

5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), 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(d) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket.

List of Subjects in 33 CFR Part 165

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

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

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

- 2. Add § 165.T14–0069 to read as follows:

§ 165.T14–0069 Safety Zone; Philippine Sea, Guam.

(a) **Location.** The following area is a safety zone: All waters of the Philippine Sea in the Pacific Ocean, from surface to bottom, encompassed by a line connecting the following points, beginning at 13°37'30" N, 144°53'30" E; thence to 13°38'30" N, 144°51'00" E; thence to 13°41'00" N, 144°51'00" E; thence to 13°41'00" N, 144°53'50" E; and back to the point of origin. 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 (COTP) Forces Micronesia/Sector Guam 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 (671) 355–4824. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) **Enforcement periods.** This section will be enforced from 1300 to 1700 ChST on January 26, 2026; from 0530 to 1530 ChST on January 27, 2026; from 1430 to 2200 ChST on January 28, 2026; from 1200 to 2200 ChST on January 29, 2026; and at times announced by Marine Broadcast as needed on January 30, 2026.

Jessica S. Worst,

Captain, U.S. Coast Guard, Captain of the Port, Forces Micronesia/Sector Guam.

[FR Doc. 2026–01064 Filed 1–20–26; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2026–0036]

RIN 1625-AA00

Fixed and Moving Safety Zone; Vicinity of the M/V ZHEN HUA 24; Houston Ship Channel and Morgan's Point, TX

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary moving safety zone and a fixed safety zone around the M/V ZHEN HUA 24 in the navigable waters of the Houston Ship Channel and its vicinity. The safety zones are needed to protect personnel, vessels, and the marine environment from potential hazards associated with the transfer of gantry cranes. Entry of vessels or persons into these zones is prohibited unless specifically authorized by the Captain of the Port Houston–Galveston or a designated representative.

DATES: This rule is effective without actual notice January 21, 2026 through January 31, 2026. For the purposes of enforcement, actual notice will be used from January 16, 2026, until January 21, 2026.

ADDRESSES: To view available documents go to <https://www.regulations.gov> and search for USCG–2026–0036.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact ENS Ryan Bowman, Sector Houston–Galveston Waterways Management Division, U.S. Coast Guard; telephone 713–398–5823, or email HoustonWWM@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 M/V ZHEN HUA 24 will be transporting gantry cranes to Morgan's Point, TX. The Captain of the Port Houston–Galveston (COTP) has determined that potential hazards associated with the transfer of gantry cranes starting as early as January 16, 2026, will be a safety concern for anyone within a 100-yard radius while the M/V ZHEN HUA 24 is in transit and for anyone within 25-yard radius while the M/V ZHEN HUA 24 is moored. This rule is needed to protect persons, property, and the marine environment within the navigable waters of the safety zones while the M/V ZHEN HUA 24 transits to, and unloads in Morgan's Point, Texas. 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 around the safety zones.

The Coast Guard is issuing this rule without prior notice and comment. As is authorized by 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable and contrary to the public interest. The Coast Guard received all relevant information for the transfer of the gantry cranes and the need for the safety zone on January 8, 2026, but we must establish this safety zone by January 16, 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 reasons, the Coast Guard finds that under 5 U.S.C. 553(d)(3), good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**.

III. Discussion of the Rule

This rule establishes two temporary safety zones from January 16, 2026 until

January 31, 2026. The safety zones include a moving safety zone, covering all navigable waters within 100 yards of the M/V ZHEN HUA 24 general cargo ship, and a fixed safety zone, covering all navigable waters within 25 yards of M/V ZHEN HUA 24 once moored. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or their designated representative.

Moving Safety Zone: This area includes all waters within 100 yards of the M/V ZHEN HUA 24 as the vessel transits inbound and outbound through the Houston Ship Channel.

Fixed Safety Zone: This area includes all waters within 25 yards of the M/V ZHEN HUA 24 once the M/V ZHEN HUA 24 is moored at Barbours Cut Terminal in Morgan's Point, Texas, at approximate position 29°40'00" N, 094°59'23" W. The COTP may terminate enforcement of this safety zone prior to January 31, 2026, depending on the progress of the crane offloading operation.

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. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment.

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

List of Subjects in 33 CFR Part 165

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

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

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

■ 2. Add § 165.T08–0036 to read as follows:

§ 165.T08–0036 Fixed and Moving Safety Zone; Vicinity of the M/V ZHEN HUA 24, Houston Ship Channel and Morgan's Point, TX.

(a) **Location.** The following areas are safety zones:

(1) **Moving Safety Zone:** All waters within a 100-yard radius of the M/V ZHEN HUA 24, as the vessel transits inbound from the Gulf of Mexico, beginning at the approximate coordinates 29°19'01.21" N, 094°38'38.1" W, off the coast of Galveston, TX, and proceeds through the Houston Ship Channel to the assigned docking station. This moving zone will be activated again when the vessel gets underway from the dock for an outbound transit through the Houston Ship Channel to approximate coordinates 29°19'01.21" N, 094°38'38.1" W.

(2) **Fixed Safety Zone:** All waters within a 25-yard radius of the M/V ZHEN HUA 24, while moored, at the Barbours Cut Terminal in Morgan's Point, Texas at approximate position 29°40'00" N, 094°59'23" W.

(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 Houston–Galveston (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 (866) 539–8114. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) **Enforcement periods.** This section will be enforced from January 16, 2026 until January 31, 2026, unless cancelled earlier by the COTP. The COTP or a designated representative will inform

the public through Broadcast Notices to Mariners (BNMs) and/or Marine Safety Information Bulletins (MSIBs) of the specific enforcement times and dates for this safety zone.

Nicole D. Rodriguez,
Captain, U.S. Coast Guard, Captain of the Port Sector Houston-Galveston.

[FR Doc. 2026-01070 Filed 1-20-26; 8:45 am]

BILLING CODE 9110-04-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 54

[WC Docket No. 21-31; FCC 25-62; FR ID 326287]

Addressing the Homework Gap Through the E-Rate Program; Partial Withdrawal

AGENCY: Federal Communications Commission.

ACTION: Final rule; partial withdrawal.

SUMMARY: In this document, the Federal Communications Commission (Commission or FCC) reconsiders the E-Rate Wi-Fi hotspot and services rules adopted in July 2024. Specifically, the Commission grants the petition for reconsideration filed by Maurine and Matthew Molak (Molak Petition) to the extent provided herein and find that the best reading of section 254 of the Communications Act of 1934, as amended, (the Communications Act) is that it does not permit funding of off-premises use of Wi-Fi hotspots and the associated wireless internet services with E-Rate program support. In so finding, the Commission rescinds the rules adopted in July 2024. The Commission also denies the two remaining petitions for reconsideration of the Commission's 2024 *Hotspots Order*. Consistent with the reconsideration, the Commission also withdraws two amendatory instructions published in the **Federal Register**, but delayed indefinitely.

DATES: Effective February 20, 2026. As of January 21, 2026, amendatory instruction numbers 4 (for § 54.504) and 9 (for § 54.516) in the final rule, published at 89 FR 67303 on August 20, 2024, are withdrawn.

FOR FURTHER INFORMATION CONTACT: Kate Dumouchel, Telecommunications Access Policy Division, Wireline Competition Bureau, at kate.dumouchel@fcc.gov or 202-418-7400 or TTY: 202-418-0484. Requests for accommodations should be made as soon as possible in order to allow the agency to satisfy such requests whenever possible. Send an email to

fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order on Reconsideration, in WC Docket No. 21-31; FCC 25-62, adopted and released September 30. The full text of this document is available at the following internet address: <https://docs.fcc.gov/public/attachments/FCC-25-62A1.pdf>.

Order on Reconsideration

Introduction

The Commission revisits the E-Rate Wi-Fi hotspot and services rules adopted in the July 2024 *Hotspots Order* (Final rule 89 FR 67303, August 20, 2024; Proposed rule 89 FR 67394, August 20, 2024). Specifically, the Commission grants the petition for reconsideration filed by Maurine and Matthew Molak (Molak Petition) to the extent provided herein and find that the best reading of section 254 of the Communications Act of 1934, as amended, (the Communications Act) is that it does not permit funding of off-premises use of Wi-Fi hotspots and the associated wireless internet services with E-Rate program support. In so finding, the Commission rescinds the rules adopted in July 2024. The Commission also denies the two remaining petitions for reconsideration of the Commission's *Hotspots Order*. Finally, the Commission directs the Universal Service Administrative Company (USAC), the administrator of the Commission's universal service programs, to deny pending applications for E-Rate support related to the off-premises use of Wi-Fi hotspots and services; and the Commission directs the Wireline Competition Bureau (Bureau) to release a public notice with an amended funding year (FY) 2025 eligible services list that reflects the changes made in the *Order on Reconsideration*.

Discussion

On reconsideration, the Commission restores the E-Rate program rules to those that existed before adoption of the July 2024 *Hotspots Order*. The Commission grants the Molak Petition to the extent provided herein and determines here that extending E-Rate to fund the off-premises use of Wi-Fi hotspots and associated wireless internet service is not consistent with the best reading of section 254 of the Communications Act. The Commission therefore rescinds the July 2024 rules.

Citing section 1.429(l)(1)-(2) of its rules, the Schools, Health & Libraries Broadband Coalition (SHLB) asserts that

the Molak Petition should be dismissed because it does not raise new issues that were not already addressed by the Commission in the *Hotspots Order*, fails to address a material error, and its consideration is not in the public interest. However, the Commission finds that consideration of the arguments in the Molak Petition is in the public interest and permitted by section 405 of the Communications Act and section 1.429 of its rules.

Reconsideration "is generally appropriate where the petitioner shows either a material error or omission in the original order or raises additional facts not known or not existing until after the petitioner's last opportunity to respond." In this instance, the Commission is persuaded that the Commission's prior decision materially erred in adopting rules for the E-Rate program that are not consistent with the best reading of the Commission's statutory authority.

Section 254(h)(1)(B) of the Communications Act requires telecommunications carriers to provide "services that are within the definition of universal service under subsection (c)(3)" to "elementary schools, secondary schools, and libraries" for "educational purposes" at discounted rates. The Commission finds that the off-premises use of Wi-Fi hotspots and associated wireless internet services does not constitute an educational purpose under the Communications Act, given the multitude of non-educational ways such service could be used. The Commission also finds it is unlikely that a school or library official could certify with any actual knowledge or certainty that use of the Wi-Fi hotspots by its students and library patrons would be primarily for educational purposes as required by its rules. However, even if the Commission agreed that such use could serve an educational purpose, section 254(h)(1)(B) of the Communications Act also requires that the services be provided "to elementary schools, secondary schools, and libraries." In the 2024 *Hotspots Order*, the Commission stated that "because schools and libraries are the customers and recipients of the services they purchase, [] the services are therefore provided to them within the meaning of section 254(h)(1)(B), even if used elsewhere." The Commission now disagrees. While entities operating schools or libraries may be *purchasing* the Wi-Fi hotspots and associated service, the schools and libraries are not the recipients of the connectivity provided to student or library patron homes, and the