hutchinson, Minnesota; the Nanci K. Thomas Revocable Trust, John F. Thomas as trustee and individually, both of Minneapolis, Minnesota; the James D. Sheedy Trust and the Sheedy Family Irrevocable Trust, James D. Sheedy as trustee, all of Chanhassen, Minnesota; Anne E. Thomas, Minnetonka, Minnesota; and Tata A. Faber, Edina, Minnesota;* to form the Citizens Shareholder Agreement Control Group, a group acting in concert, to retain voting shares of Citizens Bancshares of Hutchinson, and thereby indirectly retain voting shares of Citizens Bank & Trust Co., Hutchinson, Minn., both of Hutchinson, Minnesota.

2. *The Holden M. Grove Business Trust and The Michael A. Grove Business Trust, both of Helena, Montana, (together the ''Grove Trusts''); Daniel P. Grove, Colorado Springs, Colorado, individually, and as trustee of the Grove Trusts; and Holden M. Grove, Helena, Montana, and Michael A. Grove, Clancy, Montana;* to join the Grove Family Control Group (''Grove Group''), a group acting in concert, to acquire voting shares of Countricorp, and thereby indirectly acquire voting shares of Bank of the Rockies, both of Helena, Montana. Michael E. Grove, Helena, Montana, is a member of the Grove Group and was previously permitted by the Federal Reserve System to acquire voting shares of Countricorp in his individual capacity.

Board of Governors of the Federal Reserve System.

Benjamin W. McDonough,

Secretary of the Board.

[FR Doc. 2026–23244 Filed 11–13–26; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

[Docket No. OP–1883]

Federal Reserve Bank Services

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Notice.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) has approved the private-sector adjustment factor (PSAF) for 2027 of $35.3 million and the 2027 fee schedules for Federal Reserve priced services and electronic access. These actions were taken in accordance with the Monetary Control Act of 1980 (MCA), which requires that, over the long run, fees for Federal Reserve priced services be established based on all direct and indirect costs, including the PSAF. Copies of all fee schedules are available from the Federal Reserve Financial Services (FRFS) website at *www.FRBservices.org.*

DATES: The new fee schedules become effective January 1, 2027.

FOR FURTHER INFORMATION CONTACT: Ian Spear, Deputy Associate Director or Yonel Admasu, Financial Institution Policy Analyst III, Division of Reserve Bank Operations and Payment Systems at (202) 452–3000. For users of TTY–TRS, please call 711 from any telephone, anywhere in the United States.

SUPPLEMENTARY INFORMATION:

I. Overview

As required by the MCA, the Reserve Banks set fees for priced services provided to financial institutions. These fees are set to recover, over the long run, all direct and indirect costs and imputed costs, including financing costs, taxes, and certain other expenses, as well as the return on equity (profit) that would have been earned if a private-sector business provided the services.[1] The imputed costs and imputed profit are collectively referred to as the PSAF.

1. Long-Run Cost Recovery—From 2016 through 2025, the Reserve Banks recovered 103.7 percent of their total expenses (including imputed costs) and targeted after-tax profits or return on equity (ROE) for the mature services. During that period, Check Services, the Fedwire® Funds Service, the National Settlement Service, the Fedwire® Securities Service, and FedACH® Services achieved full cost recovery.[2]

2. 2027 Summary of Pricing, Projected Performance, and PSAF—The Reserve Banks are making price changes in 2027 to offset rising costs and reduce pricing complexity for customers. These changes most notably include strategic pricing and operational changes to the Check Services and the introduction of a FRFS Access Fee along with corresponding simplification and reduction of existing connectivity fees.

The new FRFS Access Fee includes access to a suite of FedLine® services and discounts for customers meeting certain eligibility requirements. At the same time, the Reserve Banks are making corresponding changes to reduce or eliminate fees for various FedLine connectivity solutions that will be included with the new FRFS Access Fee. This approach aims to simplify pricing schedules, provide a more streamlined experience for customers using multiple services, and support the Reserve Banks' cost-recovery over the long-term. These enterprise pricing changes are designed to be revenue neutral for the Reserve Banks in 2027.

The Reserve Banks are also increasing various Check Services fees, retiring certain low-volume offerings, and reducing operating hours during times of minimal activity (*e.g.,* certain periods over weekends and holidays). These are the first in a series of anticipated strategic changes to Check Services over the coming years, informed by public input from the Board's 2025 request for information (RFI) on the future of the Reserve Banks' Check Services.[3] As further discussed below, a significant number of commenters to the RFI supported the Reserve Banks continued operational presence in check processing. To maintain such a presence while supporting long-run cost recovery objectives amid declining volumes, the Reserve Banks are preparing to simplify check service offerings and regularly apply fee increases for these services. The Board will continue to monitor long-run cost recovery performance for Check Services and, as needed, may reassess the appropriate nature and scope of the Reserve Banks' role in check processing and may implement additional changes in the future. Such reassessment would consider, among other factors, the long-run cost recovery outlook for Check Services and progress made towards the adoption of alternative payment methods for those seeking them.

Finally, the price changes in 2027 also include modest increases in certain Fedwire Funds Service fees, modest decreases in Fedwire Securities fees, and an increase to the FedLine Direct Wide Area Network (WAN) fee to encourage customers' completion of a required network infrastructure upgrade. The Reserve Banks are not making any changes to fees for the FedACH or the FedNow® Service other than those previously announced earlier in 2026. These changes collectively will result in an average price increase of 1.4 percent for customers in 2027.

Other than the changes discussed in the Pricing Changes section (section II), all other previously approved fees and discounts currently in effect across the Reserve Banks' Check Services, FedACH Services, Fedwire Funds Service, Fedwire Securities Service, National Settlement Service, FedNow Service, and FedLine Solutions will be maintained at this time. For a full list of fees, refer to the Reserve Banks' published fee schedules available at: *https://www.frbservices.org/resources/fees.*

[1] *See* 12 U.S.C. 248a. *See also Principles for the Pricing of Federal Reserve Bank Services,* 46 FR 1338, 1339 (Jan. 6, 1981), available at *https://www.federalreserve.gov/paymentsystems/pfs_principles.htm.* Although the Monetary Control Act does not define ''over the long run,'' the Board has generally measured long-run cost recovery for mature services to be over a 10-year rolling time frame. The Board currently views a 10-year cost recovery expectation as appropriate for assessing mature services, which are those that have achieved a critical mass of customer participation and generally have stable and predictable volumes, costs, and revenues. The 10-year recovery rate is based on the pro forma income statements for Federal Reserve priced services published in the Board's *Annual Report.* In accordance with Accounting Standards Codification (ASC) 715 *Compensation—Retirement Benefits,* the Reserve Banks recognized a $579.5 million cumulative reduction in equity related to the priced services' benefit plans through 2025. Including this cumulative reduction in equity from 2016 to 2025 results in cost recovery of 104.8 percent for the 10-year period. This measure of long-run cost recovery is also published in the Board's *Annual Report.*

[2] In addition to long-run cost recovery as required by the MCA, the Reserve Banks also seek to manage their cost recovery any given year. For 2026, the Reserve Banks forecast that they will recover 105.1 percent of the costs of providing all mature priced services compared with a 2026 budgeted recovery rate of 107.1 percent. The Reserve Banks forecast that each mature service will achieve full cost recovery in 2026 except for Check Services. Check Services are anticipated to recover below 100 percent because of projected declines in volume and increased investments to maintain the reliability of aging infrastructure.

[3] *See* Board, ''Request for Information and Comment on the Future of the Federal Reserve Banks' Check Services,'' **Federal Register** (December 9, 2026), *https://www.federalregister.gov/d/2025-22272.*

Based on these pricing changes, the Reserve Banks project a mature priced services cost recovery rate of 101.5 percent in 2027, with a net gain of $19.0 million and targeted ROE of $10.7 million. The Reserve Banks project that each of the individual mature service lines will achieve full cost recovery in 2027 except for Check Services, which is expected to under recover because of projected declines in volume and increased investment to maintain the reliability of aging infrastructure. The primary risk to the Reserve Banks' current projections are unanticipated volume and revenue reductions as well as the potential for cost overruns from infrastructure maintenance.

These estimates include a PSAF of $35.3 million.[4] This amount is an increase of $1.2 million from the 2026 PSAF of $34.1 million, attributable to increases of $1.6 million in Board of Governors' expenses and $0.3 million in sales taxes, offset by a $0.8 million decrease in the cost of capital. Additional details on the methodology and computation of this year's PSAF are provided in the included appendix.

3. Data Tables—The tables below provide additional details for all mature priced services.[5] Table 1 summarizes 2025 actual, 2026 forecast, and 2027 budgeted annual cost recovery rates for all mature priced services. Table 2 provides an overview of cost recovery budgets, forecasts, and performance for the 10-year period from 2016 to 2025, 2025 actual, 2026 budget, 2026 forecast, and 2027 budget by mature priced service.

TABLE 1—AGGREGATE MATURE PRICED SERVICES PRO FORMA COST AND REVENUE PERFORMANCE [a]

[Dollars in millions]

Year	Revenue	Total expense	Net income (ROE)	Targeted ROE	Recovery rate after targeted ROE (%)
	1 [b]	2 [c]	3 [1 − 2]	4 [d]	5 [e] [1/(2 + 4)]
2025 (actual)	541.8	490.6	51.3	10.8	108.1
2026 (forecast)	542.9	504.0	38.9	12.6	105.1
2027 (budget)	550.5	531.5	19.0	10.7	101.5

[a] Calculations in this table and subsequent pro forma cost and revenue tables may be affected by rounding. Excludes amounts related to the FedNow Service.
[b] Revenue includes imputed income on investments when equity is imputed at a level that meets minimum capital requirements and, when combined with liabilities, exceeds total assets. For 2027, the budgeted revenue assumes implementation of the fee changes.
[c] The calculation of total expense includes operating, imputed, and other expenses. Imputed and other expenses include taxes, Board of Governors priced services expenses, the cost of float, and interest on imputed debt, if any. Credits or debits related to the accounting for pension plans under ASC 715 are also included.
[d] Targeted ROE is the after-tax ROE included in the PSAF.
[e] The recovery rates in this and subsequent tables do not reflect the unamortized gains or losses that must be recognized in accordance with ASC 715. Future gains or losses, and their effect on cost recovery, cannot be projected.

TABLE 2—MATURE PRICED SERVICES COST RECOVERY

[Percent]

Priced service	2016–2025	2025 Actual	2026 Budget [a]	2026 Forecast	2027 Budget [b]
All mature services	103.7	108.1	107.1	105.1	101.5
Check	104.6	99.6	94.6	94.5	78.9
FedACH	102.6	110.6	112.1	110.6	114.7
Fedwire Funds & NSS	103.1	106.8	107.9	105.1	102.7
Fedwire Securities	110.6	122.9	115.7	108.6	113.8

[a] Budget figures reflect final budgets as approved by the Board.
[b] Budget figures reflect preliminary budget information from the Reserve Banks that will be submitted for consideration by the Board.

II. Pricing Changes

FRFS Access Fee & FedLine Solutions

Beginning in 2027, the Reserve Banks will introduce a new fixed FRFS Access Fee. The fee will be assessed at both the parent and routing transit number (RTN) levels as well as for payment processors and providers. This new fee represents the first step in a multi-year strategy designed to simplify pricing structures, better support customers using multiple services, and ensure the Reserve Banks' ability to maintain cost recovery over the long-term. Under this new model, certain FedLine Solutions fees will be eliminated or reduced.[6] Furthermore, the Reserve Banks will introduce a new

[4] The FedNow Service launched in July 2023. Inclusive of the FedNow Service, the PSAF increases to $40.6 million for 2027. Per its 2019 notice entitled Federal Reserve Actions to Support Interbank Settlement of Instant Payments (2019 Notice), the Board has determined that it is most appropriate to report FedNow Service cost recovery independently of mature priced services until the service has relatively stable revenues and costs. Thus, FedNow Service revenue is excluded from overall performance projections for 2027.

[5] FedNow Service revenue and expenses are excluded from the overall performance projections. In its 2019 Notice, the Board communicated that it expects the FedNow Service to achieve its first instance of long-run cost recovery outside the 10-year time frame typically applied to mature services. New services like the FedNow Service are not expected to initially have stable volumes, costs, and revenues; application of the 10-year rolling time frame used to evaluate mature services to the FedNow Service would result in prohibitively high or unnecessarily volatile pricing, negatively affecting the Federal Reserve's public policy objectives in providing the service. See *Federal Reserve Actions to Support Interbank Settlement of Instant Payments,* 84 FR 39297, (Aug. 9, 2019). The FedNow Service is discussed in section II.

[6] There are currently five FedLine Solutions channels through which customers can access the Reserve Banks' priced services: FedMail®, FedLine Web®, FedLine Advantage®, FedLine Command®, and FedLine Direct®. The Reserve Banks currently bundle these channels into 10 FedLine Solutions packages that are supplemented by a number of premium (or à la carte) access and accounting information options. Within the FedLine suite, the FedMail package delivers financial statements, payment advice, and operational reports directly to financial institutions via automated email.

discount on the FRFS Access Fee for eligible customers. Specifically, customers who are FedACH and Check Services Premium Receivers [7] and subscribe to a FedLine Advantage, FedLine Command or FedLine Direct solution, will be eligible for a 25 percent discount on their total FRFS Access Fee.

Table 3 shows the 2027 FRFS Access Fee Schedule and Table 4 shows the complimentary and reduced FedLine solutions that will be included as part of the Access Fee.

TABLE 3—FRFS ACCESS FEES [8]

Access fee components	2027 Fee (per RTN per month)
Parent [9]	$300
Additional RTNs [10]	270
Payment Processors and Providers (PPP) [11]	10

TABLE 4—COMPLIMENTARY AND REDUCED PRICE FEDLINE FEES [12]

FedLine fee	2026 Fee	2027 Fee
FedLine Web® (FLW) [13]	$110	$0 (complimentary).
FedLine Web® (FLW) Plus [14]	160	$0 (complimentary).
FedLine Web® (FLW) Premier [14]	200	$0 (complimentary).
FedLine Advantage® [13 thnsp;14]	415	$0 (complimentary).
FedLine Advantage® Plus [14 thnsp;15]	460	$0 (complimentary).
FedLine Advantage® Premier [14 thnsp;15]	570	$0 (complimentary).
FedMail® Subscribers	25	$0 (complimentary).
Ten (10) FedLine® Subscribers [15]	200	$0 (complimentary).
Two (2) Virtual Private Network (VPN) devices [16]	200	$0 (complimentary).
FedLine Command® (FLC) Plus [17]	1,185	$600.
FedLine Direct® (FLD) Plus [18]	5,750	$4,500.
FedLine Direct® (FLD) Premier [18]	11,000	$4,500.
FLD 10 Mbps Wide Area Network (WAN) Connection Upgrade	1,700	$1,175.
FLD 30 Mbps WAN Connection Upgrade	3,000	$2,250.
FLD 50 Mbps WAN Connection Upgrade	4,000	$3,000.
FLD 100 Mbps WAN Connection Upgrade	7,000	$5,520.
FLD 200 Mbps WAN Connection Upgrade	11,000	$8,250.

In addition to the elimination or reduction of these FedLine fees, the Reserve Banks will increase certain FedLine fees to incentivize customers to migrate towards more secure solutions. Specifically, the Reserve Banks will increase the monthly FedMail service fee from $100 to $150, to encourage customers to migrate towards more secure interactive web-based solutions like FedLine Web or FedLine Advantage, which will now be included in the new FRFS Access Fee. The Reserve Banks estimate the above price changes will result in an approximately 0.1 percent average price increase for customers prior to any other service specific discounts.

The Reserve Banks will also begin assessing a $15,000 monthly FedLine Direct surcharge for customers who have not completed necessary changes as part of a mandatory migration of FedLine Direct Primary WAN circuits.[19] This migration has been underway since 2025 as part of a vendor transition that will provide customers with enhanced service reliability and security features for mission-critical financial traffic. The Reserve Banks are encouraging financial institutions that have not yet converted to the new FedLine Direct Primary WAN circuits to finalize their transition prior to December 31, 2026 to maintain standard billing rates and help ensure their FedLine connections remain current.

All other previously approved price points and discounts in the FedLine Fee

[7] Premium Receivers are Receiving Depository Financial Institutions (RDFIs) receiving through FedACH at least 90 percent of their FedACH-originated items, but less than 90 percent of all of their ACH items originated through any operator (Level One); or RDFIs receiving through FedACH at least 90 percent of all of their ACH items originated through any operator (Level Two).

[8] Institutions that process payments on behalf of other institutions (*e.g.* correspondents) as well as their own payments will be charged the Payment Processors and Providers fee in addition to the parent and RTN fees.

[9] This fee is charged at the parent financial institution level, as defined in the Reserve Banks' Global Customer Directory (GCD), and includes a customer's first Routing Transit Number (RTN).

[10] This fee is charged for each additional Routing Transit Number (RTN) that had any Fedwire Funds, FedACH, FedNow, or Check Services volume in the month.

[11] This fee is charged to the PPP acting on behalf of a financial institution for each Routing Transit Number (RTN) that had any Fedwire Funds, FedACH, FedNow or Check Services volume in the month.

[12] Accounting Information Services (AIS)—Premium Services, such as the End-of-Day Financial Institution Reconcilement File, Statement of Account Spreadsheet File, and Intra-Day Download Search Results, previously bundled in some FedLine Solutions packages will be subject to existing a la carte fees. Additionally, automated download codes will be subject to existing E-Payments Download Codes a la carte fees.

[13] All tiers will collapse to FedLine Web and FedLine Advantage at $0 on fee schedules and billing statements.

[14] The existing FedLine Advantage Promotion for the FedNow Service will end in 2026.

[15] Additional FedLine Subscribers will be subject to the existing $100 per Pack of 5 fee.

[16] Additional VPNs will be subject to the existing $100 fee.

[17] FedLine Command Plus package will be renamed to FedLine Command on the FedLine Solutions fee schedule and customer billing statements.

[18] FedLine Direct Plus and FedLine Direct Premier packages will collapse into FedLine Direct which will include one (1) WAN Connection within the fee. FedLine Direct Premier currently includes an additional WAN Connection and one (1) instance of Network Diversity, which will now be subject to the existing $3,300 and $2,500 fees respectively.

[19] This surcharge will be added to the standard $3,300 connection fee, resulting in a total monthly charge of $18,300 per circuit until the migration is successfully completed.

Schedule that are currently in effect will be maintained in 2027. For full details, please refer to the FedLine Fee Schedule available at *https://www.frbservices.org/resources/fees.*

Check Services

Table 5 shows the 2025 actual, 2026 forecast, and 2027 budgeted cost recovery performance for commercial check services.

TABLE 5—CHECK SERVICES PRO FORMA COST AND REVENUE PERFORMANCE

[Dollars in millions]

Year	Revenue	Total expense	Net income (ROE)	Targeted ROE	Recovery rate after targeted ROE (%)
	1 [b]	2 [c]	3 [1–2]	4	5 [1/(2 + 4)]
2025 (actual)	108.6	106.9	1.7	2.1	99.6
2026 (forecast)	107.4	110.7	(3.4)	2.8	94.5
2027 (budget)	110.8	137.7	(26.8)	2.9	78.9

1. *2026 Forecast*—The Reserve Banks forecast that Check Services will recover 94.5 percent of total expenses and targeted ROE, compared with a 2026 budgeted recovery rate of 94.6 percent.

Through August 2026, total commercial forward and total commercial return check volumes were 8.7 percent lower and 4.2 percent lower, respectively, than they were during the same period last year. For full-year 2026, the Reserve Banks estimate that total forward check volume will decline 8.1 percent (compared with a budgeted decline of 6.0 percent) and total return check volume will fall 3.8 percent (compared with a budgeted decline of 2.0 percent) from 2025 levels. The Reserve Banks expect that check volumes will continue to decline because of ongoing substitution away from checks to other payment instruments.

2. *Federal Reserve Banks' Future Strategy for Check Services*—Check usage in the United States has declined substantially in recent decades as alternative payment methods have grown, and check fraud has become more prevalent.[20] At the same time, the Reserve Banks' check-processing infrastructure will soon require material investments. These infrastructure needs, combined with declining check volumes, have intensified pressure on the Reserve Banks' Check Service revenues and costs, making it more challenging to achieve long-run cost recovery. Considering these dynamics and broader trends in the check market, the Board issued an RFI in December 2025 to gather feedback on potential strategic changes to the Reserve Banks' Check Services and on check usage and preferences more generally.[21] The Board received over 330 unique comments from a range of stakeholders.[22]

Across responses to the RFI, commenters emphasized that checks continue to meet important payment needs that they believe alternative payment methods currently do not fully satisfy.[23] Commenters also noted that the Reserve Banks serve as a neutral, trusted provider of cost-efficient check services with nationwide reach, particularly for smaller financial institutions that have limited access to other providers.[24] Many commenters supported the Reserve Banks' continued provision of check services into the future, with limited support for any substantial or rapid wind down. While commenters acknowledged the overall decline in check usage, many nevertheless emphasized the importance of preserving the safety and resiliency of check processing and supported infrastructure investments to maintain the current reliability of the Reserve Banks' Check Services. At the same time, commenters raised concerns about the impact of fee increases, including those necessary to recover such investments, with some support for simplifying the Reserve Banks' Check Services to help manage long-run costs.

The Federal Reserve has carefully considered these comments and, after assessing related operational and financial factors, has determined that the Reserve Banks will continue to provide core check processing services. To support long-run cost recovery objectives, the Reserve Banks must balance necessary near-term infrastructure investments with declining check volumes. Although the Reserve Banks routinely make changes to their check services and associated fees in the normal course of business, the scale of anticipated cost and revenue pressures exceeds what can be addressed through standard pricing adjustments and will therefore require more significant fee increases than have been customary, in addition to simplifying certain service features.

Accordingly, based on commenter feedback and these considerations, the Reserve Banks will implement a series of strategic changes to maintain reliable core check-processing services while managing costs and revenues, including making necessary infrastructure investments to support these changes. Consistent with commenter feedback that checks continue to serve important payments needs, these changes would only apply to the Reserve Banks' check services and would not affect end users' ability to continue using checks as a payment method.

[20] The number of checks written in the U.S. fell from approximately 40 billion in 2000 to about 9 billion in 2024. See Federal Reserve Board, ''Federal Reserve Payments Study: Latest Figures,'' (2026), available at *https://www.federalreserve.gov/paymentsystems/fr-payments-study.htm,* in tabular form *https://www.federalreserve.gov/paymentsystems/frps_cy2015_24_topline_accessible_version.htm. See* Financial Crimes Enforcement Network, ''FinCEN Alert: Nationwide Surge in Mail Theft-Related Check Fraud Schemes Targeting U.S. Mail'' (February 27, 2023), *https://www.fincen.gov/news/news-releases/fincen-alert-nationwide-surge-mail-theft-related-check-fraud-schemes-targeting.*

[21] See Board, ''Request for Information and Comment on the Future of the Federal Reserve Banks' Check Services,'' **Federal Register** (December 9, 2026), *https://www.federalregister.gov/d/2025-22272.*

[22] Commenters represented a wide array of segments including financial institutions, trade organizations, businesses, service providers, consumer groups, and individual check users.

[23] For example, commenters cited unique attributes of checks, including lower transaction costs for some end users, the memo line for providing additional transaction details for recordkeeping, check float for liquidity management, and legal requirements that stipulate the use of checks for certain transactions.

[24] The Reserve Banks are only one of the many players in check processing. When a depository institution receives a check deposit drawn on another institution, the depository institution may choose to send the check for collection to the other institution directly, deliver it to the other institution through a private-sector exchange, or use the check-collection services of a correspondent, service provider, or the Reserve Banks.

To better align service offerings with declining volumes, the Reserve Banks will simplify certain product features (such as significantly reducing processing options for checks submitted to and received from the Reserve Banks in paper form), retire low-use features, and narrow processing windows. The Reserve Banks will also regularly apply fee increases for financial institutions that use the service to support long-run cost recovery objectives.

The Reserve Banks expect to implement these changes beginning in 2027 and continuing over the next several years. Advanced notice of any changes would be provided through existing channels, such as through the Board's announcement of future fee schedules or the Reserve Banks' routine customer engagement and industry outreach. During this period, the Federal Reserve will continue its broader work to support the safety and efficiency of the payments system, including, as requested by commenters, engaging with the industry on barriers that may be preventing use of alternative payment methods. The Board will continue to monitor long-run cost recovery performance for Check Services and, as needed, the Board will reassess the appropriate nature and scope of the Reserve Banks' role in check processing. Such reassessment would consider, among other factors, the long-run cost recovery outlook for Check Services and progress made towards the adoption of alternative payment methods. Consistent with the Federal Reserve's long-standing policy, the Board would seek public comment if any future changes would have significant longer-run effects on the nation's payment system.

3. *2027 Pricing*—The Reserve Banks expect Check Services to recover 78.9 percent of total expenses and targeted ROE in 2027. The Reserve Banks project revenue to be $110.8 million, an increase of $3.5 million, or 3.2 percent from the 2026 forecast. Total expenses for Check Services are projected to be $137.7 million, an increase of $26.9 million, or 24.3 percent, from 2026 forecast expenses due to necessary investments to maintain the reliability of their core check-processing capabilities.

As described previously, the Reserve Banks will begin implementing strategic changes to their check services beginning in 2027 to maintain reliable check services while managing costs and revenues. None of these changes will affect the public's ability to continue using checks as a payment method.

Specifically, in 2027, the Reserve Banks will increase FedReceipt® item fees by two hundred percent and will increase fees for other premium features by approximately twenty percent (specifically the Reject Repair fees, Premium Delivery fees, FedImage® fees, and Return Reclear fees). Tables 6–10 provide additional details on these fee increases.

In addition, as part of the Reserve Banks' plan to reduce check features with little to no usage the Reserve Banks will retire all Presentment Point services. These services currently have fewer than fifty users and have not had any volume since 2013.[25]

TABLE 6—FEDRECEIPT ITEM FEES

FedReceipt item fees	Current monthly fee	2027 Monthly fee
FedReceipt—Forward	$0.0005	$0.0015
FedReceipt—Return	0.0005	0.0015

TABLE 7—REJECT REPAIR FEES

Reject repair fees	Current monthly fee	2027 Monthly fee
Reject Repair	$0.30	$0.36
Reject Repair—Premium	0.40	0.48

TABLE 8—PREMIUM DELIVERY FEES

Premium delivery fees	Current monthly fee	2027 monthly fee
8:00 AM ET Target	$0.048	$0.058
10:00 AM Local Target	0.029	0.035
12:00 PM Local Target	0.021	0.025

TABLE 9—FEDIMAGE FEE COMPARISON

	Fixed/CL	Item	Fixed/CL	Item
Image Archive				
Tier 1 Storage:				
30 business day archive		$0.0014		$0.0017
60 business day archive		0.0017		0.0020
Extended Tier 1 Storage:				
61 days to 6 months		0.0013		0.0016
61 days to 12 months		0.0032		0.0038
61 days to 24 months		0.0081		0.0097
Tier 2 Storage:				
7 Year archive		0.0026		0.0031
Image Retrievals:				
Subscription Retrieval		0.0035		0.0042
Manual FedImage Requests		10.00		12.00
Back File Conversion	$8.80	0.0145	10.60	0.0174
Electronic On-Us Service	8.80	0.0145	10.60	0.0174
Truncation				
FedImage Enhanced Truncation	8.80	0.0145	10.60	0.0174
Return Retrieval		1.70		2.00
Custom Sort Fee Forward	212.00		254.00	
Custom Sort Fee Return	212.00		254.00	

[25] Presentment Point Services include Primary Presentment Point-Basic, Primary Presentment Point-Enhanced, SDS Settlement and Adjustment Services—Basic, and SDS Settlement and Adjustment Services—Premium.

TABLE 10—RETURN RECLEAR FEES

Return reclear	Current monthly fee	2027 Monthly fee
Level 1 Daily Fee	$12	$15
Level 1 per item	0.85	1.02
Level 2 Daily Fee	12	15
Level 2 per item	0.95	1.14
Level 3 Daily Fee	12	15
Level 3 per item	1.05	1.26
Level 4 Daily Fee	12	15
Level 4 per item	1.15	1.38

In addition to the above changes, beginning in May 2027 as part of the strategic changes to simplify Check Services, the Reserve Banks will reduce processing windows on weekends and holidays when there are limited volumes in order to better align with current trends and servicing needs.[26] Currently Reserve Banks' Check Services open Sunday at 2:00 p.m. ET through the following Saturday at 10:00 p.m. ET regardless of holidays. As of May 2027, the Reserve Banks will generally open Check Services Sunday at 7:00 p.m. ET (opening 5 hours later) and will close the following Saturday at 4:00 a.m. ET (closing 18 hours earlier).[27]

In addition, beginning in May 2027, the Reserve Banks will also close for Holidays. Table 11 describes when Check Services will be closed during Friday, Monday, and Midweek Holidays. As described previously, these schedule changes will not affect consumers' use of checks.

TABLE 11—HOLIDAY CLOSING AND REOPENING TIMES (ET)

[Beginning May 2027]

Friday Holiday	Closes Friday 12:30 a.m.–Reopens Sunday 7:00 p.m.
Monday Holiday	Closes Saturday 4:00 a.m.–Reopens Monday 7:00 p.m.
Midweek Holiday	Closes on Holiday 12:30 a.m.–Reopens on Holiday 7:00 p.m.

The primary risk to Reserve Banks' current projections for Check Services are variations in volume forecasts and additional incremental infrastructure costs necessary to maintain the reliability of the check services. Check volume declines are due to the general reduction in check writing and customer transition to alternative providers or payment methods, and competition from correspondent banks, aggregators, and direct exchanges. Should those declines be greater than expected, anticipated revenue would be lower. The Reserve Banks estimate that these cumulative price changes will result in a 5.4 percent average increase for Check Services customers.

All other previously approved prices and discounts in the Check Services Fee Schedule that are currently in effect will be maintained in 2027. For full details, please refer to the Reserve Banks' Check Services Fee Schedule available at *https://www.frbservices.org/resources/fees.*

FedACH Services

Table 12 shows the 2025 actual, 2026 forecast, and 2027 budgeted cost recovery performance for commercial FedACH Services.

TABLE 12—FEDACH SERVICES PRO FORMA COST AND REVENUE PERFORMANCE

[Dollars in millions]

Year	Revenue	Total expense	Net income (ROE)	Targeted ROE	Recovery rate after targeted ROE
	1	2	3 [1 − 2]	4	5 [1/(2 + 4)]
2025 (actual)	199.6	176.8	22.8	3.7	110.6
2026 (forecast)	204.3	180.0	24.3	4.6	110.6
2027 (budget)	212.1	181.1	30.9	3.8	114.7

1. 2026 Forecast—The Reserve Banks forecast that FedACH Services will recover 110.6 percent of total expenses and targeted ROE, compared with a 2026 budgeted recovery rate of 112.1 percent.

Through August 2026, FedACH commercial origination and receipt volume were 3.1 percent higher and 5.7 percent higher, respectively, than they were during the same period last year. For full-year 2026, the Reserve Banks estimate that FedACH commercial origination and receipt volume will increase 2.4 percent and 6.2 percent, respectively, from 2025 levels, compared with a budgeted increase for commercial origination of 5.2 percent and receipt of 4.5 percent.

[26] More detailed customer communications will be forthcoming in 2027 from the Reserve Banks.

[27] This adjustment extends the weekend maintenance window from 16 hours (currently Saturday 10:00 p.m. ET to Sunday 2:00 p.m. ET) to 39 hours (Saturday 4:00 a.m. ET to Sunday 7:00 p.m. ET).

2. 2027 Pricing—The Reserve Banks expect FedACH Services to recover 114.7 percent of total expenses and targeted ROE in 2027. The Reserve Banks project revenue to be $212.1 million, an increase of $7.8 million, or 3.8 percent, from the 2026 forecast. Total expenses are projected to be $181.1 million, an increase of $1.1 million, or 0.6 percent, from the 2026 forecast.

The Reserve Banks will leave the full 2026 fee schedule for FedACH services unchanged in 2027. For full details, please refer to the FedACH Fee Schedule available at *https://www.frbservices.org/resources/fees.*

This decision considers the benefits of maintaining consistent customer pricing in the face of rising costs. The Reserve Banks' primary risk to current projections for the FedACH Service is lower-than-projected volume growth due to potential customer attrition or economic conditions.

Fedwire Funds Service and National Settlement Service

Table 13 shows the 2025 actual, 2026 forecast, and 2027 budgeted cost recovery performance for the Fedwire Funds Service and the National Settlement Service.

TABLE 13—FEDWIRE FUNDS SERVICE AND NATIONAL SETTLEMENT SERVICE PRO FORMA COST AND REVENUE PERFORMANCE

[Dollars in millions]

Year	Revenue	Total expense	Net income (ROE)	Targeted ROE	Recovery rate after targeted ROE
	1	2	3 [1 − 2]	4	5 [1/(2 + 4)]
2025 (actual)	177.4	162.0	15.4	4.1	106.8
2026 (forecast)	179.2	166.5	12.7	4.0	105.1
2027 (budget)	176.4	168.5	7.9	3.3	102.7

1. 2026 Forecast—The Reserve Banks forecast that the Fedwire Funds Service and the National Settlement Service will recover 105.1 percent of total expenses and targeted ROE, compared with a 2026 budgeted recovery rate of 107.9 percent.

Through August 2026, Fedwire Funds Service volume was 4.9 percent higher than it was during the same period last year. The Reserve Banks expect volume to remain near this level through the remainder of 2026. Through August 2026, the National Settlement Service settlement file volume was 3.6 percent higher than it was during the same period last year, and settlement entry volume was 2.0 percent higher. For full-year 2026, the Reserve Banks estimate that origination and receipt volume will increase 4.8 percent (compared with a budgeted increase of 4.0 percent) from 2025 levels.

2. *2027 Pricing*—The Reserve Banks expect the Fedwire Funds Service and the National Settlement Service to recover 102.7 percent of total expenses in 2027. The Reserve Banks project revenue to be $176.4 million, a decrease of $2.8 million, or 1.6 percent, from the 2026 forecast. The Reserve Banks project total expenses to be $168.5 million, an increase of $2.0 million, or 1.2 percent, from the 2026 forecast.

The Reserve Banks will increase all three tiers of the Fedwire Funds Service per transfer volume-based fees.[28] The Reserve Banks will not change the National Settlement Service fee schedule for 2027.

These fee increases are intended to account for ongoing technology investments to enhance customer experience and to address anticipated higher operating costs. Ongoing projects such as expanding operating hours for Fedwire Funds and NSS and enhanced resiliency capabilities, as well as continued enhancements following the ISO® 20022 message format release, have planned incremental costs staggered over the coming years. This modest fee increase will help account for those expected costs as well as provide price stability for customers by diminishing the need for a larger fee increase in the future. Table 14 provides additional detail on these fee increases.

TABLE 14—PER TRANSFER VOLUME-BASED TIER FEES

	Current fee	2027 Fee
Tier 1 Fee	$0.970	$0.980
Tier 2 Fee	0.300	0.305
Tier 3 Fee	0.195	0.200

The primary risk to Reserve Banks' current projections for these services is lower-than-projected volumes due to the market and economic environment given that historically, Fedwire Funds Service volume has reflected market conditions.[29] The Reserve Banks estimate that these cumulative price changes will result in a 3.0 percent average price increase for Fedwire Funds Service and National Settlement Service customers.

All other previously approved prices and discounts in the Fedwire Funds Service and National Settlement Service Fee Schedules that are currently in effect will be maintained in 2027. For full details, please refer to the Reserve Banks' Fedwire Funds Service and National Settlement Service Fee Schedules available at *https://www.frbservices.org/resources/fees.*

Fedwire Securities Service

Table 15 shows the 2025 actual, 2026 forecast, and 2027 budgeted cost recovery performance for the Fedwire Securities Service.[30]

[28] Tiers are based on monthly total volume (send and receive) at master account level: 0–14,000 messages (Tier 1); 14,001–90,000 (Tier 2), and all volume above 90,000 messages (Tier 3). This tiered pricing structure is complemented with a volume-based incentive mechanism providing discounts to customers for exceeding volume thresholds.

[29] Fedwire Funds Service volume growth generally reflects economic growth. For example, in 2008 and 2009 volume contracted 2.5 percent and 5.0 percent, respectively, during the Great Recession. For historical Fedwire Funds Service volume data, *see FRBservices.org, Fedwire Funds Service—Annual Statistics, https://www.frbservices.org/resources/financial-services/wires/volume-value-stats/annual-stats.html.*

[30] The Reserve Banks provide transfer services for securities issued by the U.S. Treasury, federal government agencies, government-sponsored enterprises, and certain international institutions. Before 2023, the priced component of this service consisted of revenues, expenses, and volumes associated with the transfer of all non-Treasury securities. Starting in 2023, the revenues, expenses, and volumes associated with the transfer of Treasury securities are also included in the priced component of this service.

TABLE 15—FEDWIRE SECURITIES SERVICE PRO FORMA COST AND REVENUE PERFORMANCE

[Dollars in millions]

Year	Revenue	Total expense	Net income (ROE)	Targeted ROE	Recovery rate after targeted ROE
	1	2	3 [1–2]	4	5 [1/(2 + 4)]
2025 (actual)	56.3	44.9	11.3	0.8	122.9
2026 (forecast)	52.0	46.8	5.3	1.1	108.6
2027 (budget)	51.2	44.2	7.0	0.8	113.8

1. *2026 Forecast*—The Reserve Banks forecast that the Fedwire Securities Service will recover 108.6 percent of total expenses and targeted ROE, compared with a 2026 budgeted recovery rate of 115.7 percent.

Through August 2026, Treasury security transfer volume was 3.4 percent higher than it was during the same period last year. For full-year 2026, the Reserve Banks estimate that Treasury security transfer volume will increase 4.4 percent from 2025 levels, compared with a budgeted increase of 14.3 percent. Through August 2026, Agency security transfer volume was 3.6 percent higher than it was during the same period last year. For full-year 2026, the Reserve Banks estimate that Agency security transfer volume will increase 2.4 percent from 2025 levels, compared with a budgeted increase of 3.5 percent.

Through August 2026, account maintenance volume decreased 2.7 percent compared with the same period last year. For full-year 2026, the Reserve Banks estimate that account maintenance volume will decrease 3.3 percent, consistent with recent trends and primarily driven by a reduction in joint custody accounts, compared with a budgeted decline of 1.2 percent. Through August 2026, the volume of Agency issues maintained was 1.5 percent higher than it was during the same period last year. For full-year 2026, the Reserve Banks estimate that the volume of Agency issues maintained will increase 1.6 percent from 2025 levels, compared with a budgeted change of 0.4 percent.

2. *2027 Pricing*—The Reserve Banks expect the Fedwire Securities Service to recover 113.8 percent of total expenses and targeted ROE in 2027. Revenue is projected to be $51.2 million, a decrease of $0.8 million, or 1.6 percent, from the 2026 revenue forecast. The Reserve Banks also project that 2027 expenses will be $44.2 million, a decrease of $2.5 million, or 5.4 percent from the 2026 forecast.

The Reserve Banks will decrease Fedwire Securities Service transfer fees and monthly maintenance fees by approximately 3.4 percent for 2027. These moderate reductions will help address persistent cost recovery overperformance. In addition, these fee schedules will position the Fedwire Securities Service to resolve existing service issues through technology investments while providing capacity to address uncertainties that may impact revenue and cost expectations.[31] Tables 16 and 17 provide additional details on these fee decreases.

TABLE 16—TRANSFER FEES

	Current fee	2027 fee
Basic Transfer Originated	$0.55	$0.53
Basic Transfer Received	0.55	0.53
Basic Reversal Originated	0.55	0.53
Basic Reversal Received	0.55	0.53

TABLE 17—MONTHLY MAINTENANCE FEES

	Current monthly fee	2027 Monthly fee
Account Maintenance (per account)	$51.50	$50.00
Issue Maintenance (per issue/per account)	0.55	0.53

The primary risks to the Reserve Banks' current projections for the Fedwire Securities Service include variations in product volume forecasts stemming from the macroeconomic outlook and incremental costs for technology investments. The Reserve Banks estimate these cumulative price changes will result in a 3.4 percent average price decrease for Fedwire Securities Service customers.

All other previously approved prices and discounts in the Fedwire Securities Service Fee Schedule that are currently in effect will be maintained in 2027. For full details, please refer to the Reserve Banks' Fedwire Securities Fee Schedule available at *https://www.frbservices.org/resources/fees.*

FedNow Service

1. 2026 Forecast—The Reserve Banks forecast that the FedNow Service will generate a total of $236.1 million in operating expenses in 2026.

The number of transactions processed by the FedNow Service in 2026 is modest and consistent with the Federal Reserve's expectations for a new service line. From January through August 2026, the transaction volume of the FedNow Service totaled 12,045,871 transactions. Broad adoption of the FedNow Service across an industry with thousands of financial institutions will be gradual, similar to that of other new payment services, such as FedACH in the 1970s and 1980s. As a result, the Board has adopted a long-term outlook in evaluating the development of the FedNow Service. The Board anticipates acceleration in volume over time as more financial institutions join the network and as the Reserve Banks release new service features on an ongoing basis.[32]

2. 2027 Pricing—In 2027, the Reserve Banks project total operating expenses to be $247.9 million, which will be an increase of $11.8 million, or 5.0 percent from the 2026 forecast.

Earlier in 2026, the Reserve Banks announced a new incentive program designed to further grow the FedNow Service network and strengthen overall network utility for all participants. The program will be effective January 1, 2027, and provides incentives based on send and receive enablement on the network.[33] The Reserve Banks also announced the discontinuation of the

[31] For example, slowing Treasury transfer volume growth despite record federal government debt levels present challenges to forecasts. On average, daily Treasury transfers grew by 15% annually between January 2024 and July 2025, with the rate slowing to around 4.4% since August 2025. Treasury transfers are projected to grow by approximately 5% and 3% in 2026 and 2027, respectively

[32] For quarterly FedNow Service transaction data, see Board of Governors of the Federal Reserve System, FedNow Service, *https://www.federalreserve.gov/paymentsystems/fednow_about.htm.*

[33] *https://www.frbservices.org/resources/fees/fednow-discount-program-2027.*

current per-item fee discount (which discounted the first 2,500 transactions per month to $0), in line with the introduction of the new discount program for 2027. All other previously approved prices and discounts in the FedNow Service Fee Schedule that are currently in effect will be maintained in 2027. This includes the participation fee discount. These continued discounts reflect the relative nascency of the FedNow Service and the desire for financial institutions to experiment with new use cases. The Reserve Banks will revisit all FedNow discounts and pricing structures after 2027.

For full details, please refer to the Reserve Banks' FedNow Service Fee Schedule available at *https://www.frbservices.org/resources/fees.*

III. Analysis of Competitive Effect

All operational and legal changes considered by the Board that may have a substantial effect on payment system participants are subject to the competitive impact analysis described in the Board's policy, *The Federal Reserve in the Payments System.*[34] Under this policy, the Board assesses whether changes would have a direct and material adverse effect on the ability of other service providers to compete effectively with the Federal Reserve in providing similar services due to differing legal powers or constraints or due to a dominant market position deriving from such legal differences. If any proposed changes create such an effect, the Board further evaluates the changes to assess whether the benefits associated with the changes—such as contributions to payment system efficiency, payment system integrity, or other Board objectives—can be achieved while minimizing the adverse effect on competition.

The Board has conducted this analysis and concluded that the 2027 fees, fee structures, and changes in service will not have a direct and material adverse effect on the ability of other service providers to compete effectively with the Reserve Banks in providing similar services. The Board concluded that the pricing strategy, including discounts, followed general market practice for fees and services and could similarly be implemented by private-sector providers unrelated to any differing legal powers. Additionally, the Reserve Banks expect to continue to achieve aggregate long-run cost recovery across all mature priced services. Therefore, the Reserve Banks' pricing does not have a material adverse effect on the ability of other service providers to compete effectively with the Reserve Banks in providing similar services.

By order of the Board of Governors of the Federal Reserve System.

Benjamin W. McDonough,

Secretary of the Board.

Appendix: Private-Sector Adjustment Factor Methodology and Computation

The imputed debt financing costs, targeted ROE, and effective tax rate are based on a U.S. publicly traded market model.[35] The method for calculating the financing costs in the PSAF requires determining the appropriate imputed levels of debt and equity and then applying the applicable financing rates. In this process, a pro forma balance sheet using estimated assets and liabilities associated with the Reserve Banks' priced services is developed, and the remaining elements that would exist are imputed as if these priced services were provided by a private business firm. The same generally accepted accounting principles that apply to commercial-entity financial statements apply to the relevant elements in the priced services pro forma financial statements.

The portion of Federal Reserve assets that will be used to provide priced services during the coming year is determined using information about actual assets and projected disposals and acquisitions. The priced portion of these assets is determined based on the allocation of depreciation and amortization expenses of each asset class. The priced portion of actual Federal Reserve liabilities consists of post-employment and post-retirement benefits, accounts payable, and other liabilities. The priced portion of the actual net pension asset or liability is also included on the balance sheet.[36]

The equity financing rate is the targeted ROE produced by the capital asset pricing model (CAPM). In the CAPM, the required rate of return on a firm's equity is equal to the return on a risk-free asset plus a market risk premium. The risk-free rate is based on the three-month Treasury bill; the beta is assumed to be equal to 1.0, which approximates the risk of the market as a whole; and the market risk premium is based on the monthly returns in excess of the risk-free rate over the most recent 40 years. The resulting ROE reflects the return a shareholder would expect when investing in a private business firm.

For simplicity, given that state income tax rates vary, and various credits and deductions can apply at the federal or state level, an actual income tax expense is not explicitly calculated for Reserve Bank priced services. Instead, the Board targets a pretax ROE that would provide sufficient income to fulfill the priced services' imputed income tax obligations. To the extent that performance results are greater or less than the targeted ROE, income taxes are adjusted using the effective tax rate.

Capital structure. The capital structure is imputed based on the imputed funding need (assets less liabilities), subject to minimum equity constraints. Short-term debt is imputed to fund the imputed short-term funding need. Long-term debt and equity are imputed to meet the priced services long-term funding need at a ratio based on the capital structure of the U.S. publicly traded market.[37] Any equity imputed that exceeds the amount needed to fund the priced services' assets and meet the minimum equity constraints is offset by a reduction in imputed long-term debt. When imputed equity is larger than what can be offset by imputed debt, the excess is imputed as investments in Treasury securities; income imputed on these investments reduces the PSAF.

Application of the Federal Reserve Policy on Payment System Risk (PSR policy) to the Fedwire Funds Service. The Board's PSR policy incorporates the international standards for financial market infrastructures (FMIs) developed by the Committee on Payments and Market Infrastructures (CPMI) and the Technical Committee of the International Organization of Securities Commissions (IOSCO) known as the *Principles for Financial Market Infrastructures.*[38] The Board recognizes the critical role the Fedwire Services, including the Fedwire Funds Service, play in the financial system and requires them to meet or exceed the risk management standards in the PSR policy, consistent with relevant guidance and the requirements in the MCA.[39]

[34] *See* Board of Governors of the Federal Reserve System, *Policies: The Federal Reserve in the Payments System, https://www.federalreserve.gov/paymentsystems/pfs_frpaysys.htm.*

[35] Data for U.S. publicly traded firms is from the Standard and Poor's Compustat® database. This database contains information on more than 6,000 U.S. publicly traded firms, which approximates information for the entirety of the U.S. market.

[36] The pension assets are netted with the pension liabilities and reported as a net asset or net liability as required by ASC 715.

[37] The FDIC rule requires that well-capitalized institutions meet or exceed the following standards: (1) total capital to risk-weighted assets ratio of at least 10 percent, (2) tier 1 capital to risk-weighted assets ratio of at least 8 percent, (3) common equity tier 1 capital to risk-weighted assets ratio of at least 6.5 percent, and (4) a leverage ratio (tier 1 capital to total assets) of at least 5 percent. Because all of the Federal Reserve priced services' equity on the pro forma balance sheet qualifies as tier 1 capital, only requirements 1 and 4 are binding. The FDIC rule can be located at 12 CFR 324.403(b).

[38] *See* Board of Governors of the Federal Reserve System, *Federal Reserve Policy on Payment System Risk, https://www.federalreserve.gov/paymentsystems/files/psr_policy.pdf. See also* CPMI–IOSCO, *Principles for Financial Market Infrastructures* (April 2012), *https://www.bis.org/cpmi/publ/d101a.pdf.*

[39] Certain standards may require flexibility in the way they are applied to central bank—operated systems because of central banks' unique role in the financial markets and their public responsibilities. These principles include principle 2 on governance, principle 3 on the framework for the comprehensive management of risks, principle 4 on credit risk, principle 5 on collateral, principle 7 on liquidity risk, principle 13 on participant-default rules and procedures, principle 15 on general business risk, and principle 18 on access and participation requirements. *See* section I.B.1.a of the PSR policy.

[40] This requirement does not apply to the Fedwire Securities Service. There are no private-sector

Continued

Principle 15 states that an FMI should identify, monitor, and manage general business risk and hold sufficient liquid net assets funded by equity to cover potential general business losses so that it can continue operations and services as a going concern if those losses materialize. Further, liquid net assets should at all times be sufficient to ensure a recovery or orderly wind-down of critical operations and services. The Fedwire Funds Service does not face the risk that a business shock would cause the service to wind down in a disorderly manner and disrupt the stability of the financial system. To foster competition with private-sector FMIs, however, the Reserve Banks' priced services will hold an amount equivalent to six months of the Fedwire Funds Service's current operating expenses as liquid financial assets and equity on the pro forma balance sheet.[40] Current operating expenses are defined as normal business operating expenses on the income statement, less depreciation, amortization, taxes, and interest on debt. Using the Fedwire Funds Service's preliminary 2027 budget, six months of current operating expenses is $61.0 million. In 2027, equity was sufficient to meet the FDIC capital and the PSR policy requirement.

Effective tax rate. Like the imputed capital structure, the effective tax rate is calculated based on data from U.S. publicly traded firms. The tax rate is the mean of the weighted average rates of the U.S. publicly traded market over the past five years.

Debt and equity financing. The imputed short- and long-term debt financing rates are derived from the nonfinancial commercial paper rates from the Federal Reserve Board's H.15 Selected Interest Rates release (AA and A2/P2) and the annual Merrill Lynch Corporate & High Yield Index rate, respectively. The equity financing rate is described above. The rates for debt and equity financing are applied to the priced services' estimated imputed short-term debt, long-term debt, and equity needed to finance short- and long-term assets and meet equity requirements.

The 2027 PSAF is $35.3 million, compared with $34.1 million in 2026. The increase of $1.2 million is attributable to a $1.6 million increase in Board of Governors' expenses and an increase of $0.3 million in sales taxes, offset by a net decrease in the cost of capital (−$0.8 million). The net $1.2 increase is driven by an increase in Board of Governors' expenses, due to a fluctuation in staffing assumptions, and an increase in cost of debt that is offset by a reduction in imputed equity.

The PSAF expense of $35.3 million, detailed in table 20, includes $21.8 million for capital funding, $8.8 million for Board of Governors' expenses, and $4.7 million in sales tax expense.

As shown in table 18, 2027 total assets of $996.1 million increased by $4.1 million from the 2026 PSAF. The increase in total assets reflects a $4.6 million increase in long-term assets slightly offset by a $0.4 million decrease in short-term assets.

The net increase in long term assets is primarily driven by a $9.3 million increase in software and leasehold improvements, a $3.7 million increase in BOG assets, and a $2.0 million increase in deferred tax assets, offset by a $11.1 million decrease in pension assets and a $0.5 million decrease in bank premises. The pension asset decrease is primarily driven by a decrease in employer contributions for 2026 and 2027.

The capital structure of the 2027 pro forma balance sheet, provided in table 19, is composed of equity of $82.4 million, or 13.3 percent of the 2027 risk-weighted assets detailed in table 21, and long-term debt of $118.3 million. The 2027 capital structure aligns with that of 2026, which was composed of $91.5 million of equity and $135.1 million of long-term debt. As shown in table 20, the 2027 imputed equity required to fund assets and meet the publicly traded firm model capital requirements is $82.4 million. As long-term assets are marginally greater than long-term liabilities, long-term debt of $118.3 million was imputed at the observed market ratio of 58.9 percent. The equity imputed was adequate to meet the FDIC capital requirements for a well-capitalized institution and satisfy PSR policy requirements.

The net accumulated other comprehensive loss is $582.0 million, compared with $553.0 million in 2026. The $29.0 million increase is primarily attributable to changes in unrecognized gains for post-retirement. The net accumulated other comprehensive loss position does not reduce the total imputed equity required to fund priced services assets or fulfill the FDIC equity requirements for a well-capitalized institution.

TABLE 18—COMPARISON OF PRO FORMA BALANCE SHEETS FOR BUDGETED FEDERAL RESERVE MATURE PRICED SERVICES [a]

[Millions of dollars—projected average for year]

	2027	2026	Change
Short-term assets:			
Receivables	$46.0	$46.3	($0.3)
Inventory	0.2	0.1	0.2
Prepaid expenses	49.6	39.9	9.7
Items in process of collection [41]	70.0	65.0	5.0
Total short-term assets	165.9	151.3	14.6
Imputed investments: [42]			
Imputed investment in Treasury securities	0.0	0.0	0.0
Imputed investment in Fed Funds	353.0	368.0	(15.0)
Total imputed investments	353.0	368.0	(15.0)
Long-term assets:			
Premises [43]	$111.4	$108.2	3.2
Furniture and equipment	58.8	57.6	1.2
Software and leasehold improvements	78.1	68.8	9.3
Net pension asset	95.6	106.8	(11.1)
Deferred tax asset	133.2	131.2	2.0
Total long-term assets	477.2	472.6	4.6
Total assets	996.1	991.9	4.1
Short-term liabilities:			

competitors to the Fedwire Securities Service that would be expected to meet such a requirement. Imposing such a requirement when pricing the securities services could artificially increase the cost of these services.

[41] Credit float, which is the difference between items in process of collection and deferred credit items, occurs when the Reserve Banks debit the paying bank for transactions before providing credit to the depositing bank. Float is directly estimated at the service level.

[42] Consistent with the PSR policy, the Reserve Banks' priced services will hold an amount equivalent to six months of the Fedwire Funds Service's current operating expenses as liquid net financial assets and equity on the pro forma balance sheet. Six months of the Fedwire Funds Service's projected current operating expenses is $61.0 million. In 2027, imputed equity was sufficient to meet PSR policy requirements.

TABLE 18—COMPARISON OF PRO FORMA BALANCE SHEETS FOR BUDGETED FEDERAL RESERVE MATURE PRICED SERVICES [a]—Continued

[Millions of dollars—projected average for year]

	2027	2026	Change
Deferred credit items	423.0	433.0	(10.0)
Short-term debt	61.2	9.0	52.2
Short-term payables	34.7	77.3	(42.6)
Total short-term liabilities	518.9	519.3	(0.4)
Long-term liabilities:			
Postemployment/postretirement benefits and net pension liabilities [44]	276.5	246.0	30.5
Long term debt	118.3	135.1	(16.8)
Total liabilities	913.7	900.4	13.3
Equity [45]	82.4	91.5	(9.1)
Total liabilities and equity	996.1	991.9	4.1

[a] Calculations in this table and subsequent PSAF tables may be affected by rounding. Excludes amounts related to the FedNow Service.

TABLE 19—IMPUTED FUNDING FOR MATURE PRICED SERVICES ASSETS [a]

[Millions of dollars]

	2027	2026
A. Short-term asset financing:.		
Short-term assets to be financed:		
Receivables	$46.0	$46.3
Inventory	0.2	0.1
Prepaid expenses	49.6	39.9
Total short-term assets to be financed	95.9	86.3
Short-term payables	34.7	77.3
Net short-term assets to be financed	61.2	9.0
Imputed short-term debt financing [46]	61.2	9.0
B. Long-term asset financing:		
Long-term assets to be financed:		
Premises	111.4	108.2
Furniture and equipment	58.8	57.6
Software and leasehold improvements	78.1	68.8
Net pension asset	95.6	106.8
Deferred tax asset	133.2	131.2
Total long-term assets to be financed	477.2	472.6
Postemployment/postretirement benefits and net pension liabilities	276.5	246.0
Net long-term assets to be financed	200.7	226.6
Imputed long-term debt [29]	118.3	135.1
Imputed equity [29]	82.4	91.5
Total long-term financing *	200.7	226.6

[a] Excludes amounts related to the FedNow Service.

TABLE 20—DERIVATION OF THE PSAF FOR MATURE PRICED SERVICES [a]

[Dollars in millions]

	2027		2026	
	Debt	Equity	Debt	Equity
A. Imputed long-term debt and equity:				
Net long-term assets to finance	$200.7	$200.7	$226.6	$226.6

[43] Includes the allocation of Board of Governors assets to priced services of $10.9 million for 2027 and $7.2 million for 2026.

[44] Includes the allocation of Board of Governors liabilities to priced services of $1.1 million for 2027 and $1.2 million for 2026.

[45] Includes an accumulated other comprehensive loss of $582.0 million for 2027 and $553.0 million for 2026, which reflects the ongoing amortization of the accumulated loss in accordance with ASC 715. Future gains or losses, and their effects on the pro forma balance sheet, cannot be projected. See table 20 for calculation of required imputed equity amount.

[46] Imputed short-term debt financing is computed as the difference between short-term assets and short-term liabilities. As presented in table 20, the financing costs of imputed short-term debt, imputed long-term debt and imputed equity are the elements of cost of capital, which contribute to the calculation of the PSAF.

TABLE 20—DERIVATION OF THE PSAF FOR MATURE PRICED SERVICES [a]—Continued

[Dollars in millions]

	2027		2026	
	Debt	Equity	Debt	Equity
Capital structure observed in market	58.9%	41.1%	59.6%	40.4%
Pre-adjusted long-term debt and equity	$118.3	$82.4	$135.1	$91.5
Equity adjustments: [47]				
Equity to meet capital requirements		$82.4		$91.5
Adjustment to debt and equity funding given capital requirements [48].				
Adjusted equity balance		82.4		91.5
Equity to meet capital requirements [49].				
Total imputed long-term debt and equity *	$118.3	$82.4	$135.1	$91.5
B. Cost of capital:				
Elements of capital costs:				
Short-term debt [50]	$ 61.2 × 3.9% = $2.4		$9.0 × 4.4% = $0.4	
Long-term debt [30]	$118.3 × 5.4% = $6.4		$135.1 × 4.9% = $6.6	
Equity [51]	$82.4 × 15.9% = $13.1		$91.5 × 17.1% = $15.6	
C. Incremental cost of PSR policy:				
Equity to meet policy *	$ − × 15.9% = −		$ − × 17.1% = −	
D. Other required PSAF costs:				
Sales taxes		$4.7		$4.3
Board of Governors expenses		8.8		7.2
		$13.4		11.5
E. Total PSAF:		$35.3		$34.1
As a percent of assets		3.5%		3.4%
As a percent of expenses		4.4%		3.8%
F. Tax rates		17.87%		19.54%

[a] Excludes amounts related to the FedNow Service.

TABLE 21—COMPUTATION OF 2027 CAPITAL ADEQUACY FOR FEDERAL RESERVE MATURE PRICED SERVICES [a]

[Dollars in millions]

	Assets	Risk weight	Weighted assets
Imputed investments:			
1-Year Treasury securities [52]	$	0.0	$
Federal funds [53]	353.0	0.2	70.6
Total imputed investments	353.0		70.6
Receivables	$46.0	0.2	$9.2
Inventory	0.2	1.0	0.2
Prepaid expenses	49.6	1.0	49.6
Items in process of collection	70.0	0.2	14.0
Premises	111.4	1.0	111.4
Furniture and equipment	58.8	1.0	58.8
Software and leasehold improvements	78.1	1.0	78.1
Pension asset	95.6	1.0	95.6
Deferred tax asset	133.2	1.0	133.2

[47] If minimum equity constraints are not met after imputing equity based on the capital structure observed in the market, additional equity is imputed to meet these constraints. The long-term funding need was met by imputing long-term debt and equity based on the capital structure observed in the market (see tables 19 and 21). In 2027, the amount of imputed equity met the minimum equity requirements for risk-weighted assets.

[48] Equity adjustment offsets are due to a shift of long-term debt funding to equity in order to meet FDIC capital requirements for well-capitalized institutions.

[49] Additional equity in excess of that needed to fund priced services assets is offset by an asset balance of imputed investments in Treasury securities.

[50] Imputed short-term debt and long-term debt are computed in table 19.

[51] The 2027 ROE is equal to a risk-free rate plus a risk premium (beta * market risk premium). The 2027 after-tax CAPM ROE is calculated as 3.87% + (1.0 * 9.15%) = 13.02%. Using a tax rate of 17.9%, the after-tax ROE is converted into a pretax ROE, which results in a pretax ROE of (13.02%/(1 − 17.9%)) = 15.85%. Calculations may be affected by rounding.

TABLE 21—COMPUTATION OF 2027 CAPITAL ADEQUACY FOR FEDERAL RESERVE MATURE PRICED SERVICES [a]—Continued

[Dollars in millions]

	Assets	Risk weight	Weighted assets
Total	$996.1		$620.9
Imputed equity:			
Capital to risk-weighted assets	13.3%		
Capital to total assets	8.3%		

[a] Excludes amounts related to the FedNow Service.

[FR Doc. 2026–23289 Filed 11–13–26; 8:45 am]

BILLING CODE 6210–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[Docket No. CDC–2026–1686]

Target Product Profile for a Human West Nile Virus Vaccine: Request for Information

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC) in the Department of Health and Human Services (HHS) announces the opening of a docket to obtain comment on the proposed *Target Product Profile for a Human West Nile Virus Vaccine.* This Request for Information (RFI) invites comments and suggestions on the proposed target product profile. The objective of the target product profile is to describe key minimal and optimal attributes for a West Nile virus vaccine for humans. This input is a valuable component in developing a useful target product profile.

DATES: Written comments must be received on or before January 15, 2027.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2026–1686 by either of the methods listed below. Do not submit comments by email. CDC does not accept comments by email.

Federal eRulemaking Portal: http://www.regulations.gov. Follow the instructions for submitting comments.

Mail: Dr. Randall Nett, Branch Chief, Arboviral Diseases Branch, Division of Vector-Borne Diseases, Centers for Disease Control and Prevention, 3156 Rampart Rd., MS–PO2, Fort Collins, CO 80521.

Instructions: All submissions received must include the agency name and Docket Number. All relevant comments received will be posted without change to *https://regulations.gov,* including any personal information provided. For access to the docket to read background documents or comments received, go to *https://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Dr. Randall Nett, Branch Chief, Arboviral Diseases Branch, Division of Vector-Borne Diseases, Centers for Disease Control and Prevention, 3156 Rampart Rd., MS–PO2, Fort Collins, CO 80521; Telephone: 970.221.6400; Email: *vectorpolicy@cdc.gov.*

SUPPLEMENTARY INFORMATION:

Public Participation

Interested persons or organizations are invited to participate by submitting written views, recommendations, and data. In addition, CDC invites comments specifically on the question for consideration in section II of this document.

Please note that comments received, including attachments and other supporting materials, are part of the public record and are subject to public disclosure. Comments will be posted on *https://www.regulations.gov.* Therefore, do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure. If you include your name, contact information, or other information that identifies you in the body of your comments, that information will be on public display. CDC will review all submissions and may choose to redact, or withhold, submissions containing private or proprietary information such as Social Security numbers, medical information, inappropriate language, or duplicate/near duplicate examples of a mass-mail campaign. Do not submit comments by email. CDC does not accept comments by email.

I. Background

CDC has developed a proposed *Target Product Profile for a Human West Nile Virus Vaccine.* Statutory authority for this effort is located in Public Health Service Act Sections 301(a) [42 U.S.C. 241(a)] and 317U [42 U.S.C. 247b–23].

Target product profiles are tools used to establish priorities and expectations for a pharmaceutical product development process. A target product profile summarizes the characteristics of a product intended to meet an unmet clinical need, including the minimally acceptable and preferred performance characteristics. All comments will be considered in the final target product profile. We anticipate publishing the target product profile in a peer-reviewed scientific journal in the next six months. Following publication, the target product profile will be available on the journal's website.

The proposed target product profile is included as supplemental information in docket CDC–2026–1686 on *www.regulations.gov.*

II. Information Requested/Questions

CDC invites input from stakeholders throughout the scientific research, advocacy, and clinical practice communities, as well as the general public, on the proposed target product profile for a human West Nile virus vaccine. Additionally, we request input on the following questions:

(1) Would a vaccine be important for preventing human West Nile virus disease? (2) Does a commercial market likely exist for a human vaccine for

[52] If minimum equity constraints are not met after imputing equity based on all other financial statement components, additional equity is imputed to meet these constraints. Additional equity imputed to meet minimum equity requirements is invested solely in Treasury securities. The imputed investments are similar to those for which rates are available on the Federal Reserve's H.15 statistical release, available at *https://www.federalreserve.gov/releases/h15/.*

[53] The investments are imputed based on the amounts arising from the collection of items before providing credit according to established availability schedules.

prevention of West Nile virus disease? (3) Are there proposed changes or considerations that you recommend the government consider when finalizing the draft target product profile? This input is a valuable component in developing a useful target product profile.

III. How To Submit Your Response

Please respond concisely, in plain language, and in narrative format at *www.regulations.gov* or via mail. You may respond to some or all of the topic areas covered in the RFI, and you may suggest other factors or relevant questions. You may also include links to online material or interactive presentations. Clearly mark any proprietary information and place it in its own section or file.

Noah Aleshire,

Chief Regulatory Officer, Centers for Disease Control and Prevention.

[FR Doc. 2026–23206 Filed 11–13–26; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[Docket No. CDC–2026–1685]

Target Product Profile for Monoclonal Antibodies for West Nile Virus Disease Prevention: Request for Information

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC) in the Department of Health and Human Services (HHS) announces the opening of a docket to obtain comment on the proposed *Target Product Profile for Monoclonal Antibodies for West Nile Virus Disease Prevention.* This Request for Information (RFI) invites comments and suggestions on the proposed target product profile. The objective of the target product profile is to describe key minimal and optimal attributes for a West Nile virus monoclonal antibody product that can be provided to patients at higher risk for severe West Nile virus disease as pre- or post-exposure prophylaxis. This input is a valuable component in developing a useful target product profile.

DATES: Written comments must be received on or before January 15, 2027.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2026–1685, by either of the methods listed below. Do not submit comments by email. CDC does not accept comments by email.

Federal eRulemaking Portal: *www.regulations.gov.* Follow the instructions for submitting comments.

Mail: Dr. Randall Nett, Branch Chief, Arboviral Diseases Branch, Division of Vector-Borne Diseases, Centers for Disease Control and Prevention, 3156 Rampart Rd., MS–PO2, Fort Collins, CO 80521.

Instructions: All submissions received must include the agency name and Docket Number. All relevant comments received will be posted without change to *www.regulations.gov,* including any personal information provided. For access to the docket to read background documents or comments received, go to *www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Dr. Randall Nett, Branch Chief, Arboviral Diseases Branch, Division of Vector-Borne Diseases, Centers for Disease Control and Prevention, 3156 Rampart Rd., MS–PO2, Fort Collins, CO 80521; Telephone: 970.221.6400; Email: *vectorpolicy@cdc.gov.*

SUPPLEMENTARY INFORMATION:

Public Participation

Interested persons or organizations are invited to participate by submitting written views, recommendations, and data. In addition, CDC invites comments specifically on the questions for consideration in section II of this document.

Please note that comments received, including attachments and other supporting materials, are part of the public record and are subject to public disclosure. Comments will be posted on *https://www.regulations.gov.* Therefore, do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure. If you include your name, contact information, or other information that identifies you in the body of your comments, that information will be on public display. CDC will review all submissions and may choose to redact, or withhold, submissions containing private or proprietary information such as Social Security numbers, medical information, inappropriate language, or duplicate/near-duplicate examples of a mass-mail campaign. Do not submit comments by email. CDC does not accept comments by email.

I. Background

CDC has developed a proposed *Target Product Profile for Monoclonal Antibodies for West Nile Virus Disease Prevention.* Statutory authority for this effort is located in Public Health Service Act Sections 301(a) [42 U.S.C. 241(a)] and 317U [42 U.S.C. 247b–23].

Target product profiles are tools used to establish priorities and expectations for a pharmaceutical product development process. A target product profile summarizes the characteristics of a product intended to meet an unmet clinical need, including the minimally acceptable and preferred performance characteristics. All comments will be considered in the final target product profile. We anticipate publishing the target product profile in a peer-reviewed scientific journal in the next six months. Following publication, the target product profile will be available on the journal's website.

The proposed target product profile is included as supplemental information in docket CDC–2026–1685 on *https://www.regulations.gov.*

II. Information Requested/Questions

CDC invites input from stakeholders throughout the scientific research, advocacy, and clinical practice communities, as well as the general public, on the proposed target product profile for monoclonal antibodies for West Nile virus disease prevention. Additionally, we request input on the following questions:

(1) Would monoclonal antibodies used as pre- or post-exposure prophylaxis be important for preventing West Nile virus disease? (2) Does a commercial market likely exist for monoclonal antibodies for prevention of West Nile virus disease? (3) Are there proposed changes or considerations that you recommend the government consider when finalizing the draft target product profile?

This input is a valuable component in developing a useful target product profile.

III. How To Submit Your Response

Please respond concisely, in plain language, and in narrative format in *www.regulations.gov* or via mail. You may respond to some or all of the topic areas covered in the RFI, and you may suggest other factors or relevant questions. You may also include links to online material or interactive presentations. Clearly mark any proprietary information and place it in its own section or file.

Noah Aleshire,

Chief Regulatory Officer, Centers for Disease Control and Prevention.

[FR Doc. 2026–23205 Filed 11–13–26; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[Docket No. CDC–2026–1684]

Target Product Profile for a Rapid Diagnostic Test for West Nile Virus Disease: Request for Information

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC) in the Department of Health and Human Services (HHS) announces the opening of a docket to obtain comment on the proposed *Target Product Profile for a Rapid Diagnostic Test for West Nile Virus Disease for Use in Hospitals and Clinical Laboratories.* This Request for Information (RFI) invites comments and suggestions on the proposed target product profile. HHS/CDC is publishing this target product profile to improve the likelihood of developing a commercially available diagnostic assay that can be used to rapidly diagnose West Nile virus infection. Public input is a valuable component in developing a useful target product profile.

DATES: Written comments must be received on or before January 15, 2027.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2026–1684, by either of the methods listed below. Do not submit comments by email. CDC does not accept comments by email.

Federal eRulemaking Portal: www.regulations.gov. Follow the instructions for submitting comments.

Mail: Dr. Randall Nett, Branch Chief, Arboviral Diseases Branch, Division of Vector-Borne Diseases, Centers for Disease Control and Prevention, 3156 Rampart Rd., MS–PO2, Fort Collins, CO 80521.

Instructions: All submissions received must include the agency name and Docket Number. All relevant comments received will be posted without change to *www.regulations.gov,* including any personal information provided. For access to the docket to read background documents or comments received, go to *www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Dr. Randall Nett, Branch Chief, Arboviral Diseases Branch, Division of Vector-Borne Diseases, Centers for Disease Control and Prevention, 3156 Rampart Rd., MS–PO2, Fort Collins, CO 80521; Telephone: 970.221.6400; Email: *vectorpolicy@cdc.gov.*

SUPPLEMENTARY INFORMATION:

Public Participation

Interested persons or organizations are invited to participate by submitting written views, recommendations, and data. In addition, CDC invites comments specifically on the questions for consideration in section II of this document.

Please note that comments received, including attachments and other supporting materials, are part of the public record and are subject to public disclosure. Comments will be posted on *https://www.regulations.gov.* Therefore, do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure. If you include your name, contact information, or other information that identifies you in the body of your comments, that information will be on public display. CDC will review all submissions and may choose to redact, or withhold, submissions containing private or proprietary information such as Social Security numbers, medical information, inappropriate language, or duplicate/near-duplicate examples of a mass-mail campaign. Do not submit comments by email. CDC does not accept comments by email.

I. Background

CDC has developed a proposed *Target Product Profile for a Rapid Diagnostic Test for West Nile Virus Disease for Use in Hospitals and Clinical Laboratories.*

Statutory authority for this effort is located in Public Health Service Act Sections 301(a) [42 U.S.C. 241(a)] and 317U [42 U.S.C. 247b–23]. Target product profiles are tools used to establish priorities and expectations for a product development process. A target product profile summarizes the characteristics of a product intended to meet an unmet clinical need, including the minimally acceptable and preferred performance characteristics. All comments will be considered in the final target product profile. We anticipate publishing the target product profile in a peer-reviewed scientific journal in the next six months. Following publication, the target product profile will be available on the journal's website.

The proposed target product profile is included as supplemental information in docket CDC–2026–1684 on *www.regulations.gov.*

II. Information Requested/Questions

CDC invites input from stakeholders throughout the scientific research, advocacy, and clinical practice communities, as well as the general public, on the proposed target product profile for a rapid West Nile virus diagnostic test. Additionally, we request input on the following questions:

(1) Would a rapid West Nile virus diagnostic assay be useful for improving clinical care? (2) Would a rapid West Nile virus diagnostic assay help in evaluating potential prophylactic or therapeutic treatments? (3) Does a commercial market for a rapid West Nile virus diagnostic assay likely exist? (4) Are there proposed changes or considerations that you recommend the government consider when finalizing the draft target product profile?

This input is a valuable component in developing a useful target product profile.

III. How To Submit Your Response

Please respond concisely, in plain language, and in narrative format in *www.regulations.gov* or via mail. You may respond to some or all of the topic areas covered in the RFI, and you may suggest other factors or relevant questions. You may also include links to online material or interactive presentations. Clearly mark any proprietary information and place it in its own section or file.

Noah Aleshire,

Chief Regulatory Officer, Centers for Disease Control and Prevention.

[FR Doc. 2026–23204 Filed 11–13–26; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[CMS–6102–N2]

Medicare, Medicaid, and Children's Health Insurance Programs: Announcement of the Extension and Modification of the Nationwide Temporary Moratorium on Enrollment of Hospices

AGENCY: Centers for Medicare & Medicaid Services (CMS), Department of Health and Human Services (HHS).

ACTION: Notice of extension and modification of a temporary moratorium.

SUMMARY: This notice announces the extension and modification of the nationwide temporary moratorium on the enrollment of new Medicare hospices.

DATES: The extension and modification of the moratorium is effective November 12, 2026.

FOR FURTHER INFORMATION CONTACT: Frank Whelan, (410) 786–1302.

I. Background

A. CMS' Authority To Impose Temporary Enrollment Moratoria

1. Statutory and Regulatory Background

Under the Patient Protection and Affordable Care Act (Pub. L. 111–148), as amended by the Health Care and Education Reconciliation Act of 2010 (Pub. L. 111–152) (collectively known as the Affordable Care Act), Congress provided the Secretary of the Department of Health and Human Services (the Secretary) with new tools and resources to combat fraud, waste, and abuse in Medicare, Medicaid, and the Children's Health Insurance Program (CHIP). One of these was section 6401(a) of the Affordable Care Act, which added a new section 1866(j)(7) to the Social Security Act (the Act). It provided the Secretary with authority to impose a temporary moratorium on the enrollment of new-fee-for-service (FFS) Medicare, Medicaid or CHIP providers and suppliers—including categories of providers and suppliers—if the Secretary determines that a moratorium is necessary to prevent or combat fraud, waste, or abuse under these programs.

Section 6401(b) of the Affordable Care Act added specific moratorium language applicable to Medicaid at section 1902(kk)(4) of the Act, requiring States to comply with any moratorium imposed by the Secretary unless the State determines that the imposition of such moratorium would adversely impact Medicaid beneficiaries' access to care. Section 6401(c) of the Affordable Care Act amended section 2107(e)(1) of the Act to provide that all the Medicaid provisions in sections 1902(a)(77) and 1902(kk) are also applicable to CHIP.

In February 2011, in accordance with the aforementioned authority, CMS published a final rule with comment period titled, ''Medicare, Medicaid, and Children's Health Insurance Programs; Additional Screening Requirements, Application Fees, Temporary Enrollment Moratoria, Payment Suspensions and Compliance Plans for Providers and Suppliers'' (76 FR 5862). This final rule implemented section 1866(j)(7) of the Act by establishing new regulations at 42 CFR 424.570. Under § 424.570(a)(2)(i) and (iv), CMS—or CMS in consultation with the Department of Health and Human Services Office of Inspector General (HHS–OIG) or the Department of Justice (DOJ) or both—may impose a temporary moratorium on newly enrolling Medicare providers and suppliers if CMS determines that there is a significant potential for fraud, waste, or abuse with respect to a particular provider or supplier type or particular geographic areas or both.

2. Particulars of a Moratorium as Outlined in § 424.570

a. Length

In accordance with § 424.570(b), a temporary enrollment moratorium imposed by CMS remains in effect for 6 months. If CMS deems it necessary, the moratorium may be extended in 6-month increments. CMS evaluates whether to extend or lift the moratorium before the end of the initial 6-month period and, if applicable, before the expiration of any subsequent moratorium periods. If the moratorium announced in this notice is extended, CMS will publish a document regarding such extension(s) in the **Federal Register**.

b. Cessation

As provided in § 424.570(d), CMS may lift a moratorium at any time if: (1) the President declares an area a disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act; (2) circumstances warranting the imposition of a moratorium have abated or CMS has implemented program safeguards to address the program vulnerability; (3) the Secretary has declared a public health emergency; or (4) in the judgment of the Secretary, the moratorium is no longer needed. Once a moratorium is lifted, the provider or supplier types that were unable to enroll because of the moratorium will be assigned to the ''high'' screening level in accordance with §§ 424.518(c)(3)(iii) and 455.450(e)(2) if such provider or supplier applies for enrollment at any time within 6 months from the date the moratorium was lifted.

c. Circumstances Where Moratorium Is Inapplicable

Under current § 424.570(a)(1)(iii), a temporary moratorium does not apply to any of the following:

- Changes in practice location (except if the location is changing from a location outside the moratorium area to a location inside the moratorium area).
- Changes in provider or supplier information, such as phone number or address.
- Changes in ownership (except changes in majority ownership (CIMOs) of home health agencies (HHAs), hospices, and suppliers of durable medical equipment, prosthetics, orthotics, and supplies (DMEPOS) that would require an initial enrollment).

Also, in accordance with § 424.570(a)(1)(iv), a temporary moratorium does not apply to any enrollment application that has been received by the Medicare contractor prior to the date the moratorium is imposed.

B. CMS' Previous Temporary Enrollment Moratoria

We first used our moratorium authority to prevent enrollment of new HHAs, subunits, and branch locations in Miami-Dade County, Florida and Cook County, Illinois, as well as surrounding counties, and Part B ambulance suppliers in Harris County, Texas and surrounding counties, in a notice issued on July 31, 2013 (78 FR 46339). We extended and expanded these moratoria several times, with the last in this series of moratoria expiring in 2019.

In the February 27, 2026, **Federal Register** (91 FR 9855), we published a notice announcing a 6-month nationwide enrollment moratorium on DMEPOS medical supply companies.[1] Said moratorium expired on August 27, 2026. It was not extended.

C. May 2026 Hospice Moratorium

In weighing the need to establish an enrollment moratorium, CMS considers whether a significant risk of fraud, waste, or abuse exists. CMS also relies on its own and law enforcement's longstanding experience with ongoing and emerging fraud trends and activities gained through civil, criminal, and administrative investigations and prosecutions. Having analyzed this risk with respect to hospices, we published in the **Federal Register** on May 15, 2026, a notice announcing a 6-month nationwide temporary moratorium on the Medicare enrollment of new hospices and hospice practice locations (91 FR 27946).[2] The moratorium took effect on May 13, 2026.

We explained in detail the rationale for our temporary moratorium. We noted in part the HHS–OIG's concerns about fraud, waste, and abuse in this sector; the HHS–OIG had stated in early 2026: ''[T]here are significant problems with the [hospice] program. Our reports and investigations have revealed several

[1] ''Medicare, Medicaid, and Children's Health Insurance Programs: Announcement of Nationwide Temporary Moratoria on Enrollment of Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS) Supplier Medical Supply Companies'', 91 FR 9855.

[2] ''Medicare, Medicaid, and Children's Health Insurance Programs: Announcement of Nationwide Temporary Moratorium on Enrollment of Hospices'', published in the **Federal Register** on May 15, 2026.

concerning issues, including poor—sometimes harmful—quality of care, fraud schemes that involve enrolling beneficiaries without their consent, inappropriate billing practices, limited transparency for patients and their families, a payment system that creates incentives to minimize services, and a rapid growth in the number of new hospices, often to take advantage of these conditions.'' [3] Along with citing a number of criminal convictions involving hospices, we furnished examples of improper hospice-related activities we had seen. These included—

- Instances of hospices certifying patients for hospice care when they were not terminally ill and providing little to no services to beneficiaries.[4] This included telling patients that they were terminally ill when they were not; in such circumstances, beneficiaries who are inappropriately deemed terminally ill may be denied coverage for other care because they are receiving the hospice benefit.
- The rapid growth in potentially fraudulent hospices, particularly in Arizona, California, Nevada, and Texas. Nevada, for instance, saw a 151 percent increase in the number of enrolled hospices between CY 2019 and CY 2023. In Los Angeles County, numerous hospices were simultaneously operating out of a single building or otherwise were massed in large numbers within a very small geographic area or neighborhood. Too, some of the addresses for these hospices appeared to be non-operational.[5]
- ''Churn and burn'' schemes whereby a new hospice opens and starts billing but once that hospice is audited or reaches its statutory yearly payment limit, it shuts down, keeps the money, and buys a new Medicare billing number; it then transfers its patients over to the new Medicare billing number, and starts billing again.[6]
- Hospices paying: (1) recruiters to target beneficiaries who are not eligible for hospice care, sometimes without the beneficiary's knowledge; and (2) kickbacks to physicians for the latter to falsely certify a patient's terminal status (or falsely certifying even without receiving renumeration).[7]
- Parties establishing hospices for the exclusive purpose of selling them for a profit and/or after committing fraud but before they can be revoked from Medicare. Furnishing quality patient care was not a priority—or even a consideration—for these parties.[8]

We also noted our continued hospice program integrity efforts, such as our 2023 inclusion of hospices in § 424.518's highest screening category, our 2023 expansion of § 424.550(b) to include hospice CIMOs, and our establishment of a provisional period of enhanced oversight (PPEO) in 2023 for hospices in Arizona, California, Nevada, and Texas.[9]

Besides outlining the significant program integrity risks that hospices pose, we also stressed in the May 15, 2026, **Federal Register** notice that CMS must be aggressive in halting fraud before it begins; proactivity is a far better anti-fraud approach than a reactive, ''pay-and-chase'' one, whereby we do not take action until after the enrolled provider engages in fraud, waste, and abuse.[10] This was a critical consideration in our hospice moratorium.

D. Extension of Moratorium

1. Reasons

As already noted, § 424.570(b) permits CMS to extend a temporary moratorium in 6-month increments. Under this authority, CMS is extending the hospice moratorium for another 6-month period as described in this section I.D.1. of this notice. This notice fulfills § 424.570(b)'s requirement that CMS will publish a document in the **Federal Register** when it extends a moratorium.

There are several reasons for our extension. First, we remain deeply concerned about hospice fraud, waste, and abuse. The hospice program integrity problems previously cited have not dissipated, the payment safeguard risks associated with hospices are still high, and criminal activity in the hospice sphere continues to occur. Several criminal cases this year highlight the ongoing problem:

- In August 2026, a California woman pleaded guilty to submitting more than $2.2 million in fraudulent claims to Medicare for hospice services for beneficiaries. As a hospice owner—and according to her plea agreement—she knowingly and willfully submitted (and caused the submission) to Medicare for payment of hospice services for beneficiaries who did not have a terminal illness with a life expectancy of six months or less if the illness ran its normal course. In submitting the false claims to Medicare, she either knew the beneficiaries did not qualify for hospice or knew that they did not have sufficient medical records supporting a diagnosis and prognosis that qualified them for hospice benefits. She did not routinely coordinate with the beneficiaries' primary care physicians about their purported conditions or terminal prognoses.[11]
- A California woman in March 2026 was sentenced to 35 months in federal prison for defrauding Medicare out of more than $14 million by submitting fraudulent claims for hospice care and diagnostic testing services that were either unnecessary or not provided at all. The defendant and others—often using aliases—used multiple fictitious hospice providers enrolled with Medicare and submitted fraudulent claims on behalf of companies she owned. They used the information of Medicare beneficiaries and checked beneficiaries' Medicare eligibility to knowingly and willfully submit fraudulent claims to Medicare on behalf of beneficiaries who: (1) did not need the services; (2) had never received the services; and (3) were not familiar with the fraudulent hospice and diagnostic testing providers—all with the intent to defraud Medicare into reimbursing the sham providers for those claimed services.[12]

In fact, hospice fraud, waste, and abuse remains such a serious problem that the Federal Bureau of Investigation on June 3, 2026, issued a Public Service Announcement titled ''Emerging Hospice Fraud Targeting Medicare Recipients'' (Alert Number: I–060326–

[3] *https://oig.hhs.gov/reports/featured/hospice/.*

[4] *https://www.cms.gov/blog/cms-taking-action-address-benefit-integrity-issues-related-hospice-care.*

[5] Ibid.

[6] Ibid.

[7] Ibid.

[8] Ibid.

[9] 91 FR 27946. Section 1866(j)(3) of the Act permits the Secretary to establish a provisional period of enhanced oversight (PPEO) of between 30 days and 1 year during which new providers or suppliers (including categories thereof) would be subject to enhanced oversight, such as prepayment review and payment caps. Consistent therewith, and in light of the payment safeguard threats that hospices posed, we implemented a PPEO in 2023 on new hospices enrolling in Arizona, California, Nevada, and Texas. Under this initiative, as of June 2025 approximately 670 hospices were subject to medical review with 122 of them revoked from Medicare. This 18 percent revocation rate is far more than the average revocation rate of about 1 to 3 percent. (That is—and though it varies depending on, for example, the provider/supplier type in question and the geographic region involved—1 to 3 percent of providers/suppliers are revoked at least once during their enrollment). The much higher percentage of hospices revoked during this initiative compared to general provider/supplier revocation rates helps demonstrate the extent of the hospice program integrity problem.

[10] ''Medicare, Medicaid, and Children's Health Insurance Programs: Announcement of Nationwide Temporary Moratorium on Enrollment of Hospices'', published in the **Federal Register** on May 15, 2026.

[11] *https://www.justice.gov/usao-cdca/pr/anaheim-woman-pleads-guilty-submitting-more-22-million-fraudulent-hospice-care-claims.*

[12] *https://www.justice.gov/usao-cdca/pr/larchmont-woman-sentenced-nearly-3-years-federal-prison-her-role-hospice-and.*

PSA).[13] The notice was issued to ''warn the public of an emerging hospice fraud scheme that targets vulnerable Medicare recipients who are not in need of hospice services.'' [14] The FBI explained: ''Scammers are enrolling Medicare patients in hospice care for services they do not need or for services that are not provided. Enrollment can also occur without the patient's knowledge, allowing the scammers to bill Medicare for a patient that is not present in the hospice facility. Some scammers use door-to-door solicitation tactics and offer free home services such as house cleaning and meal delivery, which are conditional on using a specific hospice.'' [15] Among the recent schemes the FBI noted were:

- Enrolling Medicare recipients in hospice care despite patients having no terminal illness or chronic condition.
- Enrolling patients in hospice care without their knowledge.
- Hospice providers billing Medicare without the beneficiary's knowledge for services that were not provided.
- Recruiters paying bonuses for enrolling a specific number of patients in hospice.
- Falsifying diagnosis paperwork for hospice care.
- Pressuring patients to sign up for hospice care when they do not need it.[16]

The circumstances warranting the imposition of the hospice moratorium, in short, have not yet abated. CMS has accordingly determined that the moratorium on new hospice enrollments is still needed as we: (1) monitor the indicators; and (2) continue with administrative actions to combat fraud and abuse, such as payment suspensions and revocations of providers.[17]

We note that we consulted with the HHS–OIG regarding the extension of the moratorium; they agreed there remains a significant potential for fraud, waste, or abuse in the Medicare program with respect to hospices. Based in part on said consultation, we believe the moratorium extension is justified.

We are, though, scaling back the moratorium's scope during the 6-month extension period. The moratorium extension will only apply to initially enrolling hospices (including those initially enrolling pursuant to a non-exempt CIMO under § 424.550(b)). The extension will not apply to additions of hospice practice locations, and the moratorium on the enrollment of new practice locations by currently enrolled hospices will end as of the effective date of this notice. This is primarily due to our greater concern at this current time about new hospices—with whom we may have no experience—than with hospices that are already enrolled but are merely seeking to add a new location to its current enrollment (though the latter are still of concern to us).

2. Medicaid and CHIP

We stated in our May 15, 2026, **Federal Register** notice that, in our view, it is in Medicaid and CHIP beneficiaries' best interests to allow each State to decide whether some form of hospice moratorium is appropriate for their respective Medicaid programs and CHIPs, and the scope of any such moratorium. Each State has greater expertise and experience with their pool of hospices—including the requirements for each type of hospice—than CMS. Yet we encouraged each State to, as appropriate, implement a hospice moratorium tailored to the specifics of their beneficiary population as well as any geographic considerations (in accordance with 42 CFR 455.470(b)). Too, we offered each State and territory the opportunity to consult with CMS on the prospect of implementing a Medicaid- or CHIP-based moratorium in their jurisdictions.

Five States—Louisiana, Nevada, Ohio, Pennsylvania, and Rhode Island—have indeed implemented hospice moratoria in response to our May 15, 2026, notice. Our extension notice is not intended to impact these existing moratoria. As we stated in the May 15, 2026, notice, the decision still rests with the State or territory.

3. Access to Care

We have seen no evidence that the May 15, 2026, hospice moratorium has materially reduced Medicare beneficiary access to hospice services on a nationwide or even a State level. In addition, States and territories have not indicated to CMS that the hospice moratorium has led to access to care problems for Medicaid or CHIP beneficiaries in their jurisdictions. Nonetheless, we will continue to monitor this important issue to ensure that such problems do not arise with our moratorium extension, particularly in rural areas.

III. No Judicial Review of CMS's Decision To Impose an Enrollment Moratorium

In accordance with section 1866(j)(7)(B) of the Act, there is no judicial review under sections 1869 and 1878 of the Act, or otherwise, of the decision to impose a temporary enrollment moratorium. Under §§ 424.530(a)(10) and 424.570(c), CMS denies the enrollment application of a provider or supplier if the provider or supplier is subject to a moratorium. In addition, § 424.514(d)(2)(v)(C) states that if the provider or supplier was required to pay an application fee, the application fee will be refunded if the application was denied because of the imposition of a temporary moratorium.

A provider or supplier that is impacted by a moratorium may use the existing appeal procedures at 42 CFR part 498 to administratively appeal a denial of billing privileges based on the imposition of a temporary moratorium. The scope of any such appeal, though, would be limited solely to assessing whether the temporary moratorium applies to the provider or supplier appealing the denial (see 42 CFR 498.5(l)(4)).

IV. Collection of Information Requirements

This document does not impose information collection requirements, that is, reporting, recordkeeping or third-party disclosure requirements. Consequently, there is no need for review by the Office of Management and Budget under the authority of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

V. Regulatory Impact Statement

A. Statement of Need

This extension notice is necessary to help reduce the prevalence of Medicare fraud, waste, and abuse among hospices.

B. Overall Impact

We have examined the impacts of this notice as required by Executive Order 12866, ''Regulatory Planning and Review''; Executive Order 13132, ''Federalism''; Executive Order 13563, ''Improving Regulation and Regulatory Review''; Executive Order 14192, ''Unleashing Prosperity Through Deregulation''; the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 through 612); section 1102(b) of the Social Security Act; and section 202 of the Unfunded Mandates Reform Act of 1995.

Executive Orders 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory

[13] *https://www.ic3.gov/PSA/2026/PSA260603.*

[14] Ibid.

[15] Ibid.

[16] Ibid.

[17] For more information regarding the monitored indicators, see the February 4, 2014, and July 28, 2017, moratoria document (79 FR 6475) and 82 FR 35127, respectively).

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

An RIA must be prepared for a regulatory action that is significant under section 3(f)(1) of Executive Order 12866. Based on our analysis, the Office of Information and Regulatory Affairs (OIRA) has determined that this notice is not significant pursuant to section 3(f)(1) of Executive Order 12866. Accordingly, we have not prepared a regulatory impact analysis. In accordance with Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996 (also known as the Congressional Review Act), OIRA has also determined that this notice does not meet the criteria for a major rule as defined in 5 U.S.C. 804(2).

In addition, section 1102(b) of the Act requires us to prepare an RIA if a rule may have a significant impact on the operations of a substantial number of small rural hospitals. This analysis must conform to the RFA provisions at 5 U.S.C. 604. For purposes of section 1102(b) of the Act, we define a small rural hospital as a hospital that is located outside of a metropolitan statistical area and has fewer than 100 beds. This notice is primarily applicable to hospices, not rural hospitals. Therefore, the Secretary has certified that this notice will not have a significant economic impact on the operations of small rural hospitals.

We continue to expect savings for the Medicare program from the reduction in the number of newly enrolled hospices. However, we do not yet have data upon which to base an estimate of the amount of savings.

C. Regulatory Flexibility Analysis (RFA)

1. Small Business Impact

The RFA requires agencies to analyze options for regulatory relief of small businesses. For purposes of the RFA, small entities include small businesses, nonprofit organizations, and small governmental jurisdictions. Most entities and most other providers and suppliers are small entities, either by nonprofit status or by having revenue less than $19 million to $41 million in any 1 year. Individuals and States are not included in the definition of a small entity. For reasons stated in the May 15, 2026, notice, we do not believe that our hospice moratorium has a significant economic impact on a substantial number of small businesses. Even conceding the impact on newly enrolled hospices, we believe that the risk that hospice fraud, waste, and abuse poses to the Trust Funds, Medicare beneficiaries, and the taxpayers far exceeds this and thus justifies our measure.

2. Alternatives Considered

There are two principal alternatives we considered in preparing this notice. First, we contemplated allowing the May 15, 2026, moratorium to expire without extension. Yet as already mentioned—and as highlighted by the previously noted FBI alert—fraud schemes remain a significant problem. We believe that permitting new hospices—some of which may, after enrollment, engage in fraud, waste, or abuse—to begin enrolling again without limitation would only exacerbate the dilemma. Second, we contemplated limiting the moratorium to southern California. We believe, though, that the problems the moratorium seeks to address are nationwide—again, as indicated in the FBI alert—rather than restricted to particular geographic areas.

D. Unfunded Mandates Reform Act (UMRA)

Section 202 of the UMRA of 1995 UMRA also requires that agencies assess anticipated costs and benefits before issuing any rule whose mandates require spending in any 1 year of $100 million in 1995 dollars, updated annually for inflation. In 2026, that threshold is approximately $193 million. This notice will not impose a mandate that will result in the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector, of more than $193 million in any 1 year. UMRA only applies in situations where an agency engages in notice-and-comment rulemaking. It does not apply to this notice.

E. State and Local Costs

Executive Order 13132 establishes certain requirements that an agency must meet when it promulgates a proposed regulatory action (and subsequent final action) that imposes substantial direct requirement costs on State and local governments, preempts State law, or otherwise has Federalism implications. Since this notice does not impose any costs on State or local governments, the requirements of Executive Order 13132 are not applicable.

In accordance with the provisions of Executive Order 12866, this notice was reviewed by the Office of Management and Budget.

The Administrator of the Centers for Medicare & Medicaid Services (CMS), Dr. Mehmet Oz, having reviewed and approved this document, authorizes Vanessa Garcia, who is the Federal Register Liaison, to electronically sign this document for purposes of publication in the **Federal Register**.

Vanessa Garcia,

Federal Register Liaison, Centers for Medicare & Medicaid Services.

[FR Doc. 2026–23242 Filed 11–12–26; 4:15 pm]

BILLING CODE 4169–69–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services.

Privacy Act of 1974; Matching Program

AGENCY: The Department of Health and Human Services, Centers for Medicare and Medicaid Services.

ACTION: Notice of a new matching program.

SUMMARY: In accordance with subsection (e)(12) of the Privacy Act of 1974, as amended, the U.S. Department of Health and Human Services, Centers for Medicare & Medicaid Services (CMS), is providing notice of a new matching program between CMS and the U.S. Department of Education (ED), Federal Student Aid. The matching program supports eligibility determinations for enrollment in applicable State health subsidy programs under the Patient Protection and Affordable Care Act (PPACA), including Qualified Health Plans (QHPs), Medicaid, the Children's Health Insurance Program (CHIP), and Basic Health Programs (BHPs). The matching program also supports implementation of statutory requirements concerning Medicaid community engagement and the prevention of concurrent Medicaid

enrollment in more than one State through the Multi-State Enrollment Prevention (MSEP) system.

DATES: The deadline for comments on this notice is December 16, 2026. The new matching program will commence not sooner than 30 days after publication of this notice, provided no comments are received that warrant a change to this notice and the advance reporting requirements applicable to the matching program have been satisfied. The matching program will be conducted for an initial term of 18 months and, within 3 months prior to expiration, may be renewed for a period not to exceed one year if the parties certify that the matching program will be conducted without change and has been conducted in compliance with the matching agreement.

ADDRESSES: Interested parties may submit written comments on this notice to the CMS Privacy Act Officer by mail at: Division of Security, Privacy Policy and Governance, Information Security and Privacy Group, Office of Information Technology, Centers for Medicare & Medicaid Services, Location: N1–14–56, 7500 Security Boulevard, Baltimore, MD 21244–1849, or by email at *Barbara.Demopulos@cms.hhs.gov.*

FOR FURTHER INFORMATION CONTACT: If you have questions about the matching program, you may contact Terence Kane, Director, Division of Automated Verifications and SEP Policy, Marketplace Eligibility and Enrollment Group, Center for Consumer Information & Insurance Oversight, Centers for Medicare & Medicaid Services, at (301) 492–4449, by email at *Terence.Kane@cms.hhs.gov,* or by mail at 7501 Wisconsin Avenue, Bethesda, MD 20814.

SUPPLEMENTARY INFORMATION: The Privacy Act of 1974, as amended (5 U.S.C. 552a), provides certain protections for individuals applying for and receiving federal benefits. The law governs the use of computer matching by federal agencies when records in a system of records (meaning, federal agency records about individuals retrieved by name or other personal identifier) are matched with records of other federal or non-federal agencies. The Privacy Act requires agencies involved in a matching program to:

1. Enter into a written agreement, which must be prepared in accordance with the Privacy Act, approved by the Data Integrity Board of each source and recipient federal agency, provided to Congress and the Office of Management and Budget (OMB), and made available to the public, as required by 5 U.S.C. 552a(o), (u)(3)(A), and (u)(4).

2. Notify the individuals whose information will be used in the matching program that the information they provide is subject to verification through matching, as required by 5 U.S.C. 552a(o)(1)(D).

3. Verify match findings before suspending, terminating, reducing, or making a final denial of an individual's benefits or payments or taking other adverse action against the individual, as required by 5 U.S.C. 552a(p).

4. Report the matching program to Congress and the OMB, in advance and annually, as required by 5 U.S.C. 552a(o)(2)(A)(i), (r), and (u)(3)(D).

5. Publish advance notice of the matching program in the **Federal Register** as required by 5 U.S.C. 552a(e)(12).

This matching program meets these requirements and establishes a new matching program through which ED will provide student enrollment match results to CMS for eligibility verification purposes described below.

Barbara Demopulos,

CMS Privacy Act Officer, Division of Security, Privacy Policy and Governance, Information Security and Privacy Group, Office of Information Technology, Centers for Medicare & Medicaid Services.

Participating Agencies: The agencies participating in the matching program are the Department of Health and Human Services, Centers for Medicare & Medicaid Services (CMS), and the U.S. Department of Education (ED), Federal Student Aid.

Authority for Conducting the Matching Program: Authorities governing the eligibility determinations and uses of data under the matching agreement include section 1902(xx) of the Social Security Act, as added by section 71119 of Public Law 119–21; sections 1331, 1401, 1402, 1411, and 1412 of the Patient Protection and Affordable Care Act, as applicable; 26 U.S.C. 36B and 5000A(f); and implementing regulations, including 45 CFR 155.302 and 155.305. Section 1902(xx) requires applicable individuals to demonstrate community engagement as a condition of Medicaid eligibility and requires States to use reliable information available to determine whether individuals have fulfilled community engagement requirements.

Purpose(s): The purpose of the matching program is to assist CMS and State-based Administering Entities (AEs) in determining eligibility for Insurance Affordability Programs, specifically Medicaid, by verifying whether an applicant or enrollee is enrolled in a postsecondary educational institution. CMS and State AEs will use ED match results to verify educational enrollment for purposes of determining Medicaid eligibility based on satisfaction of community engagement requirements, if applicable. CMS may make ED match results available to State-based AEs through the CMS Federal Data Services Hub or a similar platform.

Categories of Individuals: The individuals whose information will be used in the matching program are individuals who apply for eligibility determinations for Medicaid or another Insurance Affordability Program for whom CMS or a State-based AE needs to verify enrollment in a postsecondary educational institution.

Categories of Records: The categories of records that will be used in the matching program are identifying records which includes: Social Security number (required); first name (required); middle name or initial, if provided; surname/last name (required); date of birth (required); and transaction ID (required).

When ED is authorized to disclose information and a matching request is made, ED will provide a response to the Hub containing current and historical enrollment data for the two years prior to the request date, including: OPEID; school name; enrollment status (including, but not limited to, full-time, half-time, less than half-time, graduated, and withdrawn); enrollment start date; enrollment end date; certification date; anticipated graduation date; and transaction ID. An error or coded response will be returned when there is no match on the student or no enrollment record for the relevant period.

System(s) of Records: The records used in this matching program will be disclosed from the following systems of records, as authorized by routine uses published in the System of Records Notices (SORNs) cited below:

A. System of Records Maintained by CMS

The Health Insurance Exchanges (HIX) Program, System No. 09–70–0560, last published in full at 78 FR 63211 (Oct. 23, 2013), and partially amended at 83 FR 6591 (Feb. 14, 2018).

B. System of Records Maintained by ED

The National Student Loan Data System (NSLDS), System No. 18–11–06, last fully published at 91 FR 21480 (Apr. 22, 2026).

[FR Doc. 2026–23237 Filed 11–13–26; 8:45 am]

BILLING CODE 4120–03–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[CMS–6101–N2]

Medicare, Medicaid, and Children's Health Insurance Programs: Announcement of the Extension and Modification of the Nationwide Temporary Moratorium on Enrollment of Home Health Agencies (HHAs)

AGENCY: Centers for Medicare & Medicaid Services (CMS), Department of Health and Human Services (HHS).

ACTION: Notice of extension and modification of a temporary moratorium.

SUMMARY: This notice announces the extension and modification of the nationwide temporary moratorium on the enrollment of new Medicare Home Health Agencies.

DATES: The extension and modification of the moratorium is effective on November 12, 2026.

FOR FURTHER INFORMATION CONTACT: Frank Whelan, (410) 786–1302.

SUPPLEMENTARY INFORMATION:

I. Background

A. CMS' Authority To Impose Temporary Enrollment Moratoria

1. Statutory and Regulatory Background

Under the Patient Protection and Affordable Care Act (Pub. L. 111–148), as amended by the Health Care and Education Reconciliation Act of 2010 (Pub. L. 111–152) (collectively known as the Affordable Care Act), Congress provided the Secretary of the Department of Health and Human Services (the Secretary) with new tools and resources to combat fraud, waste, and abuse in Medicare, Medicaid, and the Children's Health Insurance Program (CHIP). One of these was section 6401(a) of the Affordable Care Act, which added a new section 1866(j)(7) to the Social Security Act (the Act). It provided the Secretary with authority to impose a temporary moratorium on the enrollment of new-fee-for-service (FFS) Medicare, Medicaid or CHIP providers and suppliers—including categories of providers and suppliers—if the Secretary determines that a moratorium is necessary to prevent or combat fraud, waste, or abuse under these programs.

Section 6401(b) of the Affordable Care Act added specific moratorium language applicable to Medicaid at section 1902(kk)(4) of the Act, requiring States to comply with any moratorium imposed by the Secretary unless the State determines that the imposition of such moratorium would adversely impact Medicaid beneficiaries' access to care. Section 6401(c) of the Affordable Care Act amended section 2107(e)(1) of the Act to provide that all the Medicaid provisions in sections 1902(a)(77) and 1902(kk) are also applicable to CHIP.

In February 2011, in accordance with the aforementioned authority, CMS published a final rule with comment period titled, ''Medicare, Medicaid, and Children's Health Insurance Programs; Additional Screening Requirements, Application Fees, Temporary Enrollment Moratoria, Payment Suspensions and Compliance Plans for Providers and Suppliers'' (76 FR 5862). This final rule implemented section 1866(j)(7) of the Act by establishing new regulations at 42 CFR 424.570. Under § 424.570(a)(2)(i) and (iv), CMS—or CMS in consultation with the Department of Health and Human Services Office of Inspector General (HHS–OIG) or the Department of Justice (DOJ) or both—may impose a temporary moratorium on newly enrolling Medicare providers and suppliers if CMS determines that there is a significant potential for fraud, waste, or abuse with respect to a particular provider or supplier type or particular geographic areas or both.

2. Particulars of a Moratorium as Outlined in § 424.570

a. Length

In accordance with § 424.570(b), a temporary enrollment moratorium imposed by CMS remains in effect for 6 months. If CMS deems it necessary, the moratorium may be extended in 6-month increments. CMS evaluates whether to extend or lift the moratorium before the end of the initial 6-month period and, if applicable, before the expiration of any subsequent moratorium periods. If the moratorium announced in this notice is extended, CMS will publish a document regarding such extension(s) in the **Federal Register**.

b. Cessation

As provided in § 424.570(d), CMS may lift a moratorium at any time if: (1) the President declares an area a disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act; (2) circumstances warranting the imposition of a moratorium have abated or CMS has implemented program safeguards to address the program vulnerability; (3) the Secretary has declared a public health emergency; or (4) in the judgment of the Secretary, the moratorium is no longer needed. Once a moratorium is lifted, the provider or supplier types that were unable to enroll because of the moratorium will be assigned to the ''high'' screening level in accordance with §§ 424.518(c)(3)(iii) and 455.450(e)(2) if such provider or supplier applies for enrollment at any time within 6 months from the date the moratorium was lifted.

c. Circumstances Where Moratorium Is Inapplicable

Under current § 424.570(a)(1)(iii), a temporary moratorium does not apply to any of the following:

- Changes in practice location (except if the location is changing from a location outside the moratorium area to a location inside the moratorium area).
- Changes in provider or supplier information, such as phone number or address.
- Changes in ownership (except changes in majority ownership (CIMOs) of home health agencies (HHAs), hospices, and suppliers of durable medical equipment, prosthetics, orthotics, and supplies (DMEPOS) that would require an initial enrollment).

Also, in accordance with § 424.570(a)(1)(iv), a temporary moratorium does not apply to any enrollment application that has been received by the Medicare contractor prior to the date the moratorium is imposed.

B. CMS' Previous Temporary Enrollment Moratoria

We first used our moratorium authority to prevent enrollment of new HHAs, subunits, and branch locations in Miami-Dade County, Florida and Cook County, Illinois, as well as surrounding counties, and Part B ambulance suppliers in Harris County, Texas and surrounding counties, in a notice issued on July 31, 2013 (78 FR 46339) in the **Federal Register**. We extended and expanded these moratoria several times, with the last in this series of moratoria expiring in 2019.

In the February 27, 2026, **Federal Register** (91 FR 9855), we published a notice announcing a 6-month nationwide enrollment moratorium on DMEPOS medical supply companies.[1] Said moratorium expired on August 27, 2026. It was not extended.

[1] ''Medicare, Medicaid, and Children's Health Insurance Programs: Announcement of Nationwide Temporary Moratoria on Enrollment of Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS) Supplier Medical Supply Companies'', 91 FR 9855.

C. May 2026 HHA Moratorium

In weighing the need to establish an enrollment moratorium, CMS considers whether a significant risk of fraud, waste, or abuse exists. CMS also relies on its own and law enforcement's longstanding experience with ongoing and emerging fraud trends and activities gained through civil, criminal, and administrative investigations and prosecutions. Having analyzed this risk with respect to HHAs, we published a notice in the **Federal Register** on May 15, 2026, announcing a 6-month nationwide temporary moratorium on the Medicare enrollment of new HHAs and HHA branches (91 FR 27954).[2] The moratorium took effect on May 13, 2026.

We detailed in that notice our specific reasons for the HHA moratorium. We stated that HHA fraud, waste, and abuse has been a severe problem for over two decades as noted by the OIG in numerous past reports and studies. In fact, HHAs have long been among the highest-risk Medicare provider/supplier types in terms of program integrity. We outlined in the notice various steps that CMS has taken over the years to address HHA program integrity. Along with certain HHAs being part of the first enrollment moratorium imposed in July 2013, these steps included:

- *Capitalization*—Under § 489.28(a), newly enrolling HHAs must have available sufficient funds at the time of application submission and at all times during the enrollment process up to the expiration of the 3-month period following enrollment. The purpose is to ensure that the HHA is a viable and financially stable business, for an underfunded entity could skimp on patient care to save money or engage in fraud to improve its finances. HHAs remain the only Medicare provider/supplier type that have minimum capitalization requirements as a condition of enrollment; this underscores the uniquely serious fraud, waste, and abuse threat HHAs pose.
- *Screening Designation*—HHAs are one of only six provider/supplier types subject to the highest and strictest level of enrollment application screening under § 424.518.[3] In fact, they were one of only two types originally assigned to this level in our initial screening category assignments in 2011.
- *CIMOs*—Further underscoring the program integrity threat they pose, HHAs in 2009 became the first provider type (and, until 2022, were the only one) to be required under § 424.550(b) to enroll in Medicare as a new provider and undergo a State survey or accreditation following a change in majority ownership—the purpose being to ensure that the HHA under its new ownership is fully compliant with Medicare requirements.
- *Provisional Period of Enhanced Oversight (PPEO)*—Section 1866(j)(3) of the Act permits the Secretary to establish a PPEO of between 30 days and 1 year during which new providers or suppliers (including categories thereof) would be subject to enhanced oversight, such as prepayment review and payment caps. Consistent therewith, we implemented a PPEO in 2019 under which new HHAs would not receive upfront payments prior to the provision of services stemming from their requests for anticipated payments (RAPs).[4] As with our capitalization and CIMO provisions—and in light of the longstanding HHA payment safeguard threats—HHAs were the first provider type to be subject to a PPEO.

We also emphasized in the May 15, 2026, notice, though, that despite the foregoing HHA program integrity initiatives, HHA fraud, waste, and abuse remains a significant problem. We cited a number of criminal cases in recent years involving HHAs, and pointed out the deeply disconcerting matter of clusters, whereby large groups of the same provider type suddenly locate themselves within a certain geographic area as part of a potential fraud scheme. Two such situations we noted were the following:

- The number of HHAs in Los Angeles County, California, between 2019 and 2023 rose more than 40 percent, and well over 1,000 new HHAs have enrolled in the county since 2019.
- In Ohio, we found numerous HHAs operating out of a single, common practice location. There were at least nine cases in Ohio where at least five HHAs have the same practice location address; four of these nine situations involve at least 9 HHAs in one location, with one location having 18 HHAs.

Similar situations have been seen in Texas, Michigan, North Carolina, and Nevada. We explained that these situations occurring across various States—rather than being limited to one geographic region—highlighted the national nature of this problem, and that such clusters can pop up at any time and in any place.

Above all, we stressed that CMS must be aggressive in halting fraud before it begins; proactivity is a much better anti-fraud approach than a reactive, ''pay-and-chase'' model. We found our previous HHA moratoria beneficial in this regard, which is largely why we extended and expanded them over a 5-year period.

D. Continued Problems in the HHA Sphere and Consequent Need for Moratorium Extension

We believe there remains a significant potential for fraud, waste, and abuse in the HHA sphere. The payment safeguard threats from HHAs remain high, and the Department of Justice (DOJ) in an August 13, 2026, memorandum noted the DOJ's emphasis on halting home health misconduct. It stated in part that: ''The [DOJ's] Fraud Division will use cutting-edge data analysis to target exploitative health care fraud schemes,'' including with respect to home health.[5] Too, home health criminal and other cases continue to occur (including in Medicaid, which shows that the problem is wide-ranging), such as the following:

- In May 2026, a Michigan nurse and home health care agency owner was convicted for operating a $1.6 million scheme to defraud Medicare. According to court documents and evidence presented at trial, the defendant:

++ Bribed a discharge nurse at a Detroit hospital to identify Medicare patients and fax their confidential records to the home health agency unbeknownst to the patients.

++ Developed the kickback relationship with the hospital discharge nurse at a home health company she had previously co-owned, but she offered the nurse an additional $100 per patient to induce her to refer patients to her new company, paying the discharge nurse over $130,000.

++ Used these stolen profiles to bill Medicare for home health services, exploiting the diagnostic and personal information of patients who were unaware their data had been compromised.

++ In billing claims for patients who were obtained through kickbacks, falsely represented to Medicare that a doctor had certified patients as meeting the Medicare requirements to receive home health services (including being homebound) when evidence proved no doctor had ever evaluated these patients for home health services.

++ In many instances, used the identities of real doctors to fabricate the

[2] ''Medicare, Medicaid, and Children's Health Insurance Programs: Announcement of Nationwide Temporary Moratoria on Enrollment of Home Health Agencies (HHAs)''.

[3] The others are DMEPOS suppliers, hospices, Medicare diabetes prevention programs, skilled nursing facilities, and opioid treatment programs.

[4] CMS eliminated the use of RAPs for HHAs; beginning January 1, 2022, CMS replaced RAP submissions with a Notice of Admission.

[5] *https://www.justice.gov/opa/pr/assistant-attorney-general-colin-m-mcdonald-issues-memorandum-national-fraud-enforcement.*

existence of these evaluations when, in reality, these doctors had never even met the patients and did not know that the defendant was using their information to fraudulently bill Medicare.[6]

• A Missouri woman pleaded guilty in March 2026 to one count of health care fraud. The defendant admitted submitting fraudulent documents to enroll her home health care company with Missouri Medicaid; the paperwork falsely claimed that someone else owned the company, concealing her ownership and role due to a 2012 criminal conviction. She also admitted submitting fraudulent claims to Missouri Medicaid seeking reimbursement for home healthcare services that were never provided. On numerous occasions, clients were in the hospital and could not have received any health care services at home; on other occasions, the defendant submitted claims when the company did not have any timesheet records or documentation of the services.[7]

• Two Florida home health providers in January 2026 agreed to pay over $700,000 to resolve allegations that they violated the Physician Self-Referral Law (commonly known as the Stark Law (section 1877 of the Act)) by making bonus payments to an employee based on the number of patient referrals made by the employee's spouse, a physician.[8]

• In July 2026, a California man was convicted of conspiracy to commit health care fraud. According to evidence presented at the trial:

++ The defendant conspired with his wife, the former CEO of a California home health agency, and two former agency employees to commit health care fraud. The defendant and his wife agreed to defraud Medicare by: (1) having unqualified medical professionals provide care for home health patients outside their authorized scope of practice; (2) billing Medicare for services never provided; (3) submitting false documents to California Department of Public Health inspectors to maintain the ability to bill Medicare; and (4) instructing former employees to lie to the FBI and Federal law enforcement to conceal their fraudulent activity.

++ The defendant took steps to thwart the law enforcement investigation into the home health agency. He and his wife met with one of the home health agency's former employees, who informed them that FBI agents had questioned her regarding the home health agency's billing practices and patient medical assessments. The defendant instructed the employee to lie to the FBI and falsely state that the employee had been trained and supervised by a registered nurse in the course of conducting patient assessments.[9]

The United States Attorney stated that the defendant and his wife ''defrauded Medicare by altering medical records and forging doctor signatures, and in the process stole millions from the hardworking American taxpayer.'' The Special-Agent-in-Charge added: ''[The defendant] and his conspirators orchestrated a deliberate scheme that put vulnerable patients at risk and stole from Medicare.'' [10]

• A Missouri woman in February 2026 pleaded guilty to one count of wire fraud. She admitted that while owner of a home health care agency, she submitted hundreds of fraudulent reimbursement claims to the Missouri Medicaid Program and the Department of Veterans Affairs. She admitted submitting claims for services on dates when the veteran patients were in the hospital and could not possibly have received home healthcare services. She also submitted claims knowing both that the services were not provided and that she did not have any necessary documentation of the services.[11]

The circumstances warranting the imposition of the HHA moratorium, in short, have not yet abated. CMS has accordingly determined that the moratorium on new HHA enrollments is still needed as we: (1) monitor the indicators; and (2) continue with administrative actions to combat fraud and abuse, such as payment suspensions and revocations of providers.[12] We note that we consulted with the HHS–OIG regarding the extension of this moratorium; OIG agreed there remains a significant potential for fraud, waste or abuse in the Medicare program with respect to HHAs. Based in part on said consultation, we believe our moratorium extension is justified.

We are, though, scaling back the moratorium's scope during the 6-month extension period. The moratorium extension will only apply to initially enrolling HHAs (including those initially enrolling pursuant to a non-exempt CIMO under § 424.550(b)). The extension will not apply to additions of HHA branches, and the moratorium on the addition of branches by currently enrolled HHAs will end as of the effective date of this notice. This modification is primarily due to our greater concern at this current time about new HHAs—with whom we may have no experience—than with HHAs that are already enrolled but are merely seeking to add a branch to their current enrollment (though the latter are still of concern to us).

2. Medicaid and CHIP

We stated in our May 15, 2026, notice that, in our view, it is in Medicaid and CHIP beneficiaries' best interests to allow each State to decide whether some form of HHA moratorium is appropriate for their respective Medicaid programs and CHIPs, and the scope of any such moratorium. Each State has greater expertise and experience with their pool of HHAs—including the requirements for each type of HHA—than CMS. Nevertheless, we encouraged each State to, as appropriate, implement an HHA moratorium tailored to the specifics of their beneficiary population as well as any geographic considerations (in accordance with 42 CFR 455.470(b)). We also offered each State and territory the opportunity to consult with CMS on the prospect of implementing a Medicaid- or CHIP-based moratorium in their jurisdictions.

Two States—Ohio and Rhode Island—have implemented home health moratoria in response to our May 15, 2026, notice. Our extension notice is not intended to impact these existing moratoria. As we stated in the May 15, 2026, notice, the decision still lies with the State or territory.

3. Access to Care

We have not seen evidence that the May 15, 2026, HHA moratorium has materially reduced Medicare beneficiary access to HHA services on a nationwide or even a State level. In addition, States and territories have not indicated to CMS that the HHA moratorium has led to access to care problems for Medicaid or CHIP beneficiaries in their jurisdictions. Nonetheless, we will continue to monitor this important issue—particularly in rural areas—to

[6] *https://www.justice.gov/opa/pr/michigan-home-health-care-agency-owner-convicted-16m-medicare-fraud-scheme-and-kickback.*

[7] *https://www.justice.gov/usao-edmo/pr/home-health-care-operator-admits-defrauding-missouri-medicaid.*

[8] *https://www.justice.gov/usao-sdfl/pr/two-home-health-providers-agree-pay-702541-resolve-self-referral-allegations.*

[9] *https://www.justice.gov/usao-ndca/pr/ceo-bay-area-home-health-agency-convicted-health-care-fraud-conspiracy-targeting.*

[10] Ibid.

[11] *https://www.justice.gov/usao-edmo/pr/local-home-healthcare-company-owner-admits-over-200000-fraud.*

[12] For more information regarding the monitored indicators, see the February 4, 2014, and July 28, 2017, moratoria document (79 FR 6475) and 82 FR 35127, respectively).

ensure that such problems do not arise with our moratorium extension.

III. No Judicial Review of CMS's Decision To Impose an Enrollment Moratorium

In accordance with section 1866(j)(7)(B) of the Act, there is no judicial review under sections 1869 and 1878 of the Act, or otherwise, of the decision to impose a temporary enrollment moratorium. Under §§ 424.530(a)(10) and 424.570(c), CMS denies the enrollment application of a provider or supplier if the provider or supplier is subject to a moratorium. In addition, § 424.514(d)(2)(v)(C) states that if the provider or supplier was required to pay an application fee, the application fee will be refunded if the application was denied because of the imposition of a temporary moratorium.

A provider or supplier that is impacted by a moratorium may use the existing appeal procedures at 42 CFR part 498 to administratively appeal a denial of billing privileges based on the imposition of a temporary moratorium. The scope of any such appeal, though, would be limited solely to assessing whether the temporary moratorium applies to the provider or supplier appealing the denial (see 42 CFR 498.5(l)(4)).

IV. Collection of Information Requirements

This document does not impose information collection requirements, that is, reporting, recordkeeping or third-party disclosure requirements. Consequently, there is no need for review by the Office of Management and Budget under the authority of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

V. Regulatory Impact Statement

A. Statement of Need

This extension notice is necessary to help reduce the prevalence of Medicare fraud, waste, and abuse among HHAs.

B. Overall Impact

We have examined the impacts of this notice as required by Executive Order 12866, ''Regulatory Planning and Review''; Executive Order 13132, ''Federalism''; Executive Order 13563, ''Improving Regulation and Regulatory Review''; Executive Order 14192, ''Unleashing Prosperity Through Deregulation''; the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 through 612); section 1102(b) of the Social Security Act; and section 202 of the Unfunded Mandates Reform Act of 1995.

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

An RIA must be prepared for a regulatory action that is significant under section 3(f)(1) of Executive Order 12866. Based on our analysis, the Office of Information and Regulatory Affairs (OIRA) has determined that this notice is not significant pursuant to section 3(f)(1) of Executive Order 12866. Accordingly, we have not prepared a regulatory impact analysis. In accordance with Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996 (also known as the Congressional Review Act), OIRA has also determined that this notice does not meet the criteria for a major rule as defined in 5 U.S.C. 804(2).

In addition, section 1102(b) of the Act requires us to prepare an RIA if a rule may have a significant impact on the operations of a substantial number of small rural hospitals. This analysis must conform to the RFA provisions at 5 U.S.C. 604. For purposes of section 1102(b) of the Act, we define a small rural hospital as a hospital that is located outside of a metropolitan statistical area and has fewer than 100 beds. This notice is primarily applicable to HHAs, not rural hospitals. Therefore, the Secretary has certified that this notice will not have a significant economic impact on the operations of small rural hospitals.

We continue to expect savings for the Medicare program from the reduction in the number of newly enrolling HHAs. However, we do not yet have data upon which to base an estimate of the amount of savings.

C. Regulatory Flexibility Analysis (RFA)

1. Small Business Impact

The RFA requires agencies to analyze options for regulatory relief of small businesses. For purposes of the RFA, small entities include small businesses, nonprofit organizations, and small governmental jurisdictions. Most entities and most other providers and suppliers are small entities, either by nonprofit status or by having revenues less than $19 million to $41 million in any 1 year. Individuals and States are not included in the definition of a small entity. For reasons stated in the May 15, 2026, notice, we do not believe that our HHA moratorium has a significant economic impact on a substantial number of small businesses. Even conceding the impact on newly enrolling HHA, we believe that the risk that HHA fraud, waste, and abuse poses to the Trust Funds, Medicare beneficiaries, and the taxpayers far exceeds this and thus justifies our measure.

2. Alternatives Considered

There are two principal alternatives we considered in preparing this notice. First, we contemplated allowing the May 15, 2026, moratorium to expire without extension. Yet as already mentioned, fraud schemes remain a significant problem. We believe that permitting new HHAs—some of which may, after enrollment, engage in fraud, waste, or abuse—to begin enrolling again without limitation would only exacerbate the dilemma. Second, we contemplated extending the moratorium but limiting it to southern California, which is a recognized area of HHA fraud, waste, and abuse. We believe, though, that the problems the moratorium seeks to address are nationwide, rather than restricted to particular geographic areas.

D. Unfunded Mandates Reform Act (UMRA)

Section 202 of the UMRA of 1995 also requires that agencies assess anticipated costs and benefits before issuing any rule whose mandates require spending in any 1 year of $100 million in 1995 dollars, updated annually for inflation. In 2026, that threshold is approximately $193 million. This notice will not impose a mandate that will result in the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector, of more than $193 million in any 1 year. UMRA only applies in situations where an agency

engages in notice-and-comment rulemaking. It does not apply to this notice.

E. State and Local Costs

Executive Order 13132 establishes certain requirements that an agency must meet when it promulgates a proposed regulatory action (and subsequent final action) that imposes substantial direct requirement costs on State and local governments, preempts State law, or otherwise has Federalism implications. Since this notice does not impose any costs on State or local governments, the requirements of Executive Order 13132 are not applicable.

In accordance with the provisions of Executive Order 12866, this notice was reviewed by the Office of Management and Budget.

The Administrator of the Centers for Medicare & Medicaid Services (CMS), Dr. Mehmet Oz, having reviewed and approved this document, authorizes Vanessa Garcia, who is the Federal Register Liaison, to electronically sign this document for purposes of publication in the **Federal Register**.

Vanessa Garcia,

Federal Register Liaison, Centers for Medicare & Medicaid Services.

[FR Doc. 2026–23241 Filed 11–12–26; 4:15 pm]

BILLING CODE 4169–69–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Submission to OMB for Review and Approval; Public Comment Request; Information Collection Request Title: Rural Maternity and Obstetrics Management Strategies Program Data Collection, OMB No. 0915–0394—Revision

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, HRSA submitted an Information Collection Request (ICR) to the Office of Management and Budget (OMB) for review and approval. Comments submitted during the first public review of this ICR will be provided to OMB. OMB will accept further comments from the public during the review and approval period. OMB may act on HRSA's ICR only after the 30-day comment period for this notice has closed.

DATES: Comments on this ICR should be received no later than December 16, 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 Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: To request a copy of the clearance requests submitted to OMB for review, email Samantha Miller, the HRSA Information Collection Clearance Officer, at *paperwork@hrsa.gov* or call (301) 443–9094.

SUPPLEMENTARY INFORMATION:

Information Collection Request Title: Rural Maternity and Obstetrics Management Strategies Program Data Collection, OMB No. 0915–0394—Revision.

Abstract: HRSA administers the Rural Maternity and Obstetrics Management Strategies (RMOMS) Program, which is authorized by section 330A–2(d) of the Public Health Service Act. The RMOMS Program grants support networks that improve access to, and continuity of, maternal and obstetrics care in rural communities. The goals of the RMOMS Program are to: (1) improve maternal and neonatal outcomes within a rural region; (2) develop a sustainable network approach to increase the delivery and access of preconception, prenatal, pregnancy, labor and delivery, and postpartum services; (3) develop a safe delivery environment with the support and access to specialty care for perinatal patients and infants; and (4) develop sustainable financing models for the provision of maternal and obstetrics care in rural hospitals and communities. HRSA currently collects information about RMOMS grants using an OMB-approved set of performance measures and seeks to revise that approved collection. The proposed changes are a result of keeping this instrument relevant, responsive to the RMOMS Program needs, and to improve clarity of reporting for respondents.

A 60-day notice published in the **Federal Register** on August 19, 2026, vol. 91, No. 159; pp. 53622–53623. There were no public comments.

Need and Proposed Use of the Information: The purpose of the revised data collection is to assess RMOMS awardees' progress in meeting the program goals and how well each awardee meets their community needs. Additionally, HRSA will be able to monitor and assess the impact of the RMOMS Program and ensure that funds are effectively used to provide services that meet the target population's needs.

The proposed changes to this data collection include:

- Changing the frequency of data reporting from an annual basis to a biannual basis (twice a year).
- Changing from aggregate data reporting to patient level data reporting.
- Reducing the number of measures from 34 to approximately 25 data elements.
- Removing Forms/Sections 1 (Consortium/Network) and 2 (Sustainability).
- Form/Section 3: Demographics will be changed to Section 1: Demographic Information.
- Form/Section 4: Project Specific Domain will be separated into the following: Section 2: Prenatal Care and Pregnancy Characteristics; Section 3: Labor and Delivery; Section 4: Postpartum Care; Section 5: Health Behaviors and High-Risk Conditions; and Section 6: Program and Support Services.

HRSA also estimates an increase in the estimated total burden hours compared to the currently approved ICR package. The increase in burden is to account for additional RMOMS respondents, changes to the instrument and frequency of data reporting, and the time it takes for awardees to refine their existing processes to coordinate and collect data from their partner organizations. Awardee organizations vary in data collection and reporting capacity as well as in the number of member organizations each must coordinate with to report this data to HRSA. The amount of time it takes to build processes to coordinate and collect data from network partners will vary. Larger networks with multiple partners across different organizations are likely to report higher burdens due to the wait time in between coordinating data requests. Networks that already have established working relationships with member organizations may have existing processes in place to effectively collect data for this program.

Likely Respondents: Respondents will be the RMOMS award recipients.

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose, or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install, and utilize technology and systems for the purpose

of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information. The total annual burden hours estimated for this ICR are summarized in the table below.

TOTAL ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
Rural Maternity and Obstetrics Management Strategies Data Collection	14	2	28	105	2,940
Total	14	2	28	105	2,940

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2026–23223 Filed 11–13–26; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Proposed Collection: Public Comment Request; Information Collection Request Title: Rural Residency Planning and Development Program Annual Performance Report—NEW

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: In compliance with the requirement for opportunity for public comment on proposed data collection projects of the Paperwork Reduction Act of 1995, HRSA announces plans to submit an Information Collection Request (ICR), described below, to the Office of Management and Budget (OMB). Prior to submitting the ICR to OMB, HRSA seeks comments from the public regarding the burden estimate, below, or any other aspect of the ICR.

DATES: Comments on this ICR should be received no later than January 15, 2027.

ADDRESSES: Submit your comments to *paperwork@hrsa.gov* or mail the HRSA Information Collection Clearance Officer, Room 13N82, 5600 Fishers Lane, Rockville, Maryland 20857.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the data collection plans and draft instruments, email *paperwork@hrsa.gov* or call Samantha Miller, the HRSA Information Collection Clearance Officer, at (301) 443–9094.

SUPPLEMENTARY INFORMATION: When submitting comments or requesting information, please include the ICR title for reference.

Information Collection Request Title: Rural Residency Planning and Development Program Annual Performance Report, OMB No. 0906–xxxx—New.

Abstract: The Rural Residency Planning and Development (RRPD) program is authorized under 42 U.S.C. 912(b)(5) (§ 711(b)(5)) of the Social Security Act to improve and expand access to health care in rural areas by developing new sustainable rural residency programs. Under the program, start-up funding is provided to grant recipients to create accredited rural residency programs in a qualifying medical specialty. These residency programs are then sustained long-term through viable and stable funding mechanisms. This data collection will be an annual progress report for performance measurement and evaluation to demonstrate how funding addresses physician workforce shortages and challenges faced by rural communities. Prior data collection for this program was collected under Bureau of Health Workforce Performance Data Collection, OMB No. 0906–0086. The proposed changes are an effort to reduce grantee burden, increase relevant measure collection, to be responsive to RRPD Program needs, and to improve clarity of reporting for respondents. This will strategically align data collection for the RRPD program with other current Federal Office of Rural Health Policy program data and systems efforts.

Need and Proposed Use of the Information: The purpose of the proposed data collection is to assess RRPD awardees' progress toward meeting RRPD goals. Additionally, HRSA will be able to monitor and assess the impact of the RRPD program and identify improvements made by RRPD awardees. RRPD grantees will submit annual reports to HRSA on performance measures covering the following topic areas: (1) capacity/organizational information, (2) workforce training, (3) access/population demographics, (4) sustainability, (5) program characteristics, (6) position description, (7) individual characteristics, (8) training site set up, (9) trainees by discipline/experiential characteristics, (10) course development and enhancement, (11) course trainees by discipline, and (12) faculty development.

Likely Respondents: Respondents will be the RRPD award recipients.

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose, or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information. The total annual burden hours estimated for this ICR are summarized in the table below.

TOTAL ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
RRPD Program Annual Performance Report	53	1	53	4.1	217.3
Total	53	1	53	4.1	217.3

HRSA specifically requests comments on (1) the necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2026–23221 Filed 11–13–26; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7107–N–22; OMB Control No.: 2502–0587]

30-Day Notice of Proposed Information Collection: Section 8 Renewal Policy Guidebook

AGENCY: Office of Policy Development and Research, Chief Data Officer, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comments from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 30 days of public comment.

DATES: *Comments Due Date:* December 16, 2026.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Anna Guido, PRA Compliance Officer, Paperwork Reduction Act Division, PRAD, Department of Housing and Urban Development, 451 7th Street SW, Room 8210, Washington, DC 20410; email at *PaperworkReductionActOffice@hud.gov,* ATTN: Anna Guido, telephone (202) 402–5535. This is not a toll-free number. HUD welcomes and is prepared to receive calls 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.*

Available documents submitted to OMB can be found in the docket file on *reginfo.gov.*

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A. The **Federal Register** notice that solicited public comment on the information collection for a period of 60 days was published on January 23, 2026, at 91 FR 2946.

A. Overview of Information Collection

Title of Information Collection: Section 8 Renewal Policy Guidebook.

OMB Approval Number: 2502–0587.

Type of Request: Revision of currently approved collection.

Form Number: HUD–93185a; HUD–93185b; HUD–9624; HUD–9626; HUD–9630; HUD–9648a; HUD–9648b; HUD–9648d; HUD–9649; HUD–9649a; HUD–9649b; HUD–9651; HUD–52522a; HUD–52522b; HUD–5988; HUD–90055; HUD–92273–S8; HUD–93181; HUD–93182; HUD–93184; HUD–9625; HUD–9627; HUD–9629; HUD–9634; HUD–9635; HUD–9636; HUD–9637; HUD–9638; HUD–9639; HUD–9640; HUD–9641; HUD–9642, HUD–9643; HUD–9644; HUD–9647.

Description of the need for the information and proposed use: The Section 8 Renewal Policy Guidebook explains the various options available under the Multifamily Housing Reform and Affordability Act of 1997 (MAHRA) for the renewal of expiring project-based Section 8 contracts and the adjustment of contract rents and establishes related administrative policies. This is a revision of a currently approved collection. It includes 9 revised forms and 2 new forms, and all other Forms in the Collection (Unchanged).

Forms	Number of respondents	Frequency of response	Total annual responses	Burden hours per response	Total annual burden hrs.	Hourly cost to public	Total annual cost to public
Housing Assistance Payments Contract (HUD–52522a and b)	20	1	20	0.50	10.00	$40.25	$402.50
Assignment, Assumption, and Amendment of Section 8 Housing Assistance Payments (HAP) Contract (HUD–5988)	3,555	1	3,555	0.50	1,777.50	40.25	71,544.38
Section 8 Use Agreement (HUD–90055)	75	1	75	0.50	37.50	40.25	1,509.38
Rent Comparability Grid (HUD–92273–S8)	950	1	950	1.00	950.00	40.25	38,237.50
Project-Based Section 8 Housing Assistance Payments: Addendum to Renewal Contract Under Option One or Option Two for Capital Repairs and/or Acquisition Costs (HUD–93181)	50	1	50	0.50	25.00	40.25	1,006.25
Project-Based Section 8 Housing Assistance Payments: Addendum to Renewal Contract Under Option One or Option Two for Capital Repairs and/or Acquisition—Post-Rehabilitation Rents at Closing (HUD–93182)	150	1	150	0.50	75.00	40.25	3,018.75

Forms	Number of respondents	Frequency of response	Total annual responses	Burden hours per response	Total annual burden hrs.	Hourly cost to public	Total annual cost to public
Rider to Original Section 8 Housing Assistance Payments Contract (HUD–93184)	20	1	20	0.50	10.00	40.25	402.50
Amendment to Project-Based Section 8 Housing Assistance Payments Contract [Contract A1] Pursuant to Section 8(bb)(1) of the United States Housing Act of 1937 (HUD–93185a)	25	1	25	0.50	12.50	40.25	503.13
Amendment to Project-Based Section 8 Housing Assistance Payments Contract [Contract B] Pursuant to Section 8(bb)(1) of the United States Housing Act of 1937 (HUD–93185b)	25	1	25	0.50	12.50	40.25	503.13
Contract Renewal Request Form (HUD–9624)	2,000	1	2,000	1.00	2,000.00	40.25	80,500.00
OCAF Rent Adjustment Worksheet (HUD–9625)	7,957	1	7,957	1.00	7,957.00	40.25	320,269.25
Letters to Owners/Agents: Option 1 and 3 (HUD–9626)	419	1	419	0.25	104.75	40.25	4,216.19
Letters to Owners/Agents: Option 2 and 4 (HUD–9627)	1,801	1	1,801	0.25	450.25	40.25	18,122.56
Request to Renew Using Non-Section 8 Units in the Section 8 Project as a Market Rent Ceiling (HUD–9629)	10	1	10	0.50	5.00	40.25	201.25
Request to Renew Using FMRs as Market Ceiling (HUD–9630)	88	1	88	0.50	44.00	40.25	1,771.00
Sample Use Agreement (HUD–9634)	55	1	55	0.50	27.50	40.25	1,106.88
Projects Preparing a Budget-Based Rent Increase (HUD–9635)	1,697	1	1,697	1.00	1,697.00	40.25	68,304.25
Project-Based Section 8 Housing Assistance Payments Basic Renewal Contract—One-Year Term (HUD–9636)	500	1	500	0.50	250.00	40.25	10,062.50
Project-Based Section 8 Housing Assistance Payments Basic Renewal Contract—Multi-Year Term (HUD–9637)	800	1	800	0.50	400.00	40.25	16,100.00
Project-Based Section 8 Housing Assistance Payments Renewal Contract for Mark-Up-To-Market Project (HUD–9638)	169	1	169	0.50	84.50	40.25	3,401.13
Project-Based Section 8 Housing Assistance Payments Preservation Renewal Contract (HUD–9639)	213	1	213	0.50	106.50	40.25	4,286.63
Project-Based Section 8 Housing Assistance Payments Interim (Full) Mark-To-Market Renewal Contract (HUD–9640)	53	1	53	0.50	26.50	40.25	1,066.63
Project-Based Section 8 Housing Assistance Payments Interim (Lite) Mark-To-Market Renewal Contract (HUD–9641)	68	1	68	0.50	34.00	40.25	1,368.50
Project-Based Section 8 Housing Assistance Payments Full Mark-To-Market Renewal Contract (HUD–9642)	63	1	63	0.50	31.50	40.25	1,267.88
Project-Based Section 8 Housing Assistance Payments Watch List Renewal Contract (HUD–9643)	117	1	117	0.50	58.50	40.25	2,354.63
Project-Based Section 8 Housing Assistance Payments Contract for Previous Mod Rehab Projects (HUD–9644)	25	1	25	0.50	12.50	40.25	503.13
Housing Assistance Payments Program Housing Finance & Development Agencies Extension Amendment to Old Regulation State Agency Housing Assistance Payments Contract (HUD–9647)	10	1	10	0.50	5.00	40.25	201.25
Consent to Assignment of HAP Contract as Security for Freddie Mac Financing (HUD–9648a)	50	1	50	0.50	25.00	40.25	1,006.25
Project-Based Section 8 Contract Administration Consent to Assignment of HAP Contract to Freddie Mac as Security for Freddie Mac Credit Enhancement (HUD–9648b)	50	1	50	0.50	25.00	40.25	1,006.25
Consent to Assignment of HAP Contract to FNMA as Security for FNMA Credit Enhancement (HUD–9648d)	50	1	50	0.50	25.00	40.25	1,006.25
Consent to Assignment of HAP Contract as Security for Financing (HUD–9649)	600	1	600	0.50	300.00	40.25	12,075.00
Consent to Assignment of Senior Preservation Rental Assistance Contract (SPRAC) as Security for Financing (HUD–9649a)	50	1	50	0.50	25.00	40.25	1,006.25
Project-Based Section 8 Contract Administration Consent to Assignment of HAP Contract as Security for Financing When HFA is Both Lender and Contract Administration (HUD–9649b)	100	1	100	0.50	50.00	40.25	2,012.50
Consent to Assignment of HAP Contract as Security for FNMA Financing (HUD–9651)	100	1	100	0.50	50.00	40.25	2,012.50
Total	21,915	.....	21,915	.....	16,705	.....	672,356.13

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comments in response to these questions.

C. Authority

44 U.S.C. 3507.

Anna Guido,

PRA Compliance Officer, Office of Policy Development and Research, Chief Data Officer.

[FR Doc. 2026–23243 Filed 11–13–26; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–R8–ES–2026–3994; FXES11130800000–267–FF08E00000]

Endangered Species; Receipt of Recovery Permit Applications

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; and request for comments.

SUMMARY: The U.S. Fish and Wildlife Service (Service) invites the public, as well as local, State, Tribal, and Federal agencies, to comment on recovery permit applications to conduct activities intended to enhance the propagation and survival of endangered species under section 10(a)(1)(A) of the Endangered Species Act (ESA). With some exceptions, the ESA prohibits activities affecting ESA-listed species unless the Service issues a federal authorization, such as a permit, to allow for those activities. Prior to issuing 10(a)(1)(A) permits for endangered species the Service must invite public comment and consider any information received during the public comment period. We will consider all information received during the public comment period before issuing any of the requested permits.

DATES: Comments will be accepted on or before December 16, 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–R8–ES–2026–3994] 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–R8–ES–2026–3994, 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–R8–ES–2026–3994 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 (see **DATES**) or that are submitted via a method outside of these instructions. Comments containing profanity, vulgarity, threats, or other inappropriate content will not be considered.

We will post all comments at *https://www.regulations.gov.* You may request that we withhold personal identifying information from public review; however, we cannot guarantee that we will be able to do so. See Public Availability of Comments for more information (under **SUPPLEMENTARY INFORMATION**). 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.

FOR FURTHER INFORMATION CONTACT: Tiffany Heitz at *Tiffany_Heitz@fws.govor permitsR8ES@fws.gov.* Please submit requests for application copies and any related documents to Tiffany Heitz. All requests should specify the applicant's name(s) and the application number(s).

SUPPLEMENTARY INFORMATION: The U.S. Fish and Wildlife Service (Service) invites the public to comment on applications for permits under section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and our regulations in the Code of Federal Regulations (CFR) at 50 CFR part 17. Any documents or other information submitted with the applications will be available for public review, subject to the requirements of the Privacy Act of 1974, as amended (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552).

Background

With some exceptions, the Act prohibits certain activities with listed species, including the take of listed wildlife unless a Federal permit is issued that authorizes such activities. A recovery permit issued by the Service under section 10(a)(1)(A) of the Act authorizes otherwise prohibited take of listed species by the permittee while engaging in activities that are conducted for scientific purposes that promote recovery of the species or for the enhancement of propagation or survival of the species in the wild. The Service regulations implementing the Act's prohibitions and permitting requirements for listed species are set forth in 50 CFR part 17.

Permit Applications Available for Review and Comment

Section 10(c) of the Act requires the Service to publish notice of each application in the **Federal Register** and to invite interested parties to submit written data, views, or arguments before we take final action on the permit application. Accordingly, we invite comments on these applications. The comments and recommendations that will be most useful, and likely to influence agency decisions, are those supported by quantitative information or studies. An interested party opposed to a recovery permit's issuance may object during the comment period by following the requirements in 50 CFR 17.22(d) and request notification of the final action. The Service will follow the procedures in that section regarding notification of interested parties who file objections to issuance of permits.

The proposed activities in the following permit requests are for the recovery and enhancement of propagation or survival of the species in the wild. Applications are sorted by regional offices that have jurisdiction over specific geographic areas. Information regarding each of our

regions can be found at: *https://www.fws.gov/about/regions.*

We invite comments on the following applications:

TABLE 1—PERMIT APPLICATIONS

Lead region	Permit No.	Applicant	Species	Permit action
1	PER0009803	SR3 SeaLife Response, Rehabilitation, and Research, Des Moines, WA.	Hawksbill sea turtle (*Eretmochelys imbricata*), leatherback sea turtle (*Dermochelys coriacea*), and loggerhead sea turtle (*Caretta caretta*).	Renew.
2	ES44542B	Olsson, Inc., Oklahoma City, OK	Indiana bat (*Myotis sodalis*), gray bat (*Myotis grisescens*), Ozark big-eared bat (*Corynorhinus townsendii ingens*), northern long-eared bat (*Myotis septentrionalis*), whooping crane (*Grus americana*), fat pocketbook (*Potamilus capax*), Neosho mucket (*Lampsilis rafinesqueana*), Ouachita rock pocketbook (*Arcidens wheelezri*), scaleshell mussel (*Leptodea leptodon*), winged mapleleaf (*Quadrula fragos*), and spectaclecase (mussel) (*Cumberlandia monodonta*).	Renew and Amend.
2	ESPER14400664	Ricky D. Trent, Norman, OK	Indiana bat (*Myotis sodalis*), gray bat (*Myotis grisescens*), and northern long-eared bat (*Myotis septentrionalis*).	Amend.
2	ES045236	SWCA, Incorporated, Albuquerque, NM.	Southwestern willow flycatcher (*Empidonax traillii extimus*), Jemez Mountains salamander (*Plethodon neomexicanus*), Colorado pikeminnow (*Ptychocheilus lucius*), razorback sucker (*Xyrauchen texanus*), Rio Grande silvery minnow (*Hybognathus amarus*), spikedace (*Meda fulgida*), loach minnow (*Tiaroga cobitis*), and dunes sagebrush lizard (*Sceloporus arenicolus*).	Renew and Amend.
2	ESPER0012660	The Peregrine Fund, Boise, ID	California condor (*Gymnogyps californianus*)	Renew and Amend.
2	CS21341786	Organ Pipe Cactus National Monument, Ajo, AZ.	Acuña Cactus (*Echinomastus erectocentrus var. acunensis*), Sonoran pronghorn (*Antilocapra americana sonoriensis*), desert pupfish (*Cyprinodon macularius*), Sonoyta mud turtle (*Kinosternon sonoriense longifemorale*), and.	New.
2	ES041875	University of Arizona: Pasch Lab, Tucson, AZ.	Mount Graham red squirrel (*Tamiasciurus fremonti grahamensis*)	Amend.
2	ESPER0012188	Crystal Datri, Austin, TX	Golden-cheeked warbler (*Setophaga chrysoparia*), Barton Springs salamander (*Eurycea sosorum*), Austin blind salamander (*Eurycea waterlooensis*), and Texas blind salamander (*Eurycea rathbuni*).	Renew and Amend.
2	ESPER0013181	Marjorie Wright, Los Alamos, NM	Jemez Mountains salamander (*Plethodon neomexicanus*)	Renew.
2	ES59580A	Rocky Mountain Ecology, Rio Rancho, NM.	Southwestern willow flycatcher (*Empidonax traillii extimus*)	Renew and Amend.
2	ESPER0011555	James Hall, Cedar Park, TX	Golden-cheeked warbler (*Setophaga chrysoparia*)	Renew.
2	ESPER0011223	Marsh and Associates LLC, Tempe, AZ.	Bonytail (*Gila elegans*), Colorado pikeminnow (*Ptychocheiluslucius*), desert pupfish (*Cyprinodon macularius*), Gila chub (*Gila intermedia*), Gila topminnow (*Poeciliopsis occidentalis*), razorback sucker (*Xyrauchen texanus*), and Virgin River chub (*Gila robusta seminuda*).	Amend.
2	ES813088	U.S. Bureau of Reclamation, Albuquerque, NM.	Comanche Springs pupfish (*Gila elegans*), Pecos gambusia (*Gambusia nobilis*), and Rio Grande silvery minnow (*Hybognathus amarus*).	New.
3	ESPER35028289	Carlie Richardson, Indianapolis, IN.	Indiana bat (*Myotis sodalis*), gray bat (*M grisescens*), and northern long-eared bat (*M. septentrionalis*).	New.
3	ESPER35028909	John Spaeth, Cincinnati, OH	46 freshwater mussel species	New.
3	ESPER35143062	Abigail Shake, Stow, OH	12 freshwater mussel species	New.
3	ESPER22541073	U.S. Army Corps of Engineers, St. Louis, MO.	15 freshwater mussel species	Amend.
3	ES66724A	Ohio Department of Natural Resources, Findlay, OH.	Indiana bat (*Myotis sodalis*) and northern long-eared bat (*M. septentrionalis*).	Renew.
3	ES71524B	Theresa Burke, Charleston, WV	Indiana bat (*Myotis sodalis*), gray bat (*M. grisescens*), northern long-eared bat (*M. septentrionalis*), and Virginia big-eared bat (*Corynorhinus townsendii virginianus*).	Renew.
3	PER36419563	Shakopee Mdewakanton Sioux Community, Prior Lake, MN.	Rusty patched bumble bee (*Bombus affinis*)	New.
5	CS20308912	Kyleen Reckart, Fairmont, WV	17 freshwater mussel species	New.
5	CS21385591	Alyssa Oppedisano, Morgantown, WV.	Big Sandy crayfish (*Cambaruscallainus*) and Guyandotte River crayfish (*Cambarus veteranus*).	New.
6	CS21687545	Scott Lankford, Warrensburg, MO.	Pallid sturgeon (*Scaphirhynchus albus*)	New.
6	CS21287001	Lincoln Parks and Recreation—Pioneers Park Nature Center, Lincoln, NE.	Salt Creek tiger beetle (*Cicindela nevadicalincolniana*)	New.
6	CSTASK10728942	Omaha Zoological Society, Omaha, NE.	Salt Creek tiger beetle (*Cicindela nevadica lincolniana*) and Wyoming toad (*Anaxyrus baxteri*).	Renew and Amend.
6	CS22379222	Mike Popejoy, Flagstaff, AZ	Mexican spotted owl (*Strix occidentalis lucida*) and Southwestern willow flycatcher (*Empidonax traillii extimus*).	New.
6	CS22406723	Mandy Guinn, Bismarck, ND	Northern long-eared bat (*Myotis septentrionalis*)	New.
6	CS22502283	Ellen Whittle, Laramie, WY	Northern long-eared bat (*Myotis septentrionalis*)	New.
8	CS21412088	U.S. Geological Survey Western Fisheries Research Center, Seattle, WA.	Lost River sucker (*Deltistes luxatus*) and shortnose sucker (*Chasmistes brevirostris*).	New.
8	CS20819713	Jan Lovy, Ithaca, CA	Lost River sucker (*Deltistes luxatus*) and shortnose sucker (*Chasmistes brevirostris*).	New.
8	CS21443767	Lakeside Farms, LLC, Klamath Falls, OR.	Lost River sucker (*Deltistes luxatus*) and shortnose sucker (*Chasmistes brevirostris*).	New.
8	CS16346597	Smith Ecological Consulting, Sacramento, CA.	California tiger salamander Sonoma and Santa Barbara County DPS (*Ambystoma californiense*).	New.

TABLE 1—PERMIT APPLICATIONS—Continued

Lead region	Permit No.	Applicant	Species	Permit action
8	CSTASK6895437	Zachary Cava, Sacramento, CA	California tiger Salamander Sonoma and Santa Barbara County DPS (*Ambystoma californiense*).	Renew.
8	CS21248042	APHIS Wildlife Services, Sacramento, CA.	Gray wolf (*Canis lupus*)	New.
8	CSTASK6973836	Scott Quinnell, San Bernardino, CA.	Quino checkerspot butterfly (*Euphydryas Editha quino*)	Renew.
8	CS18410044	Korey Klutz, Carlsbad, CA	Quino checkerspot butterfly (*Euphydryas Editha quino*)	Renew.
8	CS18819335	Mizael Seminatore, San Jose, CA.	Foothill yellow-legged frog South Coast DPS (*Ran boylii*) and California tiger salamander Sonoma and Santa Barbara County DPS (*Ambystomacalifornense*).	New.
8	CS19318137	Jose B Vidrio, Folsom, CA	California tiger salamander Sonoma and Santa Barbara County DPS (*Ambystoma californiense*).	New.
8	CS19350109	Katie Brown, San Miguel, CA	Conservancy fairy shrimp (*Branchinecta conservatio*), Vernal pool tadpole shrimp (*Lepidurus packardi*), longhorn fairy shrimp (*B. longiantenna*), Riverside fairy shrimp (*Streptocephalus woottoni*), and San Diego fairy shrimp (*B. sandiegonensis*).	New.
8	CSTASK6874663	Tansley Team, Inc, Sheridan, CA	Conservancy fairy shrimp (*Branchinecta conservatio*), Vernal pool tadpole shrimp (*Lepidurus packardi*), longhorn fairy shrimp (*B. longiantenna*), Riverside fairy shrimp (*Streptocephalus woottoni*), San Diego fairy shrimp (*B. sandiegonensis*), and California tiger salamander Sonoma and Santa Barbara County DPS (*Ambystoma californiense*).	Renew.
8	CSTASK10743883	Brett Hanshew, Sacramento, CA	California tiger salamander Sonoma and Santa Barbara County DPS (*Ambystoma californiense*), Conservancy fairy shrimp (*Branchinecta conservatio*), Vernal pool tadpole shrimp (*Lepidurus packardi*), longhorn fairyshrimp (*B. longiantenna*), Riverside fairy shrimp (*Streptocephalus woottoni*), San Diego fairy shrimp (*B.sandiegonensis*), San Francisco garter snake (*Thamnophis sirtalis tetrataenia*).	Renew.
8	CSTASK9215720	Sophie Siegel, Sacramento, CA	Conservancy fairy shrimp (*Branchinecta conservatio*), Vernal pool tadpole shrimp (Lepidurus packardi), longhorn fairy shrimp (*B. longiantenna*), Riverside fairy shrimp (*Streptocephalus woottoni*), and San Diego fairy shrimp (*B. sandiegonensis*).	Amend.
8	CSTASK7238770	Tara Baxter, San Diego, CA	Quino checkerspot butterfly (*Euphydryas Editha quino*)	Renew.
8	PER36202380	Amy Bakker, Fair Oaks, CA	Conservancy fairy shrimp (*Branchinecta conservatio*), Vernal pool tadpole shrimp (*Lepidurus packardi*), longhorn fairy shrimp (*B. longiantenna*), Riverside fairy shrimp (*Streptocephalus woottoni*), and San Diego fairy shrimp (*B. sandiegonensis*).	New.
8	PER36194204	Kaite Quint, Santa Ysabel, CA	Conservancy fairy shrimp (*Branchinecta conservatio*), Vernal pool tadpole shrimp (*Lepidurus packardi*), longhorn fairy shrimp (*B. longiantenna*), Riverside fairy shrimp (*Streptocephalus woottoni*), and San Diego fairy shrimp (*B. sandiegonensis*).	New.
8	PER36189760	Don T Ashton, Corvallis, OR	Foothill yellow-legged frog South Sierra DPS (*Rana boylii*)	New.
8	CS19905916	GEI Consultants Inc. Aquatics, Rancho Cordova, CA.	Foothill yellow-legged frog South Sierra and South Coast DPS (*Rana boylii*),.	New.
8	PER36199192	California Native Plant Society, Sacramento, CA.	All listed plant species in CA	New.
8	PER36198664	Neil Kauffman, Bishop, CA	Mountain yellow-legged frog southern and northern DPS (*Rana muscosa*) and Sierra Nevada yellow-legged frog (*Rana sierrae*).	New.
8	PER36200314	Rick Evans, Placerville, CA	Foothill yellow-legged frog South Sierra and South Coast DPS (*Rana boylii*).	New.
8	PER36201478	Nicholas Perazzo, Paradise, CA	Conservancy fairy shrimp (*Branchinecta conservatio*), and Vernal pool tadpole shrimp (*Lepiduruspackardi*).	New.
8	PER36201962	Samuel Kille, Washougal, WA	Foothill yellow-legged frog South Sierra and South Coast DPS (*Rana boylii*).	New.
8	PER36222670	Robert Cooper, Blacksburg, VA	California tiger salamander Sonoma County and Santa Barbara County DPS (*Ambystoma californiense*), and Santa Cruz long-toed salamander (*Ambystoma macrodactylum croceum*).	New.
8	CSTASK5355460	Sea World California, San Diego, CA.	Hawksbill sea turtle (*Eretmochelys imbricata*), Olive ridley sea turtle (*Lepidochelys olivacea*), and leatherback sea turtle (*Dermochelys coriacea*).	Renew.
8	CS22306932	Aquarium of the Pacific, Long Beach, CA.	Hawksbill sea turtle (*Eretmochelys imbricata*), Olive ridley sea turtle (*Lepidochelys olivacea*), and leatherback sea turtle (*Dermochelys coriacea*).	New.
8	CS22555681	Christine Dawson, West Hollywood, CA.	Least bell's vireo (*Vireo bellii pusillus*)	New.
8	CSTASK10806058	California State University Sacramento, Sacramento CA.	Riverside fairy shrimp (*Streptocephalus woottoni*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), Vernal pool tadpole shrimp (Lepidurus *packardi*), Conservancy fairy shrimp (*B. conservatio*), and Longhorn fairy shrimp (*B. longiantenna*).	Amend.

TABLE 1—PERMIT APPLICATIONS—Continued

Lead region	Permit No.	Applicant	Species	Permit action
8	CSTASK7256102	Center for Natural Lands Management, Temecula, CA.	Riverside fairy shrimp (*Streptocephalus S. woottoni*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), Vernal pool tadpole shrimp (Lepidurus *packardi*), Conservancy fairy shrimp (*B. conservatio*), Longhorn fairy shrimp (*B. longiantenna*), Southwestern willow flycatcher (*Empidonax traillii extimus*), Quino checkerspot butterfly (*Euphydryas editha quino*), California tiger salamander Sonoma and Santa Barbara County DPS (*Ambystoma californiense*), Least bell's vireo (*Vireo bellii pusillus*), Pacific pocket mouse (*Perognathus longimembris pacificus*), Giant kangaroo rat (*Dipodomys ingens*), Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*), Stephens' kangaroo rat (*Dipodomys stephensi*), San Bernardino kangaroo rat (*Dipodomys merriami parvus*), Tidewater goby (*Eucyclogobius newberryi*), and San Diego ambrosia (*Ambrosia pumila*).	Renew and Amend.
8	CSTASK7114976	Jeff Gurule, North Fork, CA	Riverside fairy shrimp (*Streptocephalus S. woottoni*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), Vernal pool tadpole shrimp (Lepidurus *packardi*), Conservancy fairy shrimp (*B. conservatio*), and Longhorn fairy shrimp (*B. longiantenna*).	Renew.
8	CSTASK10912916	David Faulkner, Rancho Dominguez, CA.	Quino checkerspot butterfly (*Euphydryas edith aquino*), Laguna Mountains skipper (*Pyrgus ruralis lagunae*), and Delhi Sands flower-loving fly (*Rhaphiomidas terminates abdominalis*).	Renew.
8	CS19604974	Kat Calderala, Davis, CA	California tiger Salamander Santa Barbara County DPS (*Ambystoma californiense*).	New.
8	CS20552501	Bureau of Land Management, Ukiah Field Office, OR.	Behren's silverspot butterfly (*Speyeria zerene behrensii*)	New.
8	CSTASK9061702	Leonard Liu, Oakland, CA	California Ridgway's rail (*Rallus obsoletus obsoletus*), salt marsh harvest mouse (*Reithrodontomys raviventris*).	Renew.
8	CSTASK9265034	East Bay Regional Park District, Oakland, CA.	California Ridgway's rail (*Rallus obsoletus obsoletus*), salt marsh harvest mouse (*Reithrodontomys raviventris*), Vernal pool tadpole shrimp (Lepidurus *packardi*), Conservancy fairy shrimp (*B. conservatio*), Longhorn fairy shrimp (*B. longiantenna*), California tiger salamander Sonoma and Santa Barbara County DPS (*Ambystoma californiense*), and California least tern (*Sterna antillarum browni*).	Renew and amend.
8	CSTASK8950213	Joshua Goodwin, Chico, CA	California tiger salamander Sonoma and Santa Barbara County DPS) (*Ambystomacalifornienses*).	Renew.
8	CSTASK9410085	Danielle Dillard, College Station, TX.	Giant kangaroo rat (*Dipodomys ingens*)	Renew.
8	CSTASK9498815	Carol Witham, Sacramento, CA	Solano grass (*Tuctoria mucronata*), Riverside fairy shrimp (*Streptocephalus S. woottoni*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), Vernal pool tadpole shrimp (Lepidurus *packardi*), Conservancy fairy shrimp (*B. conservatio*), and Longhorn fairy shrimp (*B. longiantenna*).	Renew.
8	CSTASK9526167	Carolynn D Honeycutt, Ooltewah, TN.	Giant kangaroo rat (*Dipodomys ingens*), Fresno kangaroo rat (*Dipodomys nitratoides exilis*), and Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*).	Renew.
8	CSTASK9578496	Dale A. Powell, Riverside, CA	Riverside fairy shrimp (Streptocephalus S. woottoni), San Diego fairy shrimp (Branchinecta sandiegonensis), Vernal pool tadpole shrimp (Lepidurus packardi), Conservancy fairy shrimp (B. conservatio), Longhorn fairy shrimp (B. longiantenna), Casey's June beetle (Dinacoma caseyi), Delhi Sands flower-loving fly (Rhaphiomidas terminates abdominalis), and Quino checkerspot butterfly (*Euphydryas editha quino*).	Renew.
8	CSTASK9777911	Robert Hamilton, Long Beach, CA.	Southwestern willow flycatcher (*Empidonax traillii extimus*)	Renew.
8	CSTASK9810687	William Tim Bean, San Luis Obispo, CA.	Giant kangaroo rat (*Dipodomys ingens*)	Renew and amend.
8	CSTASK9953193	David Cook, Santa Rosa, CA	California tiger salamander Sonoma and Santa Barbara County DPS) (*Ambystoma californiense*).	Renew.
8	CSTASK9981640	Daniel Cooper, Oak Park, CA	Southwestern willow flycatcher (*Empidonax traillii extimus*)	Renew.
8	CSTASK10183999	Michael Galloway, San Diego, CA.	Riverside fairy shrimp (*Streptocephalus S. woottoni*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), and Quino checkerspot butterfly (*Euphyas edita quino*).	Renew.
8	CSTASK7871155	Jakob Woodall, El Cerrito, CA	Foothill yellow-legged frog South Sierra and South Coast DPS (*Rana boylii*).	Amend.
8	CSTASK10189748	Ingrid Eich, Fullerton, CA	Riverside fairy shrimp (*Streptocephalus S. woottoni*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), Vernal pool tadpole shrimp (Lepidurus *packardi*), Conservancy fairy shrimp (*B. conservatio*), and Longhorn fairy shrimp (*B. longiantenna*).	Renew.
8	CSTASK10278807	LSA Associates, Inc., Irvine, CA	Riverside fairy shrimp (*Streptocephalus S. woottoni*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), Vernal pool tadpole shrimp (Lepidurus *packardi*), Conservancy fairy shrimp (*B. conservatio*), Longhorn fairy shrimp (*B. longiantenna*), Giant kangaroo rat (*Dipodomys ingens*), San Bernardino kangaroo rat (*Dipodomys merriami parvus*), Southwestern willow flycatcher (*Empidonax traillii extimus*), Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*), Delhi Sands flower-loving fly (*Rhaphiomidas terminates abdominalis*), Fresno kangaroo rat (*Dipodomys nitratoides exilis*), Quino checkerspot butterfly (*Euphydryas Editha quino*), and Pacific pocket mouse (*Perognathus longimembris pacificus*).	Renew.

TABLE 1—PERMIT APPLICATIONS—Continued

Lead region	Permit No.	Applicant	Species	Permit action
8	CSTASK10358273	Michael C Couffer, Corona Del Mar, CA.	Quino checkerspot butterfly (*Euphydryas editha quino*)	Renew.
8	CSTASK10454138	Steven Chen, San Luis Obispo, CA.	Pacific pocket mouse (*Perognathus longimembris pacificus*), Quino checkerspot butterfly (*Euphydryas editha quino*), Delhi Sands flower-loving fly (*Rhaphiomidas terminates abdominalis*), Fresno kangaroo rat (*Dipodomys nitratoides exilis*), San Bernardino kangaroo rat (*Dipodomys merriami parvus*), Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*), Giant kangaroo rat (*Dipodomys ingens*), Stephens' kangaroo rat (*Dipodomys stephensi*), Morro Bay kangaroo rat (*Dipodomys heermanni morroensis*), California tiger salamander Sonoma and Santa Barbara County DPS (*Ambystomacalifornienses*).	Renew and amend.
8	CSTASK10481156	Griffin Brungraber, Bend, OR	Quino checkerspot butterfly(*Euphydryas editha quino*)	Renew.
8	CSTASK10551797	Linette Davenport, Anchorage, AK.	Southwestern willow flycatcher (*Empidonax traillii extimus*) and Least bell's vireo (*Vireo bellii pusillus*).	Renew.
8	CSTASK10642406	Sharon Dulava, San Jose, CA	California Ridgway's rail (*Rallus obsoletus obsoletus*)	Renew.
8	CSTASK10572274	Douglas Allen, San Diego, CA	Quino checkerspot butterfly (*Euphudryas Editha quino*), Riverside fairy shrimp (*Streptocephalus S. woottoni*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), and Vernal pool tadpole shrimp (*Lepidurus packardi*), Conservancy fairy shrimp (*B. conservatio*), and Longhorn fairy shrimp (*B. longiantenna*).	Renew.
8	CSTASK10654867	Brian Karpman, Costa Mesa, CA	Southwestern willow flycatcher (*Empidonax traillii extimus*),	Amend.
8	CSTASK10688500	Scott Werner, Ojai, CA	Southwestern willow flycatcher (*Empidonax traillii extimus*), Least bell's vireo (*Vireo bellii pusillus*).	Renew.
8	CSTASK10687548	US Army Garrison Fort Hunter Liggett, Fort Hunter Liggett, CA.	Foothill yellow-legged frog South Coast DPS (*Ranaboylii*)	Amend.
8	CSTASK10692996	David Wolff, Los Osos, CA	Riverside fairy shrimp (*Streptocephalus S. woottoni*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), Vernal pool tadpole shrimp (*Lepidurus packardi*), Conservancy fairy shrimp (*B. conservatio*), and Longhorn fairy shrimp (*B. longiantenna*).	Renew.
8	CSTASK10702911	Cassandra J Carroll, Reno, NV	Carson wandering skipper (*Pseudocopaeodes eunus obscurus*)	Amend.
8	CSTASK10877712	ManTech SRS Technologies Inc., Lompoc, CA.	Riverside fairy shrimp (*Streptocephalus S. woottoni*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), Vernal pool tadpole shrimp (*Lepidurus packardi*), Conservancy fairy shrimp (*B. conservatio*), Longhorn fairy shrimp (*B. longiantenna*),El Segundo blue butterfly (*Euphilotes battoides allyni*), California least tern (*Sterna antillarum browni*), Southwestern willow flycatcher (*Empidonax traillii extimus*), and unarmored threespine tickleback (*Gasterosteus aculeatus williamsoni*).	Renew and Amend.
8	CSTASK10836578	Ecorp Consulting, Inc., Rocklin, CA.	Riverside fairy shrimp (*Streptocephalus S. woottoni*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), Vernal pool tadpole shrimp (*Lepidurus packardi*), Conservancy fairy shrimp (*B. conservatio*), Longhorn fairy shrimp (*B. longiantenna*), Giant kangaroo rat (*Dipodomys ingens*), San Bernardino kangaroo rat (*Dipodomys merriami parvus*), California tiger salamanderSonoma and Santa Barbara County DPS (*Ambystomacalifornienses*), Stephens' kangaroo rat (*Dipodomys stephensi*), Sierra Nevada yellow-legged frog (*Rana sierrae*), Arroyo toad (*Anaxyrus californicus*), and Foothill yellow-legged frog South Sierra and South Coast DPS (*Rana boylii*).	Renew and Amend.
8	CSTASK10929361	McCormick Biological, Inc., Bakersfield, CA.	Riverside fairy shrimp (*Streptocephalus S. woottoni*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), Vernal pool tadpole shrimp (*Lepidurus packardi*), Conservancy fairy shrimp (*B. conservatio*), Longhorn fairy shrimp (*B. longiantenna*), Giant kangaroo rat (*Dipodomys ingens*), California tiger salamanderSonoma and Santa Barbara County DPS (*Ambystomacalifornienses*), Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*), Buena Vista Lake ornate shrew (*Sorex ornatus relictus*), and San Joaquin kit fox (*Vulpes macrotis mutica*).	Renew and amend.
8	CSTASK10893968	Allison Rudalevige, Garden Grove, CA.	Riverside fairy shrimp (*Streptocephalus S. woottoni*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), Vernal pool tadpole shrimp (*Lepidurus packardi*), Conservancy fairy shrimp (*B.conservatio*), and Longhorn fairy shrimp (*B. longiantenna*).	Renew.
8	CSTASK10388082	WSP USA Environment & Infrastructure, Inc., San Diego, CA.	Riverside fairy shrimp (*Streptocephalus S. woottoni*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), Vernal pool tadpole shrimp (*Lepidurus packardi*), Conservancy fairy shrimp (*B. conservatio*), Longhorn fairy shrimp (*B. longiantenna*), Southwestern willow flycatcher (*Empidonax traillii extimus*), Quino checkerspot butterfly(*Euphydryasedithaquino*), Stephens' kangaroo rat (*Dipodomys stephensi*), and Pacific pocket mouse (*Perognathus longimembris pacificus*).	Renew and amend.
8	CS20288506	Jelena Grbic, Pheonix, AZ	Yuma clapper rail (*Rallus obsoletus yumanensis*)	New.
8	CSTASK0560039	California Department of Water Resources, West Sacramento, CA.	Desert pupfish (*Cyprinodon macularius*) and Yuma Ridgway's rail (*Rallus obsoletus yumanensis*).	Amend.
8	CSTASK8393357	Fresno Chaffee Zoo, Fresno, CA	Blunt-nose leopard lizard (*Gambelia silus*)	Renew.

Public Availability of Comments

Any written comments that we receive become part of the decision record associated with the above actions. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. 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. 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).

Next Steps

A notice is published in the **Federal Register** for any permit issued to an applicant under section 10(a)(1)(A). Such notices may be batched to include multiple permits issued. 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''.

Authority

We publish this notice under section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Marissa Reed,

Acting Deputy Assistant Regional Director, Ecological Services Region 8, U.S. Fish and Wildlife Service.

[FR Doc. 2026–23218 Filed 11–13–26; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Marine Minerals Administration

[Docket No. MMA–2026–0133]

Notice on Outer Continental Shelf Oil and Gas Lease Sales

AGENCY: Marine Minerals Administration, Interior.

ACTION: List of restricted joint bidders.

SUMMARY: Pursuant to the Energy Policy and Conservation Act of 1975 and Marine Minerals Administration's (MMA) (formerly the Bureau of Ocean Energy Management (BOEM)) regulatory restrictions on joint bidding, MMA is publishing this list of restricted joint bidders. Each entity within one of the following groups is restricted from bidding with any entity in any of the other groups listed below at Outer Continental Shelf oil and gas lease sales held during the bidding period of November 1, 2026, through April 30, 2027.

DATES: This list of restricted joint bidders covers the bidding period of November 1, 2026, through April 30, 2027, and succeeds all prior published lists.

SUPPLEMENTARY INFORMATION:

Group I

BP America Production Company
BP Exploration & Production Inc.
BP Products North America, Inc.

Group II

Chevron Corporation
Chevron U.S.A. Inc.
Unocal Corporation
Union Oil Company of California
Noble Energy, Inc.
Hess Corporation
Chevron Midcontinent, L.P.

Group III

ENI Petroleum US LLC
Eni Marketing Inc.
Eni BB Petroleum Inc.
Eni US Operating Co. Inc.
Eni Petroleum Co. Inc.
Eni Next LLC
Eni USA Gas Marketing LLC
Eni GoM LLC
Versalis Americas Inc.
Eni Trading & Shipping Inc.

Group IV

Equinor ASA
Equinor US Offshore EP LLC
Equinor USA E&P Inc.

Group V

Exxon Mobil Corporation
ExxonMobil Upstream Company

Group VI

Shell USA, Inc.
Shell Offshore Inc.
SWEPI LP
Shell Frontier Oil & Gas Inc.
SOI Finance Inc.
Shell Gulf of Mexico Inc.

Group VII

TotalEnergies E&P USA, Inc.
TotalEnergies SE

Even if an entity does not appear on the above list, MMA may disqualify and reject certain joint or single bids submitted by an entity if that entity is chargeable for the prior production period with an average daily production in excess of 1.6 million barrels of crude oil, natural gas, and natural gas liquids. *See* 30 CFR 556.512.

Authority: 42 U.S.C. 6213; and 30 CFR 556.511–556.515. This notice is published pursuant to the Energy Policy and Conservation Act of 1975 and MMA's regulations at 30 CFR part 556. Secretary's Order 3451 established the MMA, which reunified the Bureau of Ocean Energy Management (BOEM) and the Bureau of Safety and Environmental Enforcement (BSEE), and provided for a transition period during which the staff of BOEM and BSEE were authorized to retain operational authority necessary for the uninterrupted accomplishment of its mission. That transition period is ongoing.

Michael D. Olsen,

Acting Director, Marine Minerals Administration.

[FR Doc. 2026–23227 Filed 11–13–26; 8:45 am]

BILLING CODE 4340–98–P

DEPARTMENT OF THE INTERIOR

National Park Service

Record of Decision; Temporary Closure of East Potomac Park South of Buckeye Drive

AGENCY: National Park Service.

ACTION: Notice.

SUMMARY: The National Park Service (NPS) will temporarily close to public access and use all federal parkland administered by the National Mall and Memorial Parks within East Potomac Park south of Buckeye Drive SW, including East Potomac Golf Course.

DATES: The closure will take effect on November 15, 2026.

ADDRESSES: Additional information pertaining to this action may be posted on the park's planning website at *https://parkplanning.nps.gov/nama.*

FOR FURTHER INFORMATION CONTACT: Kevin Griess, Superintendent, National Mall and Memorial Parks, 1100 Ohio Drive SW, Washington, DC 20242; (202) 245–4661; *NAMA_communications@nps.gov.*

SUPPLEMENTARY INFORMATION:

Record of Determination for the Temporary Closure of East Potomac Park South of Buckeye Drive

Pursuant to 36 CFR 1.5(a), the NPS will temporarily close to public access and use all federal parkland

administered by the National Mall and Memorial Parks within East Potomac Park south of Buckeye Drive SW, including East Potomac Golf Course. The closure will take effect on November 15, 2026, and will remain in effect until modified or rescinded by the Superintendent. Violation of the closure is prohibited under 36 CFR 1.5(f).

The closure boundary will be delineated by signs, gates, barricades, fencing, or other physical controls at Buckeye Drive and at any other access point the NPS determines appropriate. A map depicting the closure area will be maintained as an enclosure to this Record of Determination. The closure does not apply to NPS employees, United States Park Police (USPP) or emergency personnel, contractors, or other persons authorized by the Superintendent or designee when acting within the scope of their duties or authorization.

Park and Road Closure Restrictions

The following NPS-administered areas will be subject to temporary public access restrictions at 9:00 p.m., November 15, 2026, and will remain in effect until modified or rescinded by the Superintendent. The closure area includes all parkland and public-use facilities south of Buckeye Drive SW, including, but not limited to:

- Ohio Drive SW (south of Buckeye Drive SW)
- Trails and multi-use paths within the closure area
- The East Potomac Park seawall and seawall promenade
- Fishing areas along the Potomac River and Washington Channel seawall within the closure area
- Hains Point, including picnic areas, playgrounds, and associated open space
- East Potomac Park Golf Course and Miniature Golf Course (including parking lots)
- East Potomac Park bathrooms located south of Buckeye Drive SW
- East Potomac Dock—Wharf Jitney

Justification for Park and Road Closures

On December 30, 2025, the Department of the Interior terminated National Links Trust's lease for the three NPS-administered golf courses in the District of Columbia. National Links Trust, through its management company, continued to operate the courses temporarily on a holdover basis. On October 28, 2026, the NPS entered into a new lease with National Links Trust for the Rock Creek Golf Course and the Langston Golf Course. Under the terms of the new lease on or before November 15, 2026, National Links Trust will cease operations at East Potomac Golf Course. At that time, the NPS will temporarily close East Potomac Park south of Buckeye Drive SW, including East Potomac Golf Course, to public use.

Closure of East Potomac Park south of Buckeye Drive is necessary because, following the cessation of golf operations by National Links Trust, the NPS will not have the operational capacity to manage the area as a golf course or safely accommodate unrestricted public use. Continued public access without adequate staffing, security, and oversight would create significant risk to public health and safety; increase the potential for natural and cultural resource damage, including damage to historic structures such as the clubhouse and miniature golf course; interfere with the NPS's implementation of its management responsibilities; and create a risk of visitor-use conflicts. A temporary closure will protect park resources, reduce safety risks, and prevent incompatible uses. Areas North of Buckeye remain accessible for NPS and USPP necessary operations.

Recent NPS inspections document that the golf course's buildings and grounds present numerous safety concerns due to their poor condition. The NPS's May 2026 East Potomac Park Condition Assessment recorded 110 deficiencies at East Potomac Golf Course, 69 of which were rated Critical or Urgent. None of the 15 golf course assets surveyed was rated in good condition: the clubhouse interior, driving range building, driving range, and parking lot trees were rated Critical; the clubhouse exterior was rated Poor and potentially Critical pending structural engineering review; and nine other assets, including the parking lot, paved cart paths, maintenance compound, and a retaining wall at the putting green, were rated Poor. The fire and life safety inspection alone identified 84 findings (11 Urgent and 52 Critical), 67 of them in the clubhouse. The assessment found that the driving range building's deteriorated structural components, spongy flooring, rotten railings, and water-damaged framing ''may create significant fall, collapse, and injury hazards to visitors and staff,'' and that the leaning retaining wall at the putting green ''may be at risk of partial or complete failure.'' The deficiencies were rated as Critical or Urgent with on-site supervision (Golf Course Operator) to monitor safety conditions, effect emergent repairs, report fire, flooding, or electrical issues, and adjust visitor access away from structurally deteriorated areas. If left unattended without this supervision, several of these issues move from Critical/Urgent, to hazardous, *e.g.* structurally damaged driving range, adjacent buildings, unreported fire hazards, uncontrolled access to legacy maintenance areas).

These conditions are part of an escalating trend. A 2016–2017 concession condition assessment identified approximately $6.1 million in reconstruction of the course's cart paths, tee boxes, driving range, sand bunkers, and perimeter fencing, all ranked critical and scheduled for 2017. The 2019 Historic Structure Report for the East Potomac Field House (clubhouse) documented basement wall cracks larger than one inch and identified a foundation corner in poor condition as ''a critical concern.''

The East Potomac Park seawall and adjacent walkways are also in deteriorated and hazardous condition. The seawall has settled and has been compromised, resulting in overtopping during normal tidal cycles, poor drainage, erosion and loss of fill material, voids and depressions adjacent to the shoreline, damaged or collapsed sidewalk areas, and impacts to park vegetation and infrastructure. NPS condition assessments have documented more than 80 additional holes and depressions posing hazards to park visitors, as well as areas requiring fencing for visitor safety. A 2019 NPS seawall project scoping assessment found that the 18,807-foot (3.56-mile) East Potomac Park seawall ''is severely deteriorated in all areas and has failed in some,'' that damage is ''perhaps most severe at Hains Point,'' and that ''[t]he entirety of the perimeter walkway at East Potomac Park is a safety hazard for visitors and staff as it is variously uneven, unsupported, damaged, collapsed or underwater.'' A 2011 engineering survey of 412 fifty-foot seawall segments rated 41 percent of the walkway-side segments as requiring rehabilitation and 21 segments as in imminent need of rehabilitation, and measured voids of 6 to 27 inches beneath the sidewalk at the back of the wall. The NPS's 2023 Cultural Landscapes Inventory reports that the promenade now lies only about one foot above average high tide and is covered by flood waters more than thirty times per year, compared with about six times per year in the 1950s.

The absence of a daily golf course operator providing daily supervision, visitor control, maintenance, and emergency reporting and response within the golf course and associated lands; combined with the above listed environmental and infrastructure factors create a hazardous and significant risk to the public. The unsupervised,

uncontrolled, and open access to areas of safety concerns creates an unacceptable risk that the NPS must mitigate through temporary closure and access control.

Less Restrictive Measures Dismissed

The NPS considered the following less restrictive alternatives in light of the physical configuration of East Potomac Park, existing patterns of public access, the cessation of authorized golf operations, the documented shoreline hazards, and available NPS and USPP staff resources. These options were dismissed because they would not adequately mitigate foreseeable risks to public health and safety, park resources, federal property, and orderly visitor use.

A key limitation is that East Potomac Golf Course is an open, largely unfenced landscape surrounded by Ohio Drive with picnic areas, cycling and pedestrian routes, and shoreline activities. There is no continuous perimeter barrier separating fairways, greens, miniature golf, maintenance and administrative facilities, and other golf-related infrastructure from adjacent public areas. Visitors can approach these portions of the golf course from multiple directions. Consequently, the golf course cannot be reliably isolated from other park activities through isolated building closures, signs, or occasional patrols. Without an authorized operator or equivalent on-site management, access and incompatible activities would be difficult to control.

No Action—Continued Unrestricted Public Access

Leaving the area open following cessation of golf operations would permit unsupervised golf play alongside walking, picnicking, fishing, dog walking, cycling, and other activities on or near the same fairways, greens, paths, and adjoining areas. Without personnel to coordinate golf play, supervise access, identify hazards, or intervene in incompatible uses, visitors could be struck by golf balls or encounter conflicts with other users. Unrestricted access would also increase the potential for unauthorized entry into the miniature golf course and maintenance areas, damage to greens, turf, irrigation systems and other landscape resources, vandalism of structures, and misuse of federal facilities. Existing NPS and USPP personnel have other park-wide responsibilities and cannot provide continuous site-specific supervision of this extensive landscape. The documented seawall, sidewalk, and shoreline hazards would also be accessible as many are currently closed only by movable barricades. This option would therefore leave material safety and resource-protection risks unaddressed.

Closure of Buildings and Recreational Facilities Only

Locking and fencing off buildings, maintenance structures, restrooms, and the miniature golf facility would not control activities throughout the surrounding open golf course. Golfers, pedestrians, cyclists, and other visitors could continue to occupy the same landscape without coordinated oversight. The fairways, greens, irrigation and drainage systems, utilities, vegetation, and pathways would still require inspection and protection from unauthorized use and emergency access. Restricted structures and facilities could also be approached from multiple directions and would require continual monitoring to deter unauthorized entry and vandalism. The documented hazards are also not confined to buildings: the 2026 condition assessment rated the golf course parking lot, paved cart paths, light poles, and putting green retaining wall Poor and the driving range infrastructure, Critical, conditions that a facility-only closure would leave open to the public. A facility-only closure would also not address the separately documented shoreline and walkway hazards. Accordingly, this measure would not sufficiently reduce the risks arising from unrestricted access to the broader landscape.

Closure of the Golf Course While Retaining Roadway, Picnic, Playground, or Shoreline Access

Maintaining public access to selected portions of the park while excluding visitors from the golf course would require a reliable separation between open and closed areas that does not currently exist. Because golf facilities and adjacent public-use areas are physically interspersed, implementing this option would require extensive fencing—potentially miles of fencing depending on the boundary selected—together with gates, barriers, signs, and managed access points. Such measures would entail substantial installation and maintenance obligations and would still require NPS and USPP personnel to inspect barriers, manage gates, respond to breaches, and enforce restrictions. Even a fully enclosed golf course could be entered through damaged or bypassed barriers, and the length of the perimeter would make continuous observation and prompt enforcement difficult. NPS and USPP staff, given existing operational and law enforcement obligations, do not have dedicated capacity for sustained perimeter monitoring. Retaining shoreline access would also leave visitors exposed to documented seawall and walkway hazards. The NPS therefore determined that this partial closure would not reliably mitigate the identified risks.

Signs, Warnings, and Periodic Patrols Without Broader Closure

Posting warnings or restrictions and relying on intermittent NPS or USPP patrols were also considered. Signs could communicate prohibited activities but would not physically separate golfers from other visitors, prevent entry into the miniature golf course or other facilities, or ensure that visitors avoid compromised shoreline and walkway areas. The 2019 seawall scoping assessment found that existing barriers and fencing at deteriorated walkway areas ''are partial and ineffective and do not prevent access,'' and that posted ''DANGER'' signs at those locations did not indicate that the areas were closed. Because the area has numerous informal approaches and no continuous perimeter barrier, personnel conducting periodic patrols could not reliably detect or prevent hazardous activities between patrols. This approach would depend on enforcement after unauthorized access or unsafe conduct has occurred rather than providing effective ongoing control. It was therefore dismissed as insufficient on its own.

Overall, the absence of a golf course operator is not the only reason for closure. Rather, the combination of an open and integrated landscape, foreseeable incompatible and unauthorized activities, documented shoreline hazards, ongoing maintenance and resource-protection needs, and the lack of a feasible substitute for continuous site management makes the less restrictive measures inadequate. Closure of the defined area south of Buckeye Drive provides a more practicable access-control boundary than attempting to isolate the golf course within the park. The closure will remain subject to review and may be modified or rescinded when conditions permit safe public access and appropriate management controls are in place.

Determination Under 36 CFR 1.5(b)

This temporary closure is necessary to mitigate the outlined emergent significant risks to public health and safety, avoidance of conflicts among visitor use activities, protection of

natural and cultural resources and federal property, and implementation of NPS management responsibilities. The closure responds to the cessation of golf operations; the absence of an authorized operator or sufficient NPS capacity to supervise golf play and avoid conflict among visitor user groups; the NPS's present inability to safely manage the site for public use; the documented hazardous condition of golf course buildings, facilities, and grounds; and documented hazardous shoreline and walkway conditions.

The closure is limited geographically to East Potomac Park south of Buckeye Drive SW, and will be reviewed at least annually. NPS is currently considering projects to remedy the hazardous conditions. Implementation of such projects, after compliance with all applicable laws and regulations, could lead to a modification or lifting of the closure. Other portions of East Potomac Park and other parklands and recreational areas administered by National Mall and Memorial Parks and other nearby NPS units, including the National Mall, the Tidal Basin, Anacostia Park, Rock Creek Park, George Washington Memorial Parkway, and Chesapeake and Ohio Canal National Historic Park, will remain available except where separately closed or restricted, including the Rock Creek and Langston Golf Courses Recreational fishing and baseball fields are available along Ohio Drive to the Northwest (West Potomac Park). NPS will actively explore opening other park areas for expanded access or recreational opportunities.

This determination is consistent with prior temporary park closures and public use limitations, and with judicial adjudications, including *Mashack* v. *Jewell,* 149 F. Supp. 3d 11 (D.D.C. 2016); *Spiegel* v. *Babbitt,* 855 F. Supp. 402 (D.D.C. 1994), *aff'd in relevant part,* No. 94–5184, 1995 U.S. App. LEXIS 15200 (D.C. Cir. 1995); and *Voyageurs Nat'l Park Ass'n* v. *Norton,* 381 F.3d 759 (8th Cir. 2004).

Pursuant to 36 CFR 1.5(e), 1.7, notice of this temporary closure and public use limit will be provided through appropriate media advisories, the park website, maps, signs, gates, barricades, fencing, and posting at conspicuous locations in the affected park area. Pursuant to 36 CFR 1.5(c), this determination will be available to the public upon request.

John Calhoun,

Chief, Division of Regulations, Jurisdiction, and Special Park Uses, National Park Service.

[FR Doc. 2026–23299 Filed 11–13–26; 8:45 am]

BILLING CODE 4312–52–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1528]

Certain Spectral Flow Cytometry Systems and Components Thereof; Notice of Institution of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on October 8, 2026, under section 337 of the Tariff Act of 1930, as amended, on behalf of Cytek Biosciences, Inc. of Fremont, California. A supplement to the complaint was filed on October 26, 2026. The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain spectral flow cytometry systems and components thereof by reason of the infringement of certain claims of U.S. Patent No. 12,754,128 (''the '128 patent''); U.S. Patent No. 12,487,167 (''the '167 patent''); and U.S. Patent No. 10,739,245 (''the '245 patent''). The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute. The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.* Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205–2000. General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov.*

FOR FURTHER INFORMATION CONTACT: Pathenia M. Proctor, The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205–2560.

SUPPLEMENTARY INFORMATION:

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2026).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on November 10, 2026, ordered that—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain products identified in paragraph (2) by reason of infringement of one or more of claims 1, 11, 15–21, and 23–29 of the '128 patent; claims 1, 2–4, 6, and 8–20 of the '167 patent; and claim 21 of the '245 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission's Rules of Practice and Procedure, 19 CFR 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is ''spectral flow cytometry systems and components thereof, including optical detection systems such as Respondents' mosaic 88 and mosaic 63 products'';

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is: Cytek Biosciences, Inc., 47215 Lakeview Blvd., Fremont, California 94538.

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Beckman Coulter, Inc., 250 South Kraemer Blvd., Brea, CA 92821.

Beckman Coulter Biotechnology (Suzhou) Co., Ltd., Units 101, 201, 301, Building 4, No. 218, Sangtian Street, BioBAY Sangtian Island, Suzhou Industrial Park, Suzhou, China

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street SW, Suite 401, Washington, DC 20436; and

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

The Commission is interested in the development of a thorough record on

domestic industry in this investigation to facilitate a holistic review of all relevant considerations. Accordingly, the presiding administrative law judge may wish to consider what information will be necessary to make a determination with respect to complainant's domestic industry allegations under subparagraphs (A), (B), and (C) of section 337(a)(3) based on an industry that exists or is in the process of being established; including the extent to which these allegations rely on expenditures made by third parties; and the extent to which expenditures are made outside the United States related to the domestic industry article(s) by any entity.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: November 12, 2026.

Sharon Bellamy,

Supervisory Hearings and Information Officer.

[FR Doc. 2026–23254 Filed 11–13–26; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

[OMB Number 1121–0363]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Reinstatement, With Change, of a Previously Approved Collection, for Which Approval Has Expired: 2026 National Survey of Victim Service Providers

AGENCY: Bureau of Justice Statistics, Department of Justice.

ACTION: 30-Day notice.

SUMMARY: The Bureau of Justice Statistics (BJS), Department of Justice (DOJ), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 30 days until December 16, 2026.

FOR FURTHER INFORMATION CONTACT: If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Rebecca Bielamowicz, Statistician, Bureau of Justice Statistics, 999 N Capitol St. NE, Washington, DC 20531, (email: *bjspra.comments@ojp.usdoj.gov;* telephone: 202–307–0765).

SUPPLEMENTARY INFORMATION: The proposed information collection was previously published in the **Federal Register**, volume 91 page 57932 on Friday, September 11, 2026, allowing a 60-day comment period. No comments were received.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Written comments and recommendations for this information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain*. Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function and entering either the title of the information collection or the OMB Control Number 1121–0363. This information collection request may be viewed at *www.reginfo.gov.* Follow the instructions to view Department of Justice, information collections currently under review by OMB. When submitting a public comment, please send a copy to Rebecca Bielamowicz at *bjspra.comments@ojp.usdoj.gov.*

DOJ seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOJ notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Overview of This Information Collection

1. *Type of Information Collection:* Reinstatement, with change, of a previously approved collection for which approval has expired.

2. *Title of the Form/Collection:* 2026 National Survey of Victim Service Providers.

3. *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* There is no form number for the questionnaire. The applicable component within the Department of Justice is the Bureau of Justice Statistics in the Office of Justice Programs.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:* Affected Public: Programs and organizations that have been identified as providing services to victims of crime or abuse in the past six months will be asked, but not required, to respond.

Abstract: The National Survey of Victim Service Providers (NSVSP) provides national data on victim service providers (VSPs) in the United States.

The 2026 NSVSP instrument measures topics related to the types of crime or abuse VSPs provided services for, the specific types of services they provided to crime victims, the size and makeup of VSPs' staff, and VSPs' preparedness to respond to mass violence incidents. The 2026 NSVSP is the second administration of the NSVSP, which was last conducted in 2019.

5. *Obligation to Respond:* Voluntary.

6. *Total Estimated Number of Respondents:* 6,482 respondents.

7. *Estimated Time per Respondent:* 25 minutes.

8. *Frequency:* Once per year.

9. *Total Estimated Annual Time Burden:* 2,115 hours.

10. *Total Estimated Annual Other Costs Burden:* $0.

If additional information is required contact: Darwin Arceo, Department Clearance Officer, United States Department of Justice, Justice Management Division, Enterprise Portfolio Management, Two Constitution Square, 145 N Street NE, 4W–218, Washington, DC.

Dated: November 12, 2026.

Darwin Arceo,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2026–23224 Filed 11–13–26; 8:45 am]

BILLING CODE 4410–18–P

DEPARTMENT OF LABOR

Employment and Training Administration

Agency Information Collection Activities; Comment Request; Workforce Innovation and Opportunity Act Joint Quarterly Narrative Report

ACTION: Notice.

SUMMARY: The Department of Labor's (DOL) Employment and Training Administration (ETA) is soliciting comments concerning a proposed revision for the authority to conduct the information collection request (ICR) titled, ''Workforce Innovation and Opportunity Act Joint Quarterly Narrative Report.'' This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

DATES: Consideration will be given to all written comments received by January 15, 2027.

ADDRESSES: A copy of this ICR with applicable supporting documentation, including a description of the likely respondents, proposed frequency of response, and estimated total burden, may be obtained free by contacting Lizbeth Perez Hernandez by telephone at 202–693–1000 ext. 15260 or by email at *perezhernandez.lizbeth@dol.gov.*

Submit written comments about, or requests for a copy of, this ICR by mail to the U.S. Department of Labor, Employment and Training Administration, Office of Workforce Investment, Room C–4526, 200 Constitution Avenue NW, Washington 20210; or by email; *perezhernandez.lizbeth@dol.gov.*

FOR FURTHER INFORMATION CONTACT: Lizbeth Perez Hernandez by telephone at 202–693–1000 ext.15260 or by email at *perezhernandez.lizbeth@dol.gov.*

SUPPLEMENTARY INFORMATION: DOL, as part of continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the Office of Management and Budget (OMB) for final approval. This program helps to ensure requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

The Workforce Innovation and Opportunity Act (WIOA) (29 U.S.C. 3101) authorizes this information collection. This ICR provides a single WIOA Joint Quarterly Narrative Performance Report (Joint QNR) for several grant programs. DOL seeks a revision of this ICR to include the following changes: Removal of ETA's Senior Community Service Employment Program (SCSEP)'s statistical methodology listed previously in Supporting Statement Part B, because this information is part of a separate ICR for SCSEP Data Collection, under OMB Control Number 1205–0040.

The Joint QNR provides a detailed account of grantees' program activities, accomplishments, and progress toward performance outcomes during the quarter. It also provides information on grant challenges and timeline progress, as well as the opportunity to share success stories. The continued use of a standardized narrative report supports WIOA implementation and the goal of systems alignment and consistency of reporting. This template also helps ensure consistent identification of technical assistance needs across the competitive grant programs that are reporting on WIOA performance indicators and contributes to improved quality of performance information that ETA receives.

The National Farmworker Jobs Program and YouthBuild grants are authorized under the Workforce Innovation and Opportunity Act of 2014, which identified performance accountability requirements for these grants. The WIOA performance indicators and reporting requirements also apply to the Dislocated Worker Grants program. While Dislocated Worker Demonstration Grants and Reentry Employment Opportunities do not have statutory quarterly narrative requirements from WIOA, and H–1B Skills Training Grants and the DOL Office of Apprenticeship grants are not authorized under WIOA, these programs have adopted the WIOA performance indicators and align with WIOA data element definitions and reporting templates to promote consistency across these DOL-funded programs. The SCSEP, authorized under the Older Americans Act, as amended (Pub. L. 114–144), has also adopted some of the WIOA performance measures and, for this reason has adopted the WIOA Joint QNR.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

Interested parties are encouraged to provide comments to the contact shown in the **ADDRESSES** section. Comments must be written to receive consideration, and they will be summarized and included in the request for OMB approval of the final ICR. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1205–0448.

Submitted comments will also be a matter of public record for this ICR and posted on the internet, without redaction. DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

DOL is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary

for the proper performance of the functions of the Agency, including whether the information will have practical utility;

• Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

• Enhance the quality, utility, and clarity of the information to be collected; and

• Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, (*e.g.,* permitting electronic submission of responses).

Agency: DOL ETA.

Type of Review: Revision.

Title of Collection: Workforce Innovation and Opportunity Act Joint Quarterly.

Narrative Performance Report.

Form: Quarterly Narrative Performance Report Template (ETA–9179).

OMB Control Number: 1205–0448.

Affected Public: State, Local, and Tribal Governments, Private Sector.

Estimated Number of Respondents: 1,177.

Frequency: Quarterly.

Total Estimated Annual Responses: 4,708.

Estimated Average Time per Response: Joint QNR: 10 hours.

Estimated Total Annual Burden Hours: 47,080 hours.

Total Estimated Annual Other Cost Burden: $1,636,305.60.

Authority: 44 U.S.C. 3506(c)(2)(A).

Marek Laco,

Acting Assistant Secretary for Employment and Training, Labor.

[FR Doc. 2026–23292 Filed 11–13–26; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Employment and Training Administration

Agency Information Collection Activities; Comment Request; Quarterly Narrative Progress Report, Employment and Training Supplemental Budget Request Activities

ACTION: Notice.

SUMMARY: The Department of Labor's (DOL) Employment and Training Administration (ETA) is soliciting comments concerning a proposed revision for the authority to conduct the information collection request (ICR) titled, ''Quarterly Narrative Progress Report, Employment and Training Supplemental Budget Request Activities.'' This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

DATES: Consideration will be given to all written comments received by January 15, 2027.

ADDRESSES: A copy of this ICR with applicable supporting documentation, including a description of the likely respondents, proposed frequency of response, and estimated total burden, may be obtained free by contacting Lawrence Burns by telephone at 202–693–1000 ext. 13400 (this is not a toll-free number), or by email at *OUI-PRA@dol.gov.* For persons with a hearing or speech disability who need assistance using the telephone system, please dial 711 to access telecommunications relay services.

Submit written comments about, or requests for a copy of, this ICR by mail or courier to the U.S. Department of Labor, Office of Unemployment Insurance, 200 Constitution Avenue NW, Room S–4524, Washington, DC 20210; by email: *OUI-PRA@dol.gov.*

FOR FURTHER INFORMATION CONTACT: Lawrence Burns by telephone at 202–693–1000 ext. 13400 (this is not a toll-free number) or by email at *OUI-PRA@dol.gov.*

SUPPLEMENTARY INFORMATION: DOL, as part of continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the Office of Management and Budget (OMB) for final approval. This program helps to ensure requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

The ETA National and Regional Offices use the Quarterly Narrative Progress Report, Employment and Training Supplemental Budget Request Activities, to monitor the progress of State Workforce Agencies (SWAs) in implementing supplemental grant projects. ETA provides supplemental grants for SWAs to prevent and detect improper benefit payments, improve state performance, and address outdated information technology system infrastructures. ETA implements these projects through Unemployment Insurance Supplemental Budget Request grants, Reemployment Services and Eligibility Assessments (RESEA) grants, and Dislocated Worker Grants to states for demonstration and special projects such as Reemployment and Systems Integration. This information collection includes the funded project/activity, the targeted start and completion dates for the project/activity, and the quarterly implementation status. In an effort to reduce duplication of work and burden on a State's Workforce Agency, DOL is proposing a modification to reporting instructions that are specific to the RESEA program, which is an incrementally-funded fiscal year (FY) grant subject to 9178 reporting requirements. This modification will require all state RESEA grantees to provide a single ETA 9178 Narrative that reflects total FY funding rather than separate narrative for each RESEA FY grant that has multiple Payment Management System-based Document Numbers. This modification will reduce reporting burden on states while maintaining the reporting of information necessary for appropriate Federal stewardship of RESEA grants. The data is needed for budget preparation and control; program planning and evaluation; program monitoring, oversight, and performance accountability; actuarial and program research; and for accounting to Congress and the public. Section 303(a)(6) of the Social Security Act authorizes this information collection.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

Interested parties are encouraged to provide comments to the contact shown in the **ADDRESSES** section. Comments must be written to receive consideration, and they will be summarized and included in the request for OMB approval of the final ICR. In order to help ensure appropriate consideration, comments should mention OMB control number 1205–0517.

Submitted comments will also be a matter of public record for this ICR and posted on the internet, without redaction. DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

DOL is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;
- Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, (*e.g.,* permitting electronic submission of responses).

Agency: DOL–ETA.

Type of Review: Revision.

Title of Collection: Quarterly Narrative Progress Report, Employment and Training Supplemental Budget Request Activities.

Form: ETA 9178.

OMB Control Number: 1205–0517.

Affected Public: State Workforce Agencies.

Estimated Number of Respondents: 53.

Frequency: Quarterly.

Total Estimated Annual Responses: 212.

Estimated Average Time per Response: 90 minutes.

Estimated Total Annual Burden Hours: 318 hours.

Total Estimated Annual Other Cost Burden: $0.

Authority: 44 U.S.C. 3506(c)(2)(A).

Marek Laco,

Acting Assistant Secretary for Employment and Training, Labor.

[FR Doc. 2026–23293 Filed 11–13–26; 8:45 am]

BILLING CODE 4510–FW–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Application for Continuation of Death Benefit for Student

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Office of Workers' Compensation Programs (OWCP)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before December 16, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT: Michael Howell by telephone at 202–693–6782, or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: Form LS–266 is used as an application for continuation of death benefits for a dependent who is a student. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on June 9, 2026 (91 FR 34838).

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–OWCP.

Title of Collection: Application for Continuation of Death Benefit for Student.

OMB Control Number: 1240–0026.

Affected Public: Private Sector—Businesses or other for-profits.

Total Estimated Number of Respondents: 14.

Total Estimated Number of Responses: 14.

Total Estimated Annual Time Burden: 7 hours.

Total Estimated Annual Other Costs Burden: $0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Michael Howell,

Senior PRA Analyst.

[FR Doc. 2026–23297 Filed 11–13–26; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Claim Adjudication Process for the Alleged Presence of Pneumoconiosis

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Office of Workers' Compensation Programs (OWCP)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before December 16, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT: Michael Howell by telephone at 202–693–6782, or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: As part of the claim adjudication process, 20 CFR 718 requires certain medical information be obtained regarding the medical condition of a claimant alleging the presence of pneumoconiosis. The medical specifications in the regulations have been formatted in a variety of forms to promote efficiency and accuracy in gathering the required data. These forms were designed to meet the need to gather medical evidence. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on May 26, 2026 (91 FR 30727).

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–OWCP.

Title of Collection: Claim Adjudication Process for the Alleged Presence of Pneumoconiosis.

OMB Control Number: 1240–0023.

Affected Public: Private Sector—Businesses or other for-profits.

Total Estimated Number of Respondents: 7,500.

Total Estimated Number of Responses: 37,500.

Total Estimated Annual Time Burden: 11,625 hours.

Total Estimated Annual Other Costs Burden: $0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Michael Howell,

Senior PRA Analyst.

[FR Doc. 2026–23298 Filed 11–13–26; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Administration of the Longshore and Harbor Workers' Compensation Act

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Office of Workers' Compensation Programs (OWCP)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before December 16, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT: Michael Howell by telephone at 202–693–6782, or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: The regulations and forms cover the submission of information relating to the processing of claims for benefits under the Longshore Act and extensions. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on June 10, 2026 (91 FR 35274).

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of

automated collection techniques or other forms of information technology.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–OWCP.

Title of Collection: Administration of the Longshore and Harbor Workers' Compensation Act.

OMB Control Number: 1240–0014.

Affected Public: Private Sector—Businesses or other for-profits.

Total Estimated Number of Respondents: 63,499.

Total Estimated Number of Responses: 93,999.

Total Estimated Annual Time Burden: 18,573 hours.

Total Estimated Annual Other Costs Burden: $0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Michael Howell,

Senior PRA Analyst.

[FR Doc. 2026–23296 Filed 11–13–26; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Request for Information on Earnings, Dual Benefits, Dependents, and Third Party Settlements

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Office of Workers' Compensation Programs (OWCP)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before December 16, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT: Michael Howell by telephone at 202–693–6782, or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: Form CA–1032 is used to obtain information from claimants receiving compensation for an extended period of time. This information is necessary to ensure that compensation being paid is correct. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on May 18, 2026 (91 FR 28621).

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–OWCP.

Title of Collection: Request for Information on Earnings, Dual Benefits, Dependents, and Third Party Settlements.

OMB Control Number: 1240–0016.

Affected Public: Private Sector—Businesses or other for-profits.

Total Estimated Number of Respondents: 42,219.

Total Estimated Number of Responses: 42,219.

Total Estimated Annual Time Burden: 14,059 hours.

Total Estimated Annual Other Costs Burden: $24,179.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Michael Howell,

Senior PRA Analyst.

[FR Doc. 2026–23295 Filed 11–13–26; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Office of Workers' Compensation Programs

[OMB Control No. 1240–0024]

Proposed Revision of Information Collection; Certification of Medical Necessity

AGENCY: Office of Workers' Compensation Programs.

ACTION: Request for public comments.

SUMMARY: The Department of Labor (DOL) is soliciting comments concerning a proposed extension for the authority to conduct the information collection request (ICR) titled, ''Certificate of Medical Necessity''. This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

DATES: All comments must be received on or before January 15, 2027.

ADDRESSES: You may submit comments as follows. Please note that late, untimely filed comments will not be considered.

Electronic Submissions: Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments for WCPO–2026–0727. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket, with no changes. Because your comment will be made public, you are responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as your or anyone else's Social Security number or confidential business information.
- If your comment includes confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission.

Written/Paper Submissions: Submit written/paper submissions in the following way:

- *Mail/Hand Delivery:* Mail or visit DOL–OWCP, Division of Coal Mine Workers' Compensation, 200 Constitution Avenue NW, Suite C3520–DCMWC, Washington, DC 20210.
- OWCP will post your comment as well as any attachments, except for information submitted and marked as confidential, in the docket at *https://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Anjanette Suggs, Office of Workers' Compensation Programs, at *suggs.anjanette@dol.gov* (email).

SUPPLEMENTARY INFORMATION:

I. Background

The DOL, as part of continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the OMB for final approval. This program helps to ensure requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

The Office of Workers' Compensation Programs administers the Federal Black Lung Compensation Program. The Black Lung Benefits Act (30 U.S.C. 901 *et seq.*) and its implementing regulations necessitate this information collection. The regulations at 20 CFR 725.701 set out a miner's eligibility for medical services and supplies for the length of time required by the miner's pneumoconiosis and related disability. The regulations require prior approval before ordering medical equipment where the purchase price exceeds $300.00. 20 CFR 725.705. The regulations also provide for the ongoing supervision of the miner's medical care, including the necessity, character and sufficiency of care to be furnished; gives the Office of Workers' Compensation Programs authority to request medical reports; and indicates the right to refuse payment for failing to submit any report required. 20 CFR 725.706. To implement the statute and these regulations, it was necessary to devise a form to collect the required information. The form is the CM–893, Certification of Medical Necessity, which is completed by the miner's physician and is used by the Division of Coal Mine Workers' Compensation to determine if the miner meets the standards to qualify for durable medical equipment and home nursing services. OMB has currently approved this information collection for use through April 30, 2027.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB under the PRA approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6.

Interested parties are encouraged to provide comments to the contact shown in the **ADDRESSES** section. Written comments will receive consideration and be summarized and included in the request for OMB approval of the final ICR. In order to help ensure appropriate consideration, comments should mention 1240–0024.

Submitted comments will also be a matter of public record for this ICR and posted on the internet, without redaction. The DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

II. Desired Focus of Comments

OWCP is soliciting comments concerning the proposed information collection related to the Certification of Medical Necessity. OWCP is particularly interested in comments that:

- Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information has practical utility;
- Evaluate the accuracy of OWCP's estimate of the burden related to the information collection, including the validity of the methodology and assumptions used in the estimate;
- Suggest methods to enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the information collection on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Documents related to this information collection request are available at *https://regulations.gov* and at DOL–OWCP located at 200 Constitution Avenue NW, Room S3524, Washington, DC 20210. Questions about the information collection requirements may be directed to the person listed in the **FOR FURTHER INFORMATION** section of this notice.

III. Current Actions

This information collection request concerns Certification of Medical Necessity. OWCP has updated the data with respect to the number of respondents, responses, burden hours, and burden costs supporting this information collection request from the previous information collection request.

Type of Review: Revision of a currently approved collection.

Agency: Office of Workers' Compensation Programs.

OMB Number: 1240–0024.

Affected Public: Individuals or households, Business or other for-profit, and not profit institutions.

Number of Respondents: 2,415.

Number of Responses: 2,415.

Annual Burden Hours: 1,611 hours.

Annual Respondent or Recordkeeper Cost: $0.0.

OWCP Forms: CM–893, Certification of Medical Necessity.

Comments submitted in response to this notice will be summarized in the request for Office of Management and Budget approval of the proposed information collection request; they will

become a matter of public record and will be available at *https://www.reginfo.gov.*

Anjanette Suggs,

Agency Clearance Officer.

[FR Doc. 2026–23294 Filed 11–13–26; 8:45 am]

BILLING CODE 4510–CR–P

NATIONAL CREDIT UNION ADMINISTRATION

Sunshine Act Meetings

TIME AND DATE: 10:00 a.m., Tuesday, November 17, 2026.

PLACE: Board Room, 7th Floor, Room 7B, 1775 Duke Street (All visitors must use Diagonal Road Entrance), Alexandria, VA 22314–3428.

STATUS: Open.

MATTER TO BE CONSIDERED: 1. Budget Hearing, NCUA's 2027–2028 Budget.

CONTACT PERSON FOR MORE INFORMATION: Melane Conyers-Ausbrooks, Secretary of the Board, Telephone: 703–518–6304.

Melane Conyers-Ausbrooks,

Secretary of the Board.

[FR Doc. 2026–23210 Filed 11–12–26; 11:15 am]

BILLING CODE 7535–01–P

NATIONAL SCIENCE FOUNDATION

Notice of Antarctic Meteorite Collection, Documentation, and Curation Plan Received Under the Antarctic Conservation Act of 1978

AGENCY: U.S. National Science Foundation.

ACTION: Notice of Antarctic meteorite collection, documentation, and curation plan received.

SUMMARY: On March 31, 2003, the U.S. National Science Foundation (NSF) issued a final rule that authorized the collection of meteorites in Antarctica for scientific purposes only. The regulations provide requirements for appropriate collection, handling, documentation, and curation of Antarctic meteorites to preserve their scientific value. These regulations implement the Antarctic Conservation Act of 1978, as amended by the Antarctic Science, Tourism and Conservation Act of 1996, (16 U.S.C. 2401 *et seq.*), consistent with Article 7 of the Protocol on Environmental Protection to the Antarctic Treaty. NSF is required to publish notice of the availability of Meteorite Collection, Documentation, and Curation Plans received under the Antarctic Conservation Act of 1978. This is the required notice.

DATES: Interested parties are invited to submit written data, comments, or views with respect to this plan by December 1, 2026. This plan may be inspected by interested parties at the Permit Office, address below.

ADDRESSES: Comments should be addressed to Permit Office, Office of Polar Programs, U.S. National Science Foundation, 401 Dulany Street, Alexandria, Virginia 22314 or *ACApermits@nsf.gov.*

FOR FURTHER INFORMATION CONTACT: Andrew Titmus, ACA Permit Officer, at the above address, 703–292–4479.

SUPPLEMENTARY INFORMATION: An Antarctic meteorite collection, documentation, and curation plan has been received from James Karner, Department of Geology and Geophysics, University of Utah, Salt Lake City, UT 84112.

Jean C. Allen,

Office Director, Office of Polar Programs.

[FR Doc. 2026–23211 Filed 11–13–26; 8:45 am]

BILLING CODE 7555–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–280 and 50–281; NRC–2026–5347]

Virginia Electric and Power Company; Surry Power Station, Unit Nos. 1 and 2; License Amendment Application; Withdrawal by Applicant

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has granted the request of Virginia Electric and Power Company to withdraw its application dated May 27, 2026, for proposed amendments to Subsequent Renewed Facility Operating License Nos. DPR–32 and DPR–37. The proposed amendments would have added a footnote to Technical Specification (TS) 3.16, ''Emergency Power System,'' to allow a one-time extension of the Allowed Outage Time in TS 3.16 Action B.1.a.3 from 7 days to 14 days for Surry Power Station, Unit No. 2, supportive of the replacement of feeder cables on the Unit No. 1 Emergency Diesel Generator.

DATES: This document was published in the **Federal Register** on July 21, 2026.

ADDRESSES: Please refer to Docket ID NRC–2026–5347 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2026–5347. 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.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin ADAMS Public Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to *PDR.Resource@nrc.gov.* The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.
- *NRC's PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: John Klos, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–5136; email: *John.Klos@nrc.gov.*

SUPPLEMENTARY INFORMATION: The NRC has granted Virginia Electric and Power Company's (the licensee's) request dated October 12, 2026 (ADAMS Accession No. ML26285A020), to withdraw its May 27, 2026, application (ADAMS Accession No. ML26147A328), for proposed amendments to Subsequent Renewed Facility Operating License Nos. DPR–32 and DPR–37 for the Surry Power Station, Unit Nos. 1 and 2, located in Surry County, VA.

The licensee's proposed amendments requested the NRC to add a footnote to TS 3.16, ''Emergency Power System,'' to allow a one-time extension of the Allowed Outage Time in TS 3.16 Action B.1.a.3 from 7 days to 14 days.

A notice of consideration of issuance and proposed no significance hazards consideration determination for the license amendment request was

published in the **Federal Register** (91 FR 45837) on July 21, 2026.

Authority: 42 U.S.C. 2011 *et seq.*

Dated: November 10, 2026.

For the Nuclear Regulatory Commission.

Lee Klos,

Project Manager, Operating Reactor Licensing Branch 2, Division of Licensing Projects I, Office of Nuclear Reactor Regulation.

[FR Doc. 2026–23200 Filed 11–13–26; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2026–0001]

Sunshine Act Meetings

TIME AND DATE: Week of November 9, 2026.

PLACE: Via Teleconference.

STATUS: Open.

MATTERS TO BE CONSIDERED:

Week of November 9, 2026

Thursday, November 12, 2026

4:15 p.m. Affirmation Session (Public Meeting) (Tentative), Direct Final Rule [DFR–1]: Advisory Committee on Reactor Safeguards, Functions (RIN 3150–AL43). (Tentative), (Contact: Wesley Held: 301–287–3591)

ADDITIONAL INFORMATION: By a vote of 5–0 on November 12, 2026, the Commission determined pursuant to 5 U.S.C. 552b(e)(1) and 10 CFR 9.107 this item be affirmed with less than one week notice to the public. This item will be affirmed in the meeting being held on November 12, 2026. The public is invited to attend the Commission's meeting live; via teleconference. Details for joining the teleconference in listen only mode can be found at *https://www.nrc.gov/pmns/mtg.*

CONTACT PERSON FOR MORE INFORMATION: For more information or to verify the status of meetings, contact Wesley Held at 301–287–3591 or via email at *Wesley.Held@nrc.gov.* The schedule for Commission meetings is subject to change on short notice.

The NRC Commission Meeting Schedule can be found on the internet at: *https://www.nrc.gov/public-involve/public-meetings/schedule.html.*

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings or need this meeting notice or the transcript or other information from the public meetings in another format (*e.g.,* braille, large print), please contact the Reasonable Accommodations Resource by email at *Reasonable_Accommodations.Resource@nrc.gov.* Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

Members of the public may request to receive this information electronically. If you would like to be added to the distribution, please contact the Nuclear Regulatory Commission, Office of the Secretary, Washington, DC 20555, at 301–415–1969, or by email at *Betty.Thweatt@nrc.gov* or *Samantha.Miklaszewski@nrc.gov.*

The NRC is holding the meetings under the authority of the Government in the Sunshine Act, 5 U.S.C. 552b.

Dated: November 12, 2026.

For the Nuclear Regulatory Commission.

Wesley W. Held,

Policy Coordinator, Office of the Secretary.

[FR Doc. 2026–23236 Filed 11–12–26; 11:15 am]

BILLING CODE 7590–01–P

POSTAL REGULATORY COMMISSION

[Docket Nos. K2025–1632; K2025–1642; K2026–286; MC2027–30 and K2027–31]

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:* November 19, 2026.

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

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

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction
II. Public Proceeding(s)
III. Summary Proceeding(s)

I. Introduction

Pursuant to 39 CFR 3041.405, the Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to Competitive negotiated service agreement(s). The request(s) may propose the addition of a negotiated service agreement from the Competitive product list or the modification of an existing product currently appearing on the Competitive product list.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.[1]

Section II identifies the docket number(s) associated with each Postal Service request, if any, that will be reviewed in a public proceeding as defined by 39 CFR 3010.101(p), the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each such request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 and 39 CFR 3000.114 (Public Representative). The Public Representative does not represent any individual person, entity or particular point of view, and, when Commission attorneys are appointed, no attorney-client relationship is established. Section II also establishes comment deadline(s) pertaining to each such request.

The Commission invites comments on whether the Postal Service's request(s) identified in Section II, if any, are consistent with the policies of title 39. Applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3041. Comment deadline(s) for each such request, if any, appear in Section II.

Section III identifies the docket number(s) associated with each Postal Service request, if any, to add a standardized distinct product to the Competitive product list or to amend a standardized distinct product, the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. Standardized distinct products are negotiated service agreements that are variations of one or more Competitive products, and for which financial models, minimum rates, and classification criteria have undergone advance Commission review. *See* 39

[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).

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).:* K2025–1632; *Filing Title:* USPS Request Concerning Amendment One to Priority Mail & USPS Ground Advantage Contract 828 and Materials Under Seal; *Filing Acceptance Date:* November 10, 2026; *Filing Authority:* 39 CFR. 3035.105 and 39 CFR 3041.505; *Public Representative:* Christopher Mohr; *Comments Due:* November 19, 2026.

2. *Docket No(s).:* K2025–1642; *Filing Title:* USPS Request Concerning Amendment One to Priority Mail & USPS Ground Advantage Contract 833 and Materials Under Seal; *Filing Acceptance Date:* November 10, 2026; *Filing Authority:* 39 CFR. 3035.105 and 39 CFR 3041.505; *Public Representative:* Jennaca Upperman; *Comments Due:* November 19, 2026.

3. *Docket No(s).:* K2026–286; *Filing Title:* USPS Request Concerning Amendment One to Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1502 and Materials Under Seal; *Filing Acceptance Date:* November 10, 2026; *Filing Authority:* 39 CFR. 3035.105 and 39 CFR 3041.505; *Public Representative:* Christopher Mohr; *Comments Due:* November 19, 2026.

4. *Docket No(s).:* MC2027–30 and K2027–31; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 1127 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* November 10, 2026; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Kenneth Moeller; *Comments Due:* November 19, 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. 2026–23252 Filed 11–13–26; 8:45 am]

BILLING CODE 7710–FW–P

SMALL BUSINESS ADMINISTRATION

Performance Review Board Members

AGENCY: U.S. Small Business Administration.

ACTION: Notice of Performance Review Board appointment.

SUMMARY: Federal law requires each agency to publish a notification of the appointment of individuals who will serve as members of that agency's Performance Review Board (PRB). The U.S. Small Business Administration (SBA) hereby provides notice that the membership of its PRB, previously published in the **Federal Register** on December 5, 2025, is no longer in effect.

SUPPLEMENTARY INFORMATION: The following individuals have been designated to serve on the PRB for the SBA.

Members

1. Robin Wright (Chair), Chief Operating Officer, Office of the Administrator
2. Benjamin Grayson, Deputy Chief of Staff, Office of the Administrator
3. Randle Logan, Deputy Associate Administrator, Office of Disaster Recovery
4. Katherine Morgan, Deputy Associate Administrator, Office of Field Operations
5. Daniel Pische, Director for Financial Assistance, Office of Capital Access

Authority: 5 U.S.C. 4314(c)(4) and 5 CFR 430.311(a)(4).

Kelly Loeffler,

Administrator.

[FR Doc. 2026–23256 Filed 11–13–26; 8:45 am]

BILLING CODE 8026–09–P

DEPARTMENT OF STATE

[Public Notice: 13173]

RIN1400–ZA28

Pilot for Online Version of Application for a U.S. Passport (Form DS–11)

ACTION: Notice of pilot program; comments.

SUMMARY: The Department of State is announcing a pilot program to accept certain renewal and first-time passport applications online. Interested applicants will be able to visit *America.gov* to check their eligibility to submit a passport application through this pilot. It is anticipated that the pool of eligible applicants will be expanded as testing progresses.

DATES: This pilot will be effective November 16, 2026, until November 20, 2027, unless further extended.

FOR FURTHER INFORMATION CONTACT: Jennifer Tinianow, Bureau of Consular Affairs, Passport Services, Office of Adjudication, 202–765–6517.

SUPPLEMENTARY INFORMATION: Currently, only applicants who are eligible for a passport renewal using form DS–82: U.S. Passport Renewal Application for Eligible Individuals [1] can submit a U.S. passport application online. The Department is seeking to expand the availability of online passport applications to first-time applicants and other applicants previously issued U.S. passports who are not eligible to apply using form DS–82. As part of this effort, Passport Services will run a pilot for the online use of form DS–11: Application for a U.S. Passport.[2]

The pilot will be deployed in phases starting on November 16, 2026, and will be limited to individuals age 18 and over, who have an identification document accepted by Login.gov, excluding mobile driver's licenses. Accepted ID types include valid U.S. passport books and cards, and valid driver's licenses or non-driver's license state-issued ID cards issued by a U.S. State, District of Columbia, or U.S. territory.

The pilot will begin with adult applicants located in the United States who have been previously issued a fully valid U.S. passport who are not eligible for a DS–82 renewal application, and first-time adult applicants located in the United States using a Certificate of Naturalization issued by USCIS as evidence of U.S. citizenship. As the Department makes progress on testing and technological capability, it anticipates later expanding the pilot to adult applicants with no previous U.S. passport who are using a valid certified U.S. birth certificate that meets all requirements listed in 22 CFR 51.42 issued by vital records authorities in a state that elects to participate when the capability becomes available, a Certificate of Citizenship issued by USCIS, or a Consular Report of Birth Abroad (CRBA) as evidence of U.S. citizenship, and to eligible applicants who are located overseas. Further expansions may be considered during the course of the pilot.

The pilot application will be accessible via America.gov. Interested applicants will answer a series of questions on that website to determine if they are eligible to use this pilot application. Eligible applicants will be directed to *Login.gov* for identification verification and then returned to *America.gov* to complete and submit

[1] OMB Control No. 1405–0020.

[2] OMB Control No. 1405–0004.

their application online. Applicants who do not meet the criteria for this pilot will be redirected to the appropriate application process, detailed below.

Process

Applicants who indicate on *America.gov* that they are seeking passport services will be first asked a series of eligibility-related questions such as whether they are applying for their own passport, whether they are U.S. citizens, and whether they have urgent travel plans. Technical limitations may prevent otherwise eligible applicants from using the pilot application. Those who are not eligible for the online DS–11 pilot will be provided with information about the passport application process that is appropriate for them based on their answers. For instance, individuals who wish to submit an affidavit or court order, or whose applications require one, will be directed to the paper application process.

Once eligibility for the online DS–11 is confirmed, applicants will be prompted to sign in to or create an account for Login.gov. *Login.gov* will prompt them to provide an ID for verification, pass a liveness detection check,[3] enter their Social Security Number, put in their address, and verify the information provided.

After signing in to Login.gov, the applicant's information will be provided to the Department of State. Applicants will be returned to *America.gov* and asked to review and confirm the basic biographical information that their *Login.gov* account provided to the Department of State such as name, sex, and date of birth. They will have an opportunity to correct any imported information before they confirm. *America.gov* will then ask applicants to accept terms and conditions for Form DS–11 before asking applicants to provide information specific to the form that is not collected by Login.gov, including their USCIS or alien registration number (if applicable), emergency contact, and occupation. Finally, applicants will be asked to submit an eligible passport photo, choose their desired product and delivery type, review their applications, and take the oath declaring under penalty of perjury that all of the information in the form is true and correct. Since the pilot uses an online process for the DS–11, applicants will fulfill the oath requirement by recording themselves stating the oath. That recording will then be reviewed alongside the rest of the application by a passport agent for confirmation and acceptance.

Once accepted by the passport agent, the application will be adjudicated and processed by a passport authorizing officer following the same procedures as the paper DS–11 applications. This adjudication process will involve verifying the applicant's citizenship records using system checks, including those from USCIS. When an application is approved, the passport will be issued and mailed to the address provided by the applicant through their online application submission.

Authorities

The pilot program is being launched pursuant to 22 U.S.C. 211a—Authority to grant, issue, and verify passports, which authorizes the Department to ''grant and issue passports, and cause passports to be granted, issued, and verified in foreign countries . . . .'' 22 U.S.C. 213—Application for Passport; Verification by Oath requires that certain passport applications ''be duly verified by his oath before a person authorized and empowered by the Secretary of State to administer oaths.'' For purposes of this temporary pilot program, eligible applicants who are required to take an oath will record themselves reciting it, the recording will be uploaded, and a passport agent will review and confirm the recorded oath before the application is adjudicated.

The pilot program will also temporarily alter the application of the following regulations in Title 22, Code of Federal Regulations:

- 51.8(b)—Submission of currently valid passport, which provides that ''[w]hen applying for a new passport on-line, an applicant must have the currently valid passport of the same type available for cancellation via the on-line process.'' A first-time applicant eligible for the online DS–11 pilot will not have a currently valid passport available for cancellation.
- 51.21—Execution of Passport Application, which provides that specific populations ''must apply for a passport by appearing in person before a passport agent or passport acceptance agent'' and ''must verify the application by oath or affirmation before the passport agent or passport acceptance agent'' as well as spelling out processes for passport renewal by mail or online. Persons belonging to those populations who are eligible for the online DS–11 pilot, including such persons overseas, will not appear in person for the oath to be administered.
- 51.22(e)—Responsibilities, which includes those of persons acting as passport acceptance agents' ''certify[ing] that they have personally witnessed the applicant signing his or her application'' and others as part of their responsibilities. Persons who are eligible for the online DS–11 pilot will not be personally witnessed.
- 51.29—Attorney or other third-party assistance, which permits persons seeking passport services to be physically accompanied by third parties of their choice when seeking passport services. Persons who are eligible for the online DS–11 pilot will not need to be physically accompanied by those third parties.
- 51.42—Persons born in the United States applying for a passport for the first time, which specifies certain evidence persons born in the U.S. must submit in original copies when applying for a passport for the first time. Some persons who are eligible for the online DS–11 pilot will be first-time applicants, and they may only be required to submit evidence electronically.
- 51.43—Persons born outside the United States applying for a passport for the first time, which specifies evidence persons born outside the U.S. may be required to submit by paper when applying for a passport for the first time. Some persons who are eligible for the online DS–11 pilot will be first-time applicants, and they may only be required to submit evidence electronically.
- 51.51—Passport fees, which includes an execution fee ''when the applicant is required to execute the application in person.'' The Department expects the execution of online DS–11 applications during the pilot to cost the same as execution of in-person DS–11 applications because the Department must still review the entire application, including the recorded oath and evidence of identity, for execution and acceptance. Therefore, even though applications submitted by persons who are eligible for the pilot will not be executed in person, the $35 execution fee will still apply. However, the Department will also use the pilot to study and verify associated costs and will update its fee schedule as necessary.
- 51.52(b)—Exemption from payment of passport fees, which specifies that

[3] Liveness detection is the process which determines that the application is being completed by a live human (not a bot or SI) and that the identity of that human matches the biometric information of the applicant. This process is completed by capturing a live photo of the applicant using Login.gov's technology that confirms the applicant's live presence in front of the camera. *Login.gov* then compares the identity to the application's information using a variety of tools, including facial recognition to the identification documents provided.

persons exempt from passport fees are also exempt from passport execution fees if their applications are executed before a federal official. Persons who are eligible for the online DS–11 pilot who fall into the categories under this section will be exempt from passport fees and passport execution fees.

Paperwork Reduction Act

The application for a passport, form DS–11, is approved under OMB Control Number 1405–0004. The latest approval was on June 25, 2025, for three years. The following information applies to the existing DS–11 procedures. The Department processed 13,913,231 DS–11 applications in FY 2025. The average time for an applicant to complete a DS–11 (which includes the time required to search existing data sources, gather the necessary information, provide the information required, review the final collection, and submit the collection to Passport Services for processing) is 85 minutes per response. The Department anticipates that accepting a percentage of these applications online will decrease the time burden for the applicants, although the amount of time saved will be one of the data points to be learned in the pilot. Eligibility criteria for a U.S. passport and the applicability of relevant passport statutes and regulations, including 18 U.S.C. 1541 *et seq.,* will not change during or as a result of this pilot. Applicants will still be required to establish their U.S. citizenship and their identity and follow all relevant Department instructions. By running this pilot, the Department hopes to gain insights to inform an eventual transition to allow an option to submit DS–11 applications online on a permanent basis.

Request for Comments

The Department welcomes comments on this initiative. Comments relating to the time and money saved (keeping in mind that submitting a paper application takes an average of 85 minutes) will be particularly helpful. Navigate to *Regulations.gov*, search for Docket No. DOS–2026–1222, and submit a comment. Please note that comments will assist Department personnel in evaluating the pilot and deciding on future actions, including possible rulemaking. The comments will not receive a response.

Matthew D. Pierce,

Deputy Assistant Secretary, Passport Services, U.S. Department of State.

[FR Doc. 2026–23317 Filed 11–12–26; 4:15 pm]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 13167]

Specially Designated Global Terrorist Designation of Los Lorenzanas

Acting under the authority of and in accordance with section 1(a)(ii)(A) of Executive Order 13224, as amended (''E.O. 13224'' or ''Order''), I hereby determine that the person known as Los Lorenzanas (also known as The Lorenzana Family; The Lorenzana Clan; and Lorenzana Drug Trafficking Organization) is a foreign person who has committed or has attempted to commit, poses a significant risk of committing, or has participated in training to commit acts of terrorism that threaten the security of U.S. nationals or the national security, foreign policy, or economy of the United States.

Consistent with the determination in section 10 of E.O. 13224 that prior notice to persons determined to be subject to the Order who might have a constitutional presence in the United States would render ineffectual the blocking and other measures authorized in the Order because of the ability to transfer funds instantaneously, I determine that no prior notice needs to be provided to any person subject to this determination who might have a constitutional presence in the United States, because to do so would render ineffectual the measures authorized in the Order.

This determination shall be published in the **Federal Register**.

Dated: October 29, 2026.

Marco Rubio,

Secretary of State, U.S. Department of State.

[FR Doc. 2026–23240 Filed 11–13–26; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 13168]

Foreign Terrorist Organization Designation of Los Lorenzanas

Based upon a review of the Administrative Record assembled in this matter, and in consultation with the Attorney General and the Secretary of the Treasury, I have concluded that there is a sufficient factual basis to find that the relevant circumstances described in section 219 of the Immigration and Nationality Act, as amended (hereinafter ''INA'') (8 U.S.C. 1189), exist with respect to: Los Lorenzanas (also known as The Lorenzana Family; The Lorenzana Clan; and Lorenzana Drug Trafficking Organization).

Therefore, I hereby designate the aforementioned organization and its respective aliases as a Foreign Terrorist Organization pursuant to section 219 of the INA.

This determination shall be published in the **Federal Register**. The designation goes into effect upon publication.

Dated: October 29, 2026.

Marco Rubio,

Secretary of State, U.S. Department of State.

[FR Doc. 2026–23246 Filed 11–13–26; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No.: FAA–2026–4426; Summary Notice No. 2026–31]

Petition for Exemption; Summary of Petition Received; Blue Vigil, LLC

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

ACTION: Notice.

SUMMARY: This notice contains a summary of a petition seeking relief from specified requirements of Federal Aviation Regulations. The purpose of this notice is to improve the public's awareness of, and participation in, the FAA's exemption process. Neither publication of this notice nor the inclusion nor omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

DATES: Comments on this petition must identify the petition docket number and must be received on or before December 7, 2026.

ADDRESSES: Send comments identified by docket number [FAA–2026–4426] using any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov* and follow the online instructions for sending your comments electronically.
- *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* Fax comments to Docket Operations at (202) 493–2251.

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 *http://www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *http://www.dot.gov/privacy.*

Docket: Background documents or comments received may be read at *http://www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Jake Troutman, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591, at 202–267–9677.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC.

Dan A. Ngo,

Manager, Part 11 Petitions Branch, Office of Rulemaking.

Petition for Exemption

Docket No.: FAA–2026–4426.

Petitioner: Blue Vigil, LLC.

Section(s) of 14 CFR Affected: §§ 107.12 and 107.19.

Description of Relief Sought: Blue Vigil, LLC seeks relief to operate the Blue Vigil AL1000 Autonomous Aerial Light system, a tethered unmanned aircraft system (UAS), weighing less than 55 pounds (lbs.), without a certificated remote pilot-in-command (PIC). The AL1000 is a permanently tethered, fully integrated aerial lighting system used to position a high-intensity Light-Emitting Diode (LED) array above access-controlled worksites for nighttime illumination. The system is physically and programmatically incapable of intentional horizontal movement, operates only within a system-defined operating cylinder, and is limited to a maximum operating height of 110 feet above ground level (AGL) in Class G airspace. Operations would occur only within physically access-controlled worksites, with the system base positioned at least 50 feet from boundaries adjacent to areas accessible to the general public, and with a designated Site Responsible Operator maintaining continuous visual line of sight (VLOS).

[FR Doc. 2026–23201 Filed 11–13–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2026–0064]

Qualification of Drivers; Exemption Applications; Implantable Cardioverter Defibrillators (ICD)

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

ACTION: Notice of applications for exemption; request for comments.

SUMMARY: FMCSA announces receipt of applications from five individuals for an exemption from the prohibition in the Federal Motor Carrier Safety Regulations (FMCSRs) against operation of a commercial motor vehicle (CMV) by persons with a current clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency, thrombosis, or any other cardiovascular disease of a variety known to be accompanied by syncope (transient loss of consciousness), dyspnea (shortness of breath), collapse, or congestive heart failure. If granted, the exemption would enable the individual with an ICD to operate CMVs in interstate commerce.

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

ADDRESSES: You may submit comments identified by Docket No. FMCSA–2026–0064 using any of the following methods:

- *Federal eRulemaking Portal:* Go to *www.regulations.gov,* insert the docket number (FMCSA–2026–0064) in the keyword box and click ''Search.'' Next, choose the only notice listed, and click on the ''Comment'' button. Follow the online instructions for submitting comments.
- *Mail:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* (202) 493–2251.

To avoid duplication, please use only one of these four methods. See the ''Public Participation'' portion of the **SUPPLEMENTARY INFORMATION** section for instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, FMCSA, DOT, 1200 New Jersey Avenue SE, Washington, DC 20590–0001; (202) 366–4001; *fmcsamedical@dot.gov.* Office hours are 8:30 a.m. to 5 p.m. ET Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

I. Public Participation

A. Submitting Comments

If you submit a comment, please include the docket number for this notice (FMCSA–2026–0064), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to *https://www.regulations.gov/docket/FMCSA-2026-0064.* Next, choose the only notice listed, click the ''Comment'' button, and type your comment into the text box on the following screen. Choose whether you are submitting your comment as an individual or on behalf of a third party and then submit.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. FMCSA will consider all comments and material received during the comment period.

B. Confidential Business Information (CBI)

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to the notice contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to the notice, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission that constitutes CBI as ''PROPIN'' to indicate it contains proprietary information. FMCSA will treat such marked submissions as confidential under the Freedom of

Information Act, and they will not be placed in the public docket of the notice. Submissions containing CBI should be sent to Sarah Stella, Chief, Regulatory Development Division, Office of Policy, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001 or via email at *sarah.stella@dot.gov.* At this time, you need not send a duplicate hardcopy of your electronic CBI submissions to FMCSA headquarters. Any comments FMCSA receives not specifically designated as CBI will be placed in the public docket for this notice.

C. Viewing Comments

To view comments, go to *www.regulations.gov,* insert the docket number (FMCSA–2026–0064) in the keyword box and click ''Search.'' Next, choose the only notice listed, and click ''Browse Comments.'' If you do not have access to the internet, you may view the docket online by visiting Dockets Operations in room W58–213 of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m. ET Monday through Friday, except Federal holidays.

D. Privacy Act

In accordance with 49 U.S.C. 31315(b)(6), DOT solicits comments from the public on the exemption request. DOT posts these comments, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice DOT/ALL–14 FDMS (Federal Docket Management System), which can be reviewed under the ''Department Wide System of Records Notices'' link at *https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notices.* The comments are posted without edit and are searchable by the name of the submitter.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from the FMCSRs. FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including the applicant's safety analysis. The Agency must provide an opportunity for public comment on the request.

The Agency reviews the application, safety analyses, and public comments submitted and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level of safety that would be achieved absent such exemption, pursuant to the standard set forth 49 U.S.C. 31315(b)(1). The Agency must publish its decision in the **Federal Register** (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision from which the applicant will be exempt, the effective period, and all terms and conditions of the exemption (49 CFR 381.315(c)(1)). If the exemption is denied, the notice will explain the reason for the denial (49 CFR 381.315(c)(2)). The exemption may be renewed (49 CFR 381.300(b)). FMCSA grants medical exemptions from the FMCSRs for a 2-year period to align with the maximum duration of a driver's medical certification.

III. Background

The physical qualification standard for drivers regarding cardiovascular diseases and loss of consciousness provides that a person is physically qualified to drive a CMV if that person has ''no current clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency, thrombosis, or any other cardiovascular disease of a variety known to be accompanied by syncope, dyspnea, collapse, or congestive cardiac failure'' (49 CFR 391.41(b)(4)). To assist in applying this standard, FMCSA publishes guidance for medical examiners (MEs) in the form of medical advisory criteria in Appendix A to 49 CFR part 391.[1] The advisory criteria for 49 CFR 391.41(b)(4) indicates that ICDs are installed to address an ongoing underlying cardiovascular condition and that syncope or collapse is likely to occur as a result of both the underlying cardiovascular condition as well as when the ICDs discharge. Therefore, ICDs are medically disqualifying. In April 2007, FMCSA published an evidence report titled, ''Cardiovascular Disease and Commercial Motor Vehicle Driver Safety,'' presenting findings regarding cardiovascular disease and CMV driver safety.[2] In December 2014, FMCSA published a research report titled, ''Implantable Cardioverter Defibrillators and the Impact of a Shock in a Patient When Deployed,'' that provided evidence regarding the potential impact of ICD deployment and how it may interfere with the safe operation of a CMV.[3]

The Agency considers the medical advisory criteria, the April 2007 evidence report, the December 2014 research report, the application, any public comments received, and the individual's medical information in deciding whether to grant the exemption.

The five individuals listed in this notice have requested an exemption from 49 CFR 391.41(b)(4). Accordingly, the Agency will evaluate the qualifications of each applicant to determine whether granting the exemption will achieve the required level of safety mandated by statute.

IV. Qualifications of Applicants

Ron Bledsoe

Ron Blesdoe is a class C driver's license holder in Texas. A letter from Mr. Blesdoe's cardiologist reports that his ICD was implanted on October 26, 2023, for a history of dilated cardiomyopathy. Mr. Blesdoe's cardiologist also reports that his ICD has never deployed, and his underlying heart condition is stable. Mr. Bledsoe has experienced no heart failure symptoms and no exertional limitations since the ICD was implanted.

Wes Bryant

Wes Bryant is a class A driver's license holder in Tennessee. A January 14, 2026 letter from Mr. Bryant's cardiologist reports that his ICD was implanted on March 2, 2018, for a history of ventricular tachycardia and myocarditis. Mr. Bryant's cardiologist also reports that Mr. Bryant is doing well with no significant arrhythmias since his ICD was implanted and that he has no restrictions currently.

Jayden Fernatt

Jayden Fernatt is a class DV driver's license holder in Alabama. A February 16, 2025 letter from Mr. Fernatt's cardiologist reports his ICD was implanted in 2006, for a history of hypertrophic cardiomyopathy. Mr. Fernatt's cardiologist also reports that the status of the underlying condition is stable.

Terry Plisch

Terry Plisch is a class DM driver's license holder in Tennessee. A September 29, 2026 letter from Mr. Plisch's cardiologist reports that his ICD was implanted on June 23, 2021, for a history of ischemic cardiomyopathy. Mr. Plisch's cardiologist also reports

[1] Appendix A to part 391, Title 49, available at *https://www.ecfr.gov/current/title-49/part-391/appendix-Appendix* A to Part 391.

[2] ''Evidence Report: Cardiovascular Disease'' (Apr. 27, 2007), available at *https://doi.org/10.21949/1502991.*

[3] ''Implantable Cardio Defibrillators and the Impact of a Shock to the Patient when Deployed Research White Paper'' (Dec. 17, 2014), available at *https://www.fmcsa.dot.gov/regulations/medical/implantable-cardio-defibrillators-and-impact-shock-patient-when-deployed.*

that Mr. Plisch's ICD has never deployed and his ejection fraction has improved since his ICD was implanted from 30–35% in 2021 to 40–45%.

Cody Smith

Cody Smith is a class AM driver's license holder in Texas. An August 26, 2026 letter from Mr. Smith's cardiologist reports that his ICD was implanted in August 2016, for an acute myocardial infarction due to ventricular fibrillation. Mr. Smith's cardiologist also reports that he has had no arrhythmic events and no appropriate device therapies since the index event in 2016. Mr. Smith has a sustained arrhythmia- free interval of approximately 10 years and he is clinically stable and asymptomatic.

V. Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315(b), FMCSA requests public comment from all interested persons on the exemption applications described in this notice. FMCSA will consider all comments received before the close of business on the closing date indicated under the **DATES** section of the notice.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2026–23207 Filed 11–13–26; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2010–0043]

Northern Indiana Commuter Transportation District's Request To Amend Its Positive Train Control System

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of availability and request for comments.

SUMMARY: This document provides the public with notice that, on November 1, 2026, the Northern Indiana Commuter Transportation District (NICD) submitted a request for amendment (RFA) to its FRA-certified positive train control (PTC) system. NICD intends to replace several Cisco Networking devices as part of a PTC hardware replacement project. This will involve three of NICD's trains, Trains 35, 432, and 601, operating without PTC technology for approximately three hours from 11:00 p.m. to 2:20 a.m. on one date that is to be determined following FRA's review and approval. FRA is publishing this notice and inviting public comment on NICD's RFA to its PTC system.

DATES: FRA will consider comments received by December 7, 2026. FRA may consider comments received after that date to the extent practicable and without delaying implementation of valuable or necessary modifications to a PTC system.

ADDRESSES:

Comments: Comments may be submitted by going to *https://www.regulations.gov* and following the online instructions for submitting comments.

Instructions: All submissions must include the agency name and the applicable docket number. The relevant PTC docket number for this host railroad is Docket No. FRA–2010–0043. For convenience, all active PTC dockets are hyperlinked on FRA's website at *https://railroads.dot.gov/research-development/program-areas/train-control/ptc/railroads-ptc-dockets.* All comments received will be posted without change to *https://www.regulations.gov;* this includes any personal information.

FOR FURTHER INFORMATION CONTACT: Gabe Neal, Staff Director, Signal, Train Control, and Crossings Division, telephone: 816–516–7168, email: *Gabe.Neal@dot.gov.*

SUPPLEMENTARY INFORMATION: In general, 49 U.S.C. 20157(h) requires FRA to certify that a host railroad's PTC system complies with 49 CFR part 236, subpart I, before the technology may be operated in revenue service. Before making certain changes to an FRA-certified PTC system or the associated FRA-approved PTC Safety Plan (PTCSP), a host railroad must submit, and obtain FRA's approval of, an RFA to its PTC system or PTCSP under 49 CFR 236.1021.

Under 49 CFR 236.1021(e), FRA's regulations provide that FRA will publish a notice in the **Federal Register** and invite public comment in accordance with 49 CFR part 211, if an RFA includes a request for approval of a material modification of a signal or train control system. Accordingly, this notice informs the public that, on November 1, 2026, NICD submitted an RFA to its PTCSP for its Interoperable Electronic Management System (I–ETMS), which seeks FRA's approval for a temporary outage of I–ETMS on three NICD trains to enable NICD to replace several Cisco Networking devices as part of PTC hardware replacement project. That RFA is available in Docket No. FRA–2010–0043.

Interested parties are invited to comment on NICD's RFA by submitting written comments or data. During FRA's review of NICD's RFA, FRA will consider any comments or data submitted within the timeline specified in this notice and to the extent practicable, without delaying implementation of valuable or necessary modifications to a PTC system. *See* 49 CFR 236.1021; *see also* 49 CFR 236.1011(e). Under 49 CFR 236.1021, FRA maintains the authority to approve, approve with conditions, or deny a railroad's RFA at FRA's sole discretion.

Privacy Act Notice

In accordance with 49 CFR 211.3, FRA solicits comments from the public to inform its decisions. DOT posts these comments, without edit, including any personal information the commenter provides, to *https://www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *https://www.transportation.gov/privacy.* See *https://www.regulations.gov/privacy-notice* for the privacy notice of *regulations.gov.* To facilitate comment tracking, we encourage commenters to provide their name, or the name of their organization; however, submission of names is optional. If you wish to provide comments containing proprietary or confidential information, please contact FRA for alternate submission instructions.

Issued in Washington, DC.

Carolyn R. Hayward-Williams,

Director, Office of Railroad Systems and Technology.

[FR Doc. 2026–23222 Filed 11–13–26; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2026–1453]

Agency Information Collection Activities; Notice and Request for Comment; 49 CFR Part 555, Temporary Exemption From Motor Vehicle Safety and Bumper Standards

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Notice and request for comments on a request for approval of a new information collection.

SUMMARY: NHTSA invites public comments about our intention to request approval from the Office of Management and Budget (OMB) for a new information collection. Before a Federal agency can collect certain information from the public, it must receive

approval from OMB. Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatement of previously approved collections. This document describes a collection of information for which NHTSA intends to seek OMB approval titled ''49 CFR part 555, Temporary Exemption from Motor Vehicle Safety and Bumper Standards.''

DATES: Comments must be submitted on or before January 15, 2027.

ADDRESSES: You may submit comments identified by Docket No. NHTSA–2026–1453 through any of the following methods:

- *Electronic submissions:* Go to the Federal eRulemaking Portal at *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* (202) 493–2251.
- *Mail or Hand Delivery:* Docket Management, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W58–213, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays. To be sure someone is there to help you, please call (202) 366–9826 or (202) 366–9317 before coming.

Instructions: All submissions must include the agency name and docket number for this notice. Note that all comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided. Please see the Privacy Act heading below.

Privacy Act: Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78) or you may visit *https://www.transportation.gov/privacy.*

Docket: For access to the docket to read background documents or comments received, go to *http://www.regulations.gov* or the street address listed above. Follow the online instructions for accessing the dockets via internet.

FOR FURTHER INFORMATION CONTACT: Andrew Magaletti, National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590; email *Andrew.Magaletti@dot.gov;* telephone (202) 366–1810.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), before an agency submits a proposed collection of information to OMB for approval, it must first publish a document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulation (at 5 CFR 1320.8(d)), an agency must ask for public comment on the following: (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) how to enhance the quality, utility, and clarity of the information to be collected; and (d) how to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses. In compliance with these requirements, NHTSA asks for public comments on the following proposed collection of information for which the agency is seeking approval from OMB.

Title: 49 CFR part 555, Temporary Exemption from Motor Vehicle Safety and Bumper Standards.

OMB Control Number: New.

Form Number(s): N/A.

Type of Request: New Information Collection.

Type of Review Requested: Regular.

Requested Expiration Date of Approval: 3 years from date of approval.

Summary of the Collection of Information

Under 49 CFR part 555, a manufacturer of motor vehicles or passenger motor vehicles may apply to the National Highway Traffic Safety Administration for a temporary exemption from any Federal motor vehicle safety or bumper standard, or for a renewal of any exemption. Each application filed for an exemption or its renewal must be written in the English language and be submitted electronically to the Administrator. The application must state the full name and address of the applicant, the nature of its organization, and the name of the State or country under the laws of which it is organized. It must also state the number and title, and the text or substance of the standard or portion thereof from which the temporary exemption is sought, and the length of time desired for such exemption. The applicant must set forth the reasons why granting the exemption would be in the public interest, and, as applicable, consistent with the objectives of 49 U.S.C. Chapter 301 or Chapter 325.

Furthermore, the applicant must set forth the basis for the application and the information required for that specific basis. If the basis of the application is that compliance with the standard would cause substantial economic hardship to a manufacturer that has tried to comply with the standard in good faith, the applicant must provide engineering and financial information demonstrating in detail how compliance or failure to obtain an exemption would cause substantial economic hardship. This includes a list or description of each item of motor vehicle equipment that would have to be modified in order to achieve compliance, as well as the itemized estimated cost to modify each such item as soon as possible, and at the end of a 1-year, 2-year, and 3-year exemption period. The application must include the estimated price increase per vehicle to balance the total costs incurred, corporate balance sheets and income statements for the three fiscal years immediately preceding the filing of the application, a projected balance sheet and income statement for the fiscal year following a denial of the application, and a discussion of any other hardships. The applicant must also provide a description of its efforts to comply with the standards, including a chronological analysis of such efforts, a discussion of alternate means of compliance considered and the reasons for rejection of each, a description of the steps to be taken while the exemption is in effect, and the total number of motor vehicles produced by or on behalf of the petitioner in the 12-month period prior to filing the petition.

If the basis of the application is that the exemption would make easier the development or field evaluation of a new motor vehicle safety or impact protection features providing a safety or impact protection level at least equal to that of the standard, the applicant must provide a description of the safety or impact protection features, and research, development, and testing documentation establishing the innovational nature of such features. The applicant must provide an analysis establishing that the level of safety or impact protection of the feature is

equivalent to or exceeds the level of safety or impact protection established in the standard, along with substantiation that a temporary exemption would facilitate the development or field evaluation of the vehicle. The applicant must also include a statement whether, at the end of the exemption period, it intends to conform to the standard, apply for a further exemption, or petition for rulemaking to amend the standard to incorporate the safety or impact protection features.

If the basis of the application is that the exemption would make the development or field evaluation of a low-emission vehicle easier and would not unreasonably lower the safety or impact protection level of that vehicle, the applicant must provide substantiation that the vehicle is a low-emission vehicle, alongside research, development, and testing documentation establishing that a temporary exemption would not unreasonably degrade the safety or impact protection of the vehicle. This documentation must include a detailed description of how the motor vehicle equipped with the low-emission engine would differ from one that complies with the standard, the results of any tests conducted on the vehicle that demonstrate its failure to meet the standard expressed as comparative performance levels, and reasons why the failure to meet the standard does not unreasonably degrade the safety or impact protection of the vehicle. The applicant must also provide substantiation that a temporary exemption would facilitate the development or field evaluation of the vehicle, and a statement whether, at the end of the exemption period, the manufacturer intends to conform with the standard.

If the basis of the application is that the applicant is otherwise unable to sell a vehicle whose overall level of safety or impact protection is at least equal to that of a nonexempted vehicle, the applicant must provide a detailed analysis of how the vehicle provides the overall level of safety or impact protection at least equal to that of nonexempted vehicles. This analysis must include a detailed description of how the motor vehicle, if exempted, differs from one that conforms to the standard, a detailed description of any safety or impact protection features that the vehicle offers as standard equipment that are not required by the Federal standards, and the results of any tests conducted on the vehicle demonstrating that its overall level of safety or impact protection exceeds that which is achieved by conformity to the standards. The applicant must also provide substantiation that compliance would prevent the sale of the vehicle, and a statement whether, at the end of the exemption period, the manufacturer intends to comply with the standard.

For applications based on the development of new safety features, the development of low-emission vehicles, or an equal or greater overall safety level, the applicant must provide a statement that not more than 2,500 exempted vehicles will be sold in the United States in any 12-month period for which an exemption may be granted.

Once an exemption is granted, a manufacturer of an exempted vehicle shall submit to the Administrator, within 30 days after receiving notification of the grant of an exemption, a sample of the certification label and affix securely to the windshield or side window of each exempted vehicle a label in the English language.

If necessary, NHTSA may establish conditions for more direct and continuous oversight over exempt vehicles. Under this framework, NHTSA issues an initial operational authorization at the time that the grant notice is published in the **Federal Register** that would contain initial operational terms and conditions. The manufacturer would be able to begin manufacturing and commercially deploying vehicles immediately consistent with the terms and conditions of the initial authorization. The operational permissions could later be modified via additional operational authorizations, such as after a manufacturer requests a change. This approach gives NHTSA flexibility to change operational terms quickly and is particularly useful for vehicles equipped with advanced vehicle technologies, like automated driving systems (ADS), which may require expanding the scope of the operational permission as the ADS continues to develop. This allows the exemption to mirror real-world ADS development, which often starts with smaller, more limited operations, before expanding over time. Requests for modifications would include sufficient technical information about the vehicle technology and proposed operations to allow NHTSA to make a determination on whether to grant the modification request in whole or in part.

Description of the Need for the Information and Proposed Use of the Information: Under 49 U.S.C. 30113 and 32502, the Secretary of Transportation is authorized to exempt, on a temporary basis, motor vehicles from a Federal motor vehicle safety standard or passenger motor vehicles from a bumper standard. This statutory authority has been delegated to NHTSA. To implement these provisions, NHTSA promulgated 49 CFR part 555, which establishes the requirements for temporary exemptions. The information collections described in this document are necessary to administer the part 555 General Exemptions program.

NHTSA relies on the collected information to assess the merits of exemption applications submitted by motor vehicle manufacturers, alterers, and intermediate or final-stage manufacturers. Specifically, the agency uses the submitted documentation to determine whether granting a requested exemption is in the public interest, is consistent with the objectives of the National Traffic and Motor Vehicle Safety Act, and whether an applicant satisfies at least one of the four statutory bases for an exemption.[1]

Furthermore, as authorized by 49 U.S.C. 30113, NHTSA may establish appropriate terms and conditions for any granted exemption. The agency uses the submitted technical and operational information to tailor these terms on a case-by-case basis, ensuring the exemption is consistent with the public interest and meets its statutory basis. While this flexible approach to operational terms helps address the complexity of novel technologies like Automated Driving Systems (ADS), NHTSA applies it to any part 555 application as appropriate. Ultimately, this information collection is necessary for the agency to process applications, grant or deny petitions, apply safety conditions, and fulfill its statutory obligation to regulate motor vehicle safety.

Affected Public: The respondents are manufacturers of motor vehicles seeking temporary exemptions from Federal motor vehicle safety standards or bumper standards. This also includes alterers, incomplete vehicle manufacturers, intermediate manufacturers, and final-stage manufacturers seeking exemptions for vehicles built in two or more stages.

Estimated Number of Respondents: NHTSA estimates that, on average, approximately 13 manufacturers will apply for part 555 exemptions, 13 manufacturers will submit required labeling text, and 5 manufacturers will submit requests to modify operational authorizations annually.

Frequency: Applications for exemptions are submitted on an occasional, as-needed basis. However,

[1] 49 CFR 555.5.

exemptions may not be granted for longer than two or three years and manufacturers. Manufacturers may seek renewals of their exemptions. Requests for modification of operational authorizations are also submitted on occasional, as-needed basis. The submission of language for labeling is a one-time collection for each exemption granted.

Estimated Number of Responses: NHTSA estimates that it will receive, on average, approximately 13 part 555 applications, 13 submissions of requiring labeling language, and 5 requests to modify operational authorizations each year.

Estimated Total Annual Burden Hours: 1,453.

NHTSA estimates that the average time to prepare a part 555 application ranges from several dozen hours up to 80 hours depending on the complexity of the application. NHTSA estimates that the burden for applications submitted by low-volume manufacturers on the basis of economic hardship will take less time, while more complex applications involving vehicles with new and emerging technology, such highly complex Automated Driving Systems will take more. Conservatively, for an average of 13 manufacturers filing annually, NHTSA estimates the annual burden for compiling and submitting part 555 applications to be 1,040 hours. In addition, 13 manufacturers are estimated to spend an average annual total of 13 burden hours for submission of labeling language, and 5 manufacturers are expected to spend a total of 400 hours annually submitting requests to modify operational authorizations. As a result, the total estimated burden for this information collection is 1,453 annual burden hours.

To calculate the labor cost associated with submitting applications for temporary exemptions under 49 CFR part 555, submitted required labeling language, and submitting requests to modify operational authorizations, 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 technical, management, and legal personnel. The Bureau of Labor Statistics (BLS) estimates that the average hourly wage for Automotive Engineers/Technical Writers (BLS Occupation codes 17–2141/27–3042) is $48.47, for Architectural and Engineering Managers (BLS Occupation code 11–9041) is $78.38, and for Lawyers (BLS Occupation code 23–1011) is $89.38 in the Motor Vehicle Manufacturing Industry (NAICS 336100).[2] Across the allocated 80 hours per application (60 technical hours, 12 engineering management hours, and 8 legal review hours), the weighted average base hourly wage is $57.05.

The Bureau of Labor Statistics estimates that private industry workers' wages represent 70.4% of total labor compensation costs.[3] Therefore, NHTSA estimates the total loaded hourly labor cost to be $81.03 ($57.05 ÷ 0.704) for combined technical, engineering management, and legal staff. Assuming 13 annual respondents submitting 1 response each, NHTSA estimates the total annual burden to be 1,040 hours (13 × 80 hours) and the total annual labor cost to be $84,274.72 ($6,482.67 per submission × 13). Table 1 provides a summary of the estimated burden hours and labor costs associated with those submissions.

TABLE 1—BURDEN ESTIMATES

Information collection	Annual respondents	Annual responses	Estimated burden per response (hours)	Average hourly labor cost	Labor cost per submission	Total burden hours	Total labor costs	Loaded labor costs
Part 555 Applications	13	13	80	$81.03	$6,482.67	1,040	$84,274.72	$109,557.14
Submission of Labeling Language	13	13	1	81.03	81.03	13	1,053.39	1,369.41
Requests to Modify Operational Authorization	5	5	80	81.03	6,482.67	400	32,412.00	42,135.60
Total						1,453	117,740.11	153,062.15

Estimated Total Annual Burden Cost: $0.

NHTSA estimates that there are no additional costs to respondents other than the costs associated with labor. Therefore, NHTSA estimates that the total costs to respondents will be $0.

Public Comments Invited: You are asked to comment on any aspects of this information collection, including (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (b) the accuracy of the Department's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; 49 CFR 1.49; and DOT Order 1351.29A.

Jonathan Morrison,

Administrator.

[FR Doc. 2026–23238 Filed 11–13–26; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA–2025–0019]

Pipeline Safety: Meetings of the Liquid and Gas Pipeline Advisory Committees

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA); Department of Transportation (DOT).

ACTION: Notice of advisory committee meetings.

SUMMARY: This notice announces public meetings of the Technical Pipeline Safety Standards Committee, also known as the Gas Pipeline Advisory

[2] See *May 2023 National Industry-Specific Occupational Employment and Wage Estimates,* NAICS 336100—Motor Vehicle Manufacturing, available at *https://www.bls.gov/oes/2023/may/naics4_336100.htm* (accessed August 10, 2026).

[3] See *Employer Costs for Employee Compensation* (March 2023), available at *https://www.bls.gov/news.release/archives/ecec_06162023.pdf* (accessed August 10, 2026).

Committee (GPAC), and the Technical Hazardous Liquid Pipeline Safety Standards Committee, also known as the Liquid Pipeline Advisory Committee (LPAC). The meetings will be held to discuss the notice of proposed rulemaking (NPRM), titled ''Repair Criteria for Hazardous Liquid and Gas Transmission Pipelines.''

DATES: The GPAC will meet on Wednesday, December 2, 2026, beginning at 9:00 a.m. ET, until approximately 2:30 p.m. ET. The LPAC will meet on Wednesday, December 2, 2026, beginning at approximately 2:45 p.m. ET, until approximately 5:30 p.m. ET, and on Thursday, December 3, 2026, beginning at 9:00 a.m. ET, until approximately 4:30 p.m. ET. The meetings may end earlier or later than published times depending on when each committee completes its review. Members of the public may attend these meetings virtually and are asked to register on the meeting website at *https://primis-meetings.phmsa.dot.gov/* no later than November 27, 2026. Individuals who require accommodations because of a disability must notify Joseph Berry by email at *joseph.berry1@dot.gov* by that date as well.

ADDRESSES: Advisory committee members will participate in the meetings in person at the U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE, Washington, DC 20590. PHMSA will provide a virtual format for members of the public. The agendas, registration details, location, times of the meetings, and virtual access instructions will be posted at *https://primis-meetings.phmsa.dot.gov/.* Presentations will be available on the meeting website and at *https://www.regulations.gov* in docket number PHMSA–2025–0019.

Comments: Members of the public who wish to submit a written statement for consideration by the GPAC or LPAC may do so by November 18, 2026. PHMSA will also accept written comments after the meetings if received no later than December 30, 2026. Submit comments to docket number PHMSA–2025–0019 using any of the following methods and identifying the docket number on the top of the first page:

- On *https://www.regulations.gov,* follow instructions to ''submit a comment.''
- By mail or hand delivery to Docket Management System: U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590–0001. Hand delivery is available between 9:00 a.m. and 5:00 p.m. ET, Monday through Friday, except Federal holidays. Submit two copies if you submit your comment by mail and include a self-addressed stamped postcard if you wish to receive confirmation of receipt.

Comments may be viewed in the docket on *https://www.regulations.gov.* Comments are posted without changes or edits, including any personal information provided. DOT's privacy statement can be reviewed at *https://www.dot.gov/privacy.*

Confidential Business Information (CBI): You may designate a comment as CBI if your comment contains commercial or financial information that is customarily treated as private and that you actually treat as private by sending to the agency contact listed below, the following: (1) the original document with each page containing CBI marked as ''confidential;'' (2) a redacted copy with the CBI deleted; and (3) an explanation of why the information you are submitting is CBI. *See* 49 CFR 190.343. Any comment not specifically designated as CBI will be placed in the public docket.

FOR FURTHER INFORMATION CONTACT: Joseph Berry by phone at 720–601–3577 or by email at *joseph.berry1@dot.gov.*

SUPPLEMENTARY INFORMATION:

I. Information on the Committees

The GPAC and LPAC are statutorily required advisory committees that provide PHMSA and the Secretary of Transportation with recommendations on proposed standards for the transportation of gas and hazardous liquid by pipelines. Established in accordance with 49 U.S.C. 60115 and the Federal Advisory Committee Act of 1972 (FACA, 5 U.S.C. Ch. 10), the committees are tasked with reviewing and providing recommendations on the technical feasibility, reasonableness, cost-effectiveness, and practicability of PHMSA's proposed changes to the gas and hazardous liquid pipeline safety regulations. Each committee consists of 15 members, with membership evenly divided among Federal and State governments, regulated industry, and the public.

II. Meeting Agenda

The GPAC will meet on Wednesday, December 2, 2026, and the LPAC will meet on Wednesday, December 2, 2026, and Thursday, December 3, 2026, to discuss the NPRM titled ''Repair Criteria for Hazardous Liquid and Gas Transmission Pipelines.'' [1] The GPAC and LPAC will review the NPRM and supporting regulatory analyses, including the preliminary regulatory impact analyses, environmental assessments, and other materials pertaining to the NPRM provided in the public docket. The agendas are subject to change. Following the meetings, PHMSA will evaluate the GPAC and LPAC recommendations and consider comments received and relevant information from the meeting reports in developing the final rule.

[1] 91 FR 42272 (July 8, 2026).

III. Public Participation

The meetings will be accessible virtually. All participants must register through the official meeting website. PHMSA also will record the meetings and post records to the public docket.

Though verbal statements from members of the public will not be permitted during the meetings, PHMSA invites written comments. Members of the public who wish to submit any written statement for consideration by the committees may do so by November 18, 2026. PHMSA also will accept written comments after the meetings if received by December 30, 2026.

Individuals should check the meeting website or contact Joseph Berry regarding any possible changes. PHMSA is not always able to publish a notice in the **Federal Register** quickly enough to provide timely notice regarding last-minute issues that impact a previously announced advisory committee meeting.

Issued in Washington, DC, under authority delegated in 49 CFR 1.97.

Thomas Correll,

Associate Administrator of Pipeline Safety.

[FR Doc. 2026–23209 Filed 11–13–26; 8:45 am]

BILLING CODE 4910–60–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Actions

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 updates to the identifying information of one or more entries currently included on one or more of OFAC's sanctions lists.

DATES: See **SUPPLEMENTARY INFORMATION** for relevant dates.

FOR FURTHER INFORMATION CONTACT: OFAC: Associate Director for the Office of Sanctions Support and Operations, 202–622–6943; Associate Director for Global Targeting, 202–622–2420; or *https://ofac.treasury.gov/contact-ofac.*

SUPPLEMENTARY INFORMATION:

Electronic Availability

OFAC's sanctions lists and additional information concerning OFAC sanctions programs are available on OFAC's website: *https://ofac.treasury.gov.*

Notice of OFAC Action

On November 4, 2026, OFAC updated the following names to apply secondary sanctions information to names associated with the IRAN–EO13902 program. The updated names and relevant sanctions authorities are available at the below URL: *https://ofac.treasury.gov/recent-actions/20261104*.

(Authority: 31 CFR chapter V.)

Bradley T. Smith,

Director, Office of Foreign Assets Control.

[FR Doc. 2026–23208 Filed 11–13–26; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Agency Information Collection Activities; Comment Request on Form 14417—Reimbursable Agreement—Non-Federal Entities; Form 14417–A—Statistics of Income—User Fee and 14417–B—Statistics of Income (SOI) Public Use File (PUF) Intake

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of Information Collection; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the IRS is inviting comments on the information collection request outlined in this notice.

DATES: Written comments should be received on or before January 15, 2027 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to *pra.comments@irs.gov.* Include ''OMB Control No. 1545–2235'' in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this collection should be directed to Marcus W. McCrary, 470–769–2001

SUPPLEMENTARY INFORMATION: The IRS, in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the IRS assess the impact and minimize the burden of its information collection requirements. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record, and viewable on relevant websites. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Title: Reimbursable Agreement—Non-Federal Entities and Statistics of Income—User Fee.

OMB Control Number: 1545–2235.

Form Numbers: Form 14417, Form 14417–A & Form 14417–B.

Abstract: Form 14417, Reimbursable Agreement—Non-Federal Entities, was developed for funds in reimbursable agreements with non-federal entities such as state, local, foreign governments and non-federal public entities. Form 14417–A, Statistics of income-User Fee, was developed to be used to purchase aggregate tax return data after a customer contacts the Statistics of Income (SOI) Division requesting data not already available on our TaxStats IRS website. Form 14417–B, Statistics of Income (SOI) Public Use File (PUF) Intake supports the controlled and consistent administration of SOI public-use data requests, enabling authorized statistical research while maintaining appropriate safeguards for taxpayer information.

Current Actions: Form 14417–B is being added to the information collection.

Type of Review: Revision of a currently approved collection.

Affected Public: State, Local, and Tribal governments.

Estimated Number of Responses: 115.

Estimated Time per Response: 21 minutes.

Estimated Total Annual Burden Hours: 40.

Dated: November 10, 2026.

Jon R. Callahan,

Senior Tax Analyst.

[FR Doc. 2026–23202 Filed 11–13–26; 8:45 am]

BILLING CODE 4831–GV–P



FEDERAL REGISTER

Vol. 91 Monday,
No. 219 November 16, 2026

Part II

The President

Proclamation 11081—Veterans Day, 2026
Presidential Determination No. 2027–03 of November 10, 2026—Presidential Determination Concerning Wildfire Suppression Activities in the United States

Federal Register
Vol. 91, No. 219
Monday, November 16, 2026

Presidential Documents

Title 3—

The President

Proclamation 11081 of November 10, 2026

Veterans Day, 2026

By the President of the United States of America

A Proclamation

For over 250 years, the liberties and freedoms of every American have been safeguarded by the heroic men and women who have faithfully served in the United States Armed Forces. This Veterans Day, we honor our Nation's cherished veterans and recommit to strengthen the support and resources they have so rightly earned.

From the battle for our independence during the Revolutionary War and the fight for the future of humanity in World War II to the ongoing battles to defend America's security and protect her people, the countless veterans who have taken up arms have ensured that generations of Americans could enjoy the many blessings of our great Nation. These selfless men and women have committed their lives to defending our families, our freedom, and our great American values. We will never forget the price they have paid for our homeland.

As they sacrificed for our freedom, so too must our Nation ensure their welfare. At my direction, the Department of Veterans Affairs (VA) is restructuring to put veterans at the forefront of every decision. The VA processed a record 3.1 million disability claims this year. In my second term, we have also slashed the VA's claims backlog by more than 70 percent and opened 47 new health care facilities, expanding access to world-class care for veterans in communities across our country.

Every American owes our veterans an eternal debt of gratitude, and no one who has worn our Nation's uniform should ever be homeless. That is why I will never stop fighting until every veteran has the housing and mental health support and treatment they need. Additionally, I established the National Center for Warrior Independence last year with a goal of housing up to 6,000 homeless veterans by 2028. Last year alone, we housed nearly 52,000 homeless veterans, the most in 7 years, and under my leadership, every veteran who served our Nation in the Armed Forces will have a place to call home.

My Administration is working tirelessly to provide our veterans with the resources and support they so dearly deserve. As President, I have eliminated burdensome and needless red tape and ensured that every veteran receives the exceptional care they are entitled to. With an Executive Order I signed in September, we are also accelerating veterans' access to benefits and employment opportunities through modernized data management and sharing between the VA and the Department of War. So long as I am President, we will continue to relentlessly expand veterans' access to health care, education, and job opportunities and aggressively deliver this life-changing support.

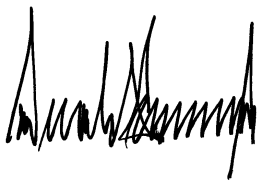
Millions of brave men and women have served in the United States Armed Forces with heroic determination and sacrifice, safeguarding our security, prosperity, and sovereignty. Today, we are united in gratitude for the courage of our Airmen, Coast Guardsmen, Marines, Sailors, Soldiers, and Guardians, and we thank the families who have stood with them in their service to our country. Through the unmatched prowess and strength of America's veterans, the freedoms we cherish, our glorious American way of life, and

the greatest country the world has ever known will endure for centuries to come. We will always uphold the legacy of our veterans and ensure our Nation remains safe, strong, and secure in the blessings of liberty.

In respectful recognition of the contributions our service members have made to advance peace and freedom around the world, the Congress has provided (5 U.S.C. 6103(a)) that November 11 of each year shall be set aside as a legal public holiday to honor our Nation's veterans.

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, do hereby proclaim November 11, 2026, as Veterans Day. I encourage all Americans to reflect on the fearlessness and sacrifice of our veterans through public ceremonies and private thoughts and prayers of gratitude. I call upon Federal, State, and local officials to display the flag of the United States and to participate in patriotic activities in their communities.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of November, 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.



[FR Doc. 2026–23348
Filed 11–13–26; 11:15 am]
Billing code 3395–F4–P

Presidential Documents

Presidential Determination No. 2027–03 of November 10, 2026

Presidential Determination Concerning Wildfire Suppression Activities in the United States

Memorandum for the Secretary of the Interior[,] the Secretary of Agriculture[, and] the Administrator of the Environmental Protection Agency

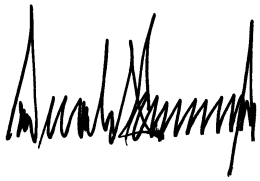
By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 313 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1323), I determine that it is in the paramount interest of the United States to exempt firefighting activities, including the aerial use, deployment, and discharge of fire retardants, conducted by the United States Forest Service, the Department of the Interior, and any other executive departments and agencies (agencies) and their contractors (aspects of which are the subject of litigation in *Forest Service Employees for Environmental Ethics* v. *U.S. Forest Service,* No. CV–22–168–M–DLC (D. Mont.)) from Federal, State, interstate, and local requirements, administrative authority, and process and sanctions respecting the control and abatement of water pollution.

Therefore, pursuant to subsection (a) of section 313 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1323(a)), I hereby exempt firefighting activities conducted by the United States Forest Service, the Department of the Interior, and any other agencies and their contractors, including the aerial use, deployment, and discharge of fire retardants, from Federal, State, interstate, and local requirements, administrative authority, and process and sanctions respecting the control and abatement of water pollution; except that no exemption is hereby granted from the requirements of 33 U.S.C. 1316 and 1317.

The exemption granted by this memorandum shall be for the 1-year period beginning November 10, 2026, and ending November 10, 2027.

Nothing herein is intended to: (a) imply that in the absence of such a Presidential exemption, the Clean Water Act or any other provision of law would require the United States Forest Service or other agencies to obtain permits pertaining to the control and abatement of water pollution for the exempted operations; or (b) limit the applicability or enforcement of any other requirement of law applicable to the United States Forest Service, the Department of the Interior, or any other agencies and their contractors regarding such agencies' firefighting activities.

The Secretary of Agriculture is authorized and directed to publish this determination in the *Federal Register*.



THE WHITE HOUSE,
Washington, November 10, 2026

[FR Doc. 2026–23349
Filed 11–13–26; 11:15 am]
Billing code 3410–18–P

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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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