

List of Subjects in 7 CFR Part 1145

Forward pricing contracts, Milk marketing orders, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, the Agricultural Marketing Service amends 7 CFR part 1145 as follows:

PART 1145—DAIRY FORWARD PRICING PROGRAM

■ 1. The authority citation for part 1145 continues to read as follows:

Authority: 7 U.S.C. 8772.

■ 2. Amend § 1145.2 by revising paragraph (b) to read as follows:

§ 1145.2 Program.

* * * * *

(b) No forward price contract may be entered into under the program after September 30, 2026, and no forward contract entered into under the program may extend beyond September 30, 2029.

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Erin Morris,

Administrator, Agricultural Marketing Service.

[FR Doc. 2026–03985 Filed 2–26–26; 8:45 am]

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DEPARTMENT OF JUSTICE**Executive Office for Immigration Review****8 CFR Parts 1003, 1208, and 1240**

[Docket No. EOIR–26–AB37; Dir. Order No. 03–2026]

RIN 1125–AB37

Appellate Procedures for the Board of Immigration Appeals; Extension of Comment Period

AGENCY: Executive Office for Immigration Review, Department of Justice.

ACTION: Interim final rule; extension of comment period.

SUMMARY: On February 6, 2026, the Executive Office for Immigration Review (“EOIR”) published in the *Federal Register* the interim final rule (“IFR”) “Appellate Procedures for the Board of Immigration Appeals” with comments originally due March 9, 2026. This document extends the deadline for written comments to April 8, 2026.

DATES: The comment period for the IFR published February 6, 2026, at 91 FR 5267, is extended. Comments must be received by EOIR no later than April 8, 2026.

ADDRESSES: If you wish to provide comments regarding this rulemaking, you must submit your comments, identified by the agency name and reference RIN 1125–AB37 or EOIR Docket No. EOIR–26–AB37, by one of the two methods below.

• *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the website instructions for submitting comments.

• *Mail:* Paper comments that duplicate an electronic submission are unnecessary. If you wish to submit a paper comment in lieu of electronic submission, please direct the mail/shipment to: Jamee E. Comans, Acting Assistant Director, Office of Policy, Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2500, Falls Church, VA 22041. To ensure proper handling, please reference the agency name and RIN 1125–AB37 or EOIR Docket No. EOIR–26–AB37 on your correspondence. Mailed items must be postmarked or otherwise indicate a shipping date on or before the submission deadline.

A summary of this rule may be found in the docket for this rulemaking at <https://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

Jamee E. Comans, Acting Assistant Director, Office of Policy, Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2500, Falls Church, VA 22041; telephone (703) 305–0289.

SUPPLEMENTARY INFORMATION: On February 6, 2026, EOIR published in the *Federal Register* the IFR titled “Appellate Procedures for the Board of Immigration Appeals”, 91 FR 5267, which amended Department of Justice regulations to streamline administrative appellate review by the Board of Immigration Appeals (“Board”) of decisions by Immigration Judges by making review of such decisions on the merits discretionary, by setting appropriate times for briefing in cases that are reviewed on the merits, and by streamlining other aspects of the appellate process to ensure timely adjudications and avoid adding to the already sizeable backlog at the Board. Additionally, the IFR made various technical and non-substantive changes to the Department’s regulations.

As explained in the IFR, it is exempt from the Administrative Procedure Act’s notice-and-comment requirements. See 91 FR 5274–75. However, in response to a request from a group of interested organizations, and to allow for commenters to have additional time to review and submit comments, the EOIR Director, by authority delegated to him by Attorney General Order Number

6260–2025, is extending the comment period for this rule (RIN 1125–AB37) by 30 days.

Daren K. Margolin,

Director, Executive Office for Immigration Review, Department of Justice.

[FR Doc. 2026–03932 Filed 2–26–26; 8:45 am]

BILLING CODE 4410–30–P

DEPARTMENT OF COMMERCE**Office of the Under Secretary for Economic Affairs****15 CFR Part 1500**

[Docket No. 260224–0056]

RIN 0605–AA86

Streamlining the Regulations Related to Concrete Masonry Research, Education, and Promotion

AGENCY: Office of the Under Secretary for Economic Affairs, U.S. Department of Commerce (Department).

ACTION: Final rule.

SUMMARY: By this rule, the Department clarifies and streamlines the regulations related to concrete masonry research, education, and promotion. Specifically, this rule adds language to clarify the purpose of these regulations, removes all of the sections that merely restate definitions provided in the underlying statute, clarifies the Secretary of Commerce’s appointment authority, and streamlines the section governing disqualification and removal with respect to the Concrete Masonry Product Board (Board). This action is necessary and intended to promote clarity, simplicity, efficiency, and statutory conformity.

DATES: The rule is effective February 27, 2026.

FOR FURTHER INFORMATION CONTACT: Daniel Sweeney, Senior Counsel, Office of the General Counsel, at (202) 482–1395.

SUPPLEMENTARY INFORMATION: This action amends the Department’s regulations at 15 CFR part 1500, subpart A, which implement the Concrete Masonry Products Research, Education, and Promotion Act of 2018 (15 U.S.C. 8701–8717). Subpart A of part 1500 was added by final rule on September 15, 2021. 86 FR 51456. This rule amends that subpart in the following ways.

First, this rule adds, as a new first section, language clarifying the purpose of these regulations and citing the underlying statute. This language will properly situate and orient the reader, thereby promoting clarity.

Second, this rule removes all of the sections that merely restate definitions set forth in the underlying statute. See 15 U.S.C. 8702 (specifically and sufficiently defining the terms “block machine,” “board,” “cavity,” “concrete masonry products,” “concrete masonry unit,” “conflict of interest,” “Department,” “dry-cast concrete,” “education,” “machine cavities,” “machine cavities in operation,” “manufacturer,” “masonry unit,” “person,” “promotion,” “research,” “Secretary,” and “United States”). Based on that removal, this rule also consolidates the three remaining, meaningfully-supplemental definitions—for “Order,” “Act,” and “Geographic regions”—into a single section. These changes will reduce redundancy and will streamline and simplify part 1500.

Third, this rule removes duplicative language, as well as an unnecessary constraint on the Secretary of Commerce’s discretion, related to making appointments to the Concrete Masonry Product Board. As currently written, § 1500.41 applies to the initial Board, but it is meant to apply to the Board in perpetuity. Section 1500.41 also arbitrarily limits to six the Secretary’s ability to appoint alternates (nonvoting members), and it contains several repetitive statements. This amendment removes references to the “initial” Board and the number limit regarding alternates, and it tightens the language by removing repetitive statements (and obviates the need for § 1500.43), thus reinforcing the Secretary’s authority to make appointments and to appoint alternates as the Secretary deems appropriate.

Fourth, this rule amends and streamlines § 1500.44, which pertains to disqualification and removal of members of the Board. Currently, § 1500.44(a) establishes that any Board member who “ceases to qualify as a manufacturer . . . shall be disqualified from serving on the Board,” either at the Secretary’s initiative or upon the Board’s recommendation; § 1500.44(b) establishes that the Board may recommend removal of a member if the member “consistently refuses to perform” their duties or engages in “acts of dishonesty or willful misconduct”; and § 1500.44(c) establishes that “[a]ll members serve at the pleasure of the Secretary.” Considering the broad discretion afforded to the Secretary by § 1500.44(c), the Department finds it appropriate to remove the final sentence of § 1500.44(a) and § 1500.44(b) in its entirety, and to add language to § 1500.44(c) generally establishing that the Board may recommend to the

Secretary that a member be removed. These changes will reduce redundancy and remove any arbitrary restrictions imposed on the Board’s ability to make recommendations to the Secretary, without changing the Secretary’s current authority, thereby promoting efficiency.

Regulatory Classifications

A. Administrative Procedure Act

Pursuant to 5 U.S.C. 553(b)(B), the Department finds good cause to waive the prior notice and opportunity for public participation requirements of the Administrative Procedure Act for this final rule. The Department considers this rule to be uncontroversial, and has determined that prior notice and opportunity for public participation is unnecessary, because this rule only adds a section clarifying the purpose of part 1500, removes an arbitrary limit on and clarifies the Secretary’s authority to make appointments, removes regulatory language that restates definitions set forth in the underlying statute, and streamlines the language governing disqualification and removal of members of the Concrete Masonry Product Board—all without changing the substantive authority and discretion already afforded to the Secretary of Commerce by statute. All four of these changes are consistent with the Concrete Masonry Products Research, Education, and Promotion Act of 2018 and with the Department’s broader regulatory policy; public participation would not justify the continued lack of an introductory purpose section or the continued maintenance of the excessive regulatory language at issue. For the same reason, the Department has determined that delaying the effectiveness of this elimination would be contrary to the public interest. The four changes described above will immediately promote clarity, simplicity, and efficiency—thereby benefiting the public—at little to no cost. The Department therefore finds good cause to waive the public notice and comment period under 553(b)(B) and to waive the 30-day delay in effectiveness under 553(d).

B. Executive Orders 12866, 14192, and 13132

The Office of Management and Budget has determined this rule is not significant pursuant to Executive Order (E.O.) 12866. This rule is an E.O. 14192 deregulatory action. This rule does not contain policies having federalism implications as the term is defined in E.O. 13132.

C. Regulatory Flexibility Act

Because a notice of proposed rulemaking and an opportunity for public participation are not required to be given for this rule by 5 U.S.C. 553(b)(B), the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable. Accordingly, no regulatory flexibility analysis is required, and none has been prepared.

D. Paperwork Reduction Act

This rule will not impose additional reporting or recordkeeping requirements under the Paperwork Reduction Act of 1995, 44 U.S.C. 3501, *et seq.*

List of Subjects for 15 CFR Part 1500

Administrative practice and procedure, Concrete masonry promotion.

Dated: February 25, 2026.

Joyce Meyer,

Under Secretary for Economic Affairs.

Accordingly, for the reasons set forth above and under the authority of 15 U.S.C. 8713, the Department amends part 1500 of title 15 of the Code of Federal Regulations to read as follows:

PART 1500—CONCRETE MASONRY RESEARCH, EDUCATION, AND PROMOTION

■ 1. The authority citation for part 1500 continues to read as follows:

Authority: 15 U.S.C. 8701–8717.

Subpart A—Concrete Masonry Products Research, Education, and Promotion Order

■ 2. Revise the undesignated center heading for §§ 1500.0 through 1500.21 to read as follows:

Purpose and Definitions

■ 3. Revise § 1500.0 to read as follows:

§ 1500.0 Purpose.

The purpose of these regulations is to set out the Department of Commerce’s policies and procedures under the Concrete Masonry Products Research, Education, and Promotion Act of 2018.

■ 4. Revise § 1500.1 to read as follows:

§ 1500.1 Definitions.

(a) *Order* means this subpart A, Concrete Masonry Products Research, Education, and Promotion Order.

(b) *Act* means the Concrete Masonry Products Research, Education, and Promotion Act of 2018 (15 U.S.C. 8701 *et seq.*; Pub. L. 115–254, section 1301, 132 Stat. 3469–3485 (2018)), and any amendments thereto.

(c) *Geographic regions* means the groupings of states as delineated in this

Order (at § 1500.40(c)), for the purpose of supporting research, education, and promotion plans and projects.

§§ 1500.2 through 1500.15 [Removed and Reserved]

- 5. Remove and reserve §§ 1500.2 through 1500.15.

§§ 1500.17 through 1500.21 [Removed and Reserved]

- 6. Remove and reserve §§ 1500.17 through 1500.21.
- 7. Revise § 1500.41 to read as follows:

§ 1500.41 Nominations and Appointments.

(a) The Secretary shall appoint not fewer than 15 and not more than 25 members to the Board, and alternate members as deemed appropriate. Alternate members participate in meetings but do not vote as members of the Board. The Secretary shall consider nominations submitted from the Board as well as other manufacturers as the Secretary deems appropriate.

(b) In the event a voting member vacates their appointment, the Secretary will appoint an alternate member to fill the unexpired term. If the Board fails to submit nominations for any open position, the Secretary shall appoint a member qualifying for the position under criteria set forth in 1500.40.

A maximum of two individuals from any single company or its affiliates may serve on the Board at any one time, and current members will not necessarily be replaced with another representative of the same company.

§§ 1500.43 [Removed and Reserved]

- 8. Remove and reserve § 1500.43.
- 9. Revise § 1500.44 to read as follows:

§ 1500.44 Disqualification and Removal.

(a) In the event that any Board member or alternate Board member who was appointed as a manufacturer ceases to qualify as a manufacturer, such Board member or alternate Board member shall be disqualified from serving on the Board.

(b) [Reserved]

(c) All members serve at the pleasure of the Secretary. The Board may recommend to the Secretary that a member be removed from office.

[FR Doc. 2026-04005 Filed 2-26-26; 8:45 am]

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NATIONAL LABOR RELATIONS BOARD

29 CFR Part 103

RIN 3142-AA21

Withdrawal of 2023 Standard for Determining Joint Employer Status

AGENCY: National Labor Relations Board.

ACTION: Final rule.

SUMMARY: On October 27, 2023, the Board published a final rule (2023 Rule) that rescinded and replaced a prior rule regarding the standard for determining joint employer status under the National Labor Relations Act. On March 8, 2024, the U.S. District Court for the Eastern District of Texas issued an order vacating the 2023 Rule. The Board is therefore revising its rules and regulations to replace the vacated regulatory text with the previous version of its rules that remain in effect due to the vacatur.

DATES: This rule is effective February 27, 2026.

FOR FURTHER INFORMATION CONTACT: Roxanne L. Rothschild, Executive Secretary, National Labor Relations Board, 1015 Half St. SE, Washington, DC 20570-0001, (202) 273-1940 (this is not a toll-free number) or 1-844-762-NLRB (6572) (this is a toll-free number). Hearing impaired callers who wish to speak to an NLRB representative should contact T-Mobile Relay Conference Captioning by visiting its website at <https://www.tmobileaccess.com/federal>, and submitting a form asking its Communications Assistant to call our toll free number at 1-844-762-NLRB (6572).

SUPPLEMENTARY INFORMATION: On October 27, 2023, the National Labor Relations Board published a final rule intended to rescind and replace a 2020 rule governing joint employer status under the National Labor Relations Act. (88 FR 73946, Oct. 27, 2023). The 2023 Rule, titled “Standard for Determining Joint Employer Status,” established a new standard for determining whether two employers, as defined in the Act, are joint employers of particular employees within the meaning of the Act.

On November 19, 2023, a challenge to the 2023 Rule was filed in the U.S. District Court for the Eastern District of Texas. *Chamber of Commerce v. NLRB*, No. 6:23-CV-00553 (E.D. Tex.). On March 8, 2024, the district court vacated the rule. 723 F.Supp. 3d 498, 519 (E.D. Tex. 2024). As the 2023 Rule has never taken effect, the prior rule titled “Joint

Employer Status Under the National Labor Relations Act,” which was promulgated on February 26, 2020 (2020 Rule), remains the operative rule for determining joint employer status. 85 FR 11184 (Feb. 26, 2020), *codified at* 29 CFR 103.40. In accordance with the district court’s order, the Board hereby revises 29 CFR subpart D to replace the text of the vacated 2023 Rule with the text of the 2020 Rule, which remains in effect.¹

Procedural and Other Matters

Section 553 of the Administrative Procedure Act provides that when an agency for good cause finds that notice and public comment procedures are impracticable, unnecessary, or contrary to the public interest, the agency may issue a rule without providing notice and an opportunity for public comment.² The Board has determined that there is good cause for making today’s amendment to the 2023 Rule final without prior proposal and opportunity for comment. Because of the Court order vacating the 2023 Rule, the Board’s action is ministerial in nature. Accordingly, the Board for good cause finds that a notice and comment period is unnecessary.³

The Administrative Procedure Act also generally requires that an agency publish an adopted rule in the **Federal Register** 30 days before it becomes effective.⁴ This requirement, however, does not apply if the agency finds good cause for making this action to amend the 2023 Rule effective sooner. For the reasons discussed above, the Board finds that there is good cause to make repeal and replacement of the rule effective immediately.

The Board considers the costs and benefits of its rules and regulations. As discussed above, the 2023 Rule was vacated by the district court and the

¹ In accordance with the district court’s vacatur of the 2023 Rule, Member Prouty joins in replacing the 2023 Rule with the 2020 Rule. However, he notes that was not a member of the Board when the 2020 Rule was promulgated and, for the reasons set forth in the preamble to the 2023 Rule, he does not believe that the 2020 Rule sets forth the proper standard for determining when an entity is a joint employer.

² 5 U.S.C. 553(b)(B).

³ This finding also satisfies the requirements of 5 U.S.C. 808(2) (if a Federal agency finds that notice and public comment are “impracticable, unnecessary or contrary to the public interest,” a rule “shall take effect at such time as the Federal agency promulgating the rule determines”), allowing the withdrawal to become effective notwithstanding the requirement of 5 U.S.C. 801. No analysis is required under the Regulatory Flexibility Act. See 5 U.S.C. 601(2) (for purposes of Regulatory Flexibility analysis, the term “rule” means any rule for which the agency publishes a general notice of the proposed rulemaking).

⁴ 5 U.S.C. 553(d).