

■ 26. In § 171.5, revise the definition for *Byproduct material* to read as follows:

§ 171.5 Definitions.

* * * * *

Byproduct material means—

(1) Any radioactive material (except special nuclear material) yielded in, or made radioactive by, exposure to the radiation incident to the process of producing or using special nuclear material;

(2)

(i) Any discrete source of radium-226 that is produced, extracted, or converted after extraction, before, on, or after August 8, 2005, for use for a commercial, medical, or research activity; or

(ii) Any material that—

(A) Has been made radioactive by use of a particle accelerator, including by use of a fusion machine; and

(B) If made radioactive by use of a particle accelerator that is not a fusion machine, is produced, extracted, or converted after extraction, before, on, or after August 8, 2005, for use for a commercial, medical, or research activity; and

(3) Any discrete source of naturally occurring radioactive material, other than source material, that—

(i) The Commission, in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Energy, the Secretary of Homeland Security, and the head of any other appropriate Federal agency, determines would pose a threat similar to the threat posed by a discrete source of radium-226 to the public health and safety or the common defense and security; and

(ii) Before, on, or after August 8, 2005, is extracted or converted after extraction for use in a commercial, medical, or research activity.

* * * * *

Dated: February 23, 2026.

For the Nuclear Regulatory Commission.

Carrie Safford,

Secretary of the Commission.

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DEPARTMENT OF ENERGY

10 CFR Part 851

[DOE-HQ-2025-0243]

RIN 1901-AB74

Worker Safety and Health Requirements To Support Reform of Nuclear Reactor Testing; Reopening of Public Comment Period

AGENCY: Office of Nuclear Energy, U.S. Department of Energy.

ACTION: Notice of proposed rulemaking; reopening of public comment period.

SUMMARY: On January 21, 2026, the U.S. Department of Energy (“DOE”) published a notice of proposed rulemaking (“NOPR”) seeking to amend certain regulations for worker safety and health to expedite the review, approval, and deployment of advanced reactors under DOE’s jurisdiction, including qualified test reactors in DOE’s reactor pilot program consistent with a recent Executive order. The NOPR provided an opportunity for submitting written comments, data, and information by February 20, 2026. By letter dated February 4, 2026, the American Federation of Labor and Congress of Industrial Organizations (“AFL-CIO”) requested a 45-day extension to the comment period. DOE has reviewed this request and is re-opening the public comment period until March 23, 2026.

DATES: The comment period for the NOPR published on January 21, 2026 (91 FR 2498) is reopened. Written comments, data and information regarding the NOPR will be accepted on or before March 23, 2026.

ADDRESSES: Interested persons are encouraged to submit comments using the Federal eRulemaking Portal at www.regulations.gov under docket number DOE-HQ-2025-0243. Follow the instructions for submitting comments.

Docket: The docket for this activity, which includes **Federal Register** notices, public meeting attendee lists and transcripts (if a public meeting is held), comments, and other supporting documents/materials, is available for review at www.regulations.gov. All documents in the docket are listed in the www.regulations.gov index. However, not all documents listed in the index may be publicly available, such as information that is exempt from public disclosure.

The docket web page can be found at www.regulations.gov/docket/DOE-HQ-2025-0243. The docket web page contains instructions on how to access

all documents, including public comments, in the docket.

FOR FURTHER INFORMATION CONTACT: Mr. Daryn Moorman, U.S. Department of Energy, Idaho Operations Office, 1955 N Fremont Avenue, Idaho Falls, ID 83415, Telephone: (208) 526-0111, Email: 851comments@id.doe.gov.

SUPPLEMENTARY INFORMATION: On January 21, 2026, DOE published a notice of proposed rulemaking (“NOPR”) that would amend its regulations for worker safety and health contained in 10 CFR part 851 (Worker Safety and Health Program). The proposal sought to revise these regulations to enable DOE to expedite the review, approval, and deployment of advanced reactors under DOE’s jurisdiction, including qualified test reactors in DOE’s reactor pilot program. These actions would be made consistent with Executive Order 14301, Reforming Nuclear Reactor Testing at the Department of Energy, which was issued on May 23, 2025. (90 FR 22591) The NOPR sought comment on the proposal by February 20, 2026

By letter dated February 4, 2026, DOE received a request from the American Federation of Labor and Congress of Industrial Organizations (“AFL-CIO”) seeking a 45-day extension to the comment period. The AFL-CIO asserted that the potential effects of DOE’s proposed rulemaking are complex in nature and that additional time is needed for careful review and coordination across the organization’s various affiliates to establish thorough and informed comments.¹

DOE has reviewed the request and considered the benefit of allowing interested parties additional time to submit comments regarding the January 2026 NOPR. Accordingly, while DOE is confident that the AFL-CIO and other commenters had sufficient time to provide complete comments by February 20th, DOE is reopening the comment period until March 23, 2026.

Signing Authority

This document of the Department of Energy was signed on February 24, 2026, by Chris Wright, Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of

¹ DOE is also aware of at least two other requests for additional time.

Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on February 24, 2026.

Treena V. Garrett,

Federal Register Liaison Officer, U.S. Department of Energy.

[FR Doc. 2026–03866 Filed 2–25–26; 8:45 am]

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FEDERAL RESERVE SYSTEM

12 CFR Part 262

[Docket No. R–1884]

RIN 7100–AH17

Prohibition on Use of Reputation Risk or Other Supervisory Tools To Encourage or Compel Banking Organizations To Engage in Politicized or Unlawful Discrimination

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) is inviting public comment on a notice of proposed rulemaking (proposal or proposed rule) that would codify the removal of reputation risk from the Board’s supervisory programs. The proposal would prohibit the Board from encouraging or compelling Board-supervised banking organizations to deny or condition the provision of banking or other financial products or services to an individual or business based on their constitutionally protected political or religious beliefs, associations, speech, or conduct, or based on involvement by the individual or business in politically disfavored but lawful business activities perceived to present reputation risk.

DATES: Comments must be received on or before April 27, 2026.

ADDRESSES: You may submit comments, identified by Docket No. R–1884 and RIN 7100–AH17, by any of the following methods:

- *Agency Website:* <https://www.federalreserve.gov/apps/proposals/>. Follow the instructions for submitting comments, including attachments. *Preferred Method.*

- *Mail:* Benjamin W. McDonough, Deputy Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

- *Hand Delivery/Courier:* Same as mailing address.

- *Other Means:* publiccomments@frb.gov. You must include the docket number in the subject line of the message.

Comments received are subject to public disclosure. In general, comments received will be made available on the Board’s website at <https://www.federalreserve.gov/apps/proposals/> without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure. Public comments may also be viewed electronically or in person in Room M–4365A, 2001 C St. NW, Washington, DC 20551, between 9 a.m. and 5 p.m. during Federal business weekdays.

FOR FURTHER INFORMATION CONTACT:

Anna Lee Hewko, Associate Director, (202) 530–6260; Mehdi Beyhaghi, Principal Economist, (202) 941–8706; Devyn Jeffereis, Lead Financial Institution Policy Analyst, (202) 452–2729, Division of Supervision and Regulation; or Asad Kudiya, Associate General Counsel, (202) 475–6358; Alyssa O’Connor, Senior Counsel, (202) 577–5476; Harley Moyer, Attorney, (240) 749–9069, Legal Division, Board of Governors of the Federal Reserve System, 20th and C Streets NW, Washington, DC 20551. For the hearing impaired only, Telecommunication Device for the Deaf (TDD), (202) 263–4869.

SUPPLEMENTARY INFORMATION:

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I. Introduction and Objectives of the Proposal

It is the Board’s policy not to encourage or compel Board-supervised banking organizations to deny or condition the provision of banking or other financial products or services to an individual or business based on their constitutionally protected political or religious beliefs, associations, speech, or

conduct, or based on involvement by the individual or business in politically disfavored but lawful business activities perceived to present reputation risk. The decision regarding whether or not to make a loan or to open, close, or maintain an account, provide any other financial product or service, or modify the terms of any financial product or service rests with the banking organization, acting in accordance with applicable law.

In addition to the Board’s policy, the Board announced in June 2025 that reputation risk will no longer be a component of examination programs in its supervision of banks, and that the Board will train examiners to help ensure this change is implemented consistently across Board-supervised banking organizations.¹ The Board is eliminating references to reputation and reputation risk in its supervisory materials, including examination manuals.² The Federal Deposit Insurance Corporation (FDIC), the Office of the Comptroller of the Currency (OCC), and the National Credit Union Administration (NCUA) also have announced their intention to eliminate references to reputation risk in their examination manuals and other supervisory materials.³ These agencies recently requested comment on proposals to codify the removal of reputation risk from their supervisory programs.⁴

The Board has defined reputation risk as “the potential that negative publicity regarding an institution’s business practices, whether true or not, will cause a decline in the customer base, costly litigation, or revenue reductions.”⁵ Reputation risk increased in prevalence as a supervisory concept in the 1990s and thereafter; the concept generally was not used in the Board’s

¹ Board, Press Release (June 23, 2025), <https://www.federalreserve.gov/newsevents/pressreleases/bcreg20250623a.htm>.

² *Id.*

³ See FDIC, Press Release (October 7, 2025), <https://www.fdic.gov/news/financial-institution-letters/2025/agencies-issue-proposal-prohibit-use-reputation-risk>; OCC, News Release 2025–21 (March 20, 2025), <https://www.occ.gov/news-issuances/news-releases/2025/nr-occ-2025-21.html> and OCC Bulletin 2025–4 (March 20, 2025), <https://www.occ.gov/news-issuances/bulletins/2025/bulletin-2025-4.html>; NCUA, Press Release (September 25, 2025), <https://ncua.gov/newsroom/press-release/2025/ncua-eliminates-use-reputational-risk>.

⁴ 90 FR 48825 (October 30, 2025); 90 FR 48409 (October 21, 2025).

⁵ Attachment B to SR Letter 95–51, “Rating the Adequacy of Risk Management Processes and Internal Controls at State Member Banks and Bank Holding Companies” (November 14, 1995) (SR 95–51). In connection with the Board’s June 23, 2025, press release, this attachment was revised to remove the reference to reputation risk.