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U.S. GOVERNMENT
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FEDERAL REGISTER

Vol. 91 Friday,

No. 54 March 20, 2026

Pages 13491–13702

OFFICE OF THE FEDERAL REGISTER

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Rules and Regulations

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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.

FEDERAL RESERVE SYSTEM

12 CFR Part 262

[Docket No. R–1886]

RIN 7100–AH19

Rules of Procedure; Correction

AGENCY: Board of Governors of the Federal Reserve System (Board).

ACTION: Final rule; correcting amendments.

SUMMARY: The Board is revising its Rules of Procedure to make certain technical corrections.

DATES: Effective March 20, 2026.

FOR FURTHER INFORMATION CONTACT: Jonah Kind, Senior Counsel, (202) 309–5287; Evan Hechtman, Senior Counsel, (202) 897–7694, Legal Division, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551. For users of TTY–TRS, please call 711 from any telephone, anywhere in the United States.

SUPPLEMENTARY INFORMATION: The Board is making technical corrections to provisions of its Rules of Procedure [1] regarding the newspaper notice requirements associated with certain applications submitted to the Board.[2] In particular, the Board is correcting two provisions of the Rules of Procedure, which set forth the communities in which an applicant must cause the publication of a newspaper notice in the case of an application under section 3 of the Bank Holding Company Act (BHC Act) [3] or under section 10 of the Home Owners' Loan Act (HOLA).[4]

Prior to 1980, with regard to applications under section 3 of the BHC Act, the Board's Rules of Procedure required publication of a newspaper notice in ''the community or communities in which the head offices of the largest subsidiary bank, if any, *of* an applicant and of each bank, shares of which are to be directly or indirectly acquired, are located.'' [5] In 1980, the Board published in the **Federal Register** a notice (1980 Notice) amending its Rules of Procedure to ''require[e] the use of a standardized form of notice; specify[ ] that notices appear in the classified legal notices section of the newspaper; and require[ ] submission of the application immediately after the first notice is published.'' [6] However, in the 1980 Notice, the word ''of'' was inadvertently changed to ''or'' in one instance, and the relevant language was changed to ''the community or communities in which the head offices of the largest subsidiary bank, if any, *or* an applicant and of each bank, shares of which are to be directly or indirectly acquired, are located.'' [7]

In 2011, after the responsibility for supervision and regulation of savings and loan holding companies was transferred from the Office of Thrift Supervision to the Board, the Board made technical changes to its Rules of Procedure, including the addition of a provision regarding the communities in which a newspaper notice must be published in connection with an application under section 10 of HOLA.[8] The wording of this provision was copied, with relevant changes regarding entity type (*i.e.,* references to ''bank'' were changed to ''savings association''), directly from the provision regarding applications under section 3 of the BHC Act. Therefore, this provision also includes the use of the word ''or'' rather than ''of.'' [9]

The use of ''or'' rather than ''of'' in these two provisions of the Rules of Procedure results in unclear and grammatically incorrect language, which has resulted in confusion among some applicants. It does not appear that the Board intended to change this aspect of its rules regarding applications under section 3 of the BHC Act in connection with the 1980 Notice; rather, the change appears to have been a typographical error, which was subsequently introduced to the provision regarding applications under section 10 of HOLA. This final rule corrects these technical errors by replacing the word ''or'' with ''of'' in the relevant instance in both of these provisions.

Administrative Law

A. Administrative Procedure Act

The Board is issuing this final rule without prior notice and the opportunity for public comment and the 30-day delayed effective date ordinarily prescribed by the Administrative Procedure Act (APA).[10] Pursuant to section 553(b)(B) of the APA, general notice and the opportunity for public comment are not required with respect to a rulemaking when an ''agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.'' [11]

The Board believes that the public interest is best served by implementing the final rule as soon as possible. Public comment is unnecessary, as the technical edits discussed here merely correct drafting errors.

The corrections made by this final rule will reduce ambiguity and ensure that newspaper publications associated with applications submitted under section 3 of the BHC Act and section 10 of HOLA are published in a consistent manner.

The APA also requires a 30-day delayed effective date, except for (1) substantive rules which grant or recognize an exemption or relieve a restriction; (2) interpretative rules and statements of policy; or (3) as otherwise provided by the agency for good cause.[12] The Board finds good cause to publish the final rule correction with an immediate effective date for the same reasons set forth above under the discussion of section 553(b)(B) of the APA.

[1] 12 CFR part 262.

[2] 12 CFR 262.3(b)(1). This action was approved by the Secretary of the Board, acting under delegated authority. 12 CFR 265.5(a)(4).

[3] 12 CFR 262.3(b)(1)(ii)(E).

[4] 12 CFR 262.3(b)(1)(ii)(F).

[5] *See* 43 FR 47157 (October 12, 1978) (emphasis added).

[6] 45 FR 81543 (December 11, 1980).

[7] 45 FR 81543, 81544 (December 11, 1980) (emphasis added).

[8] 76 FR 56508 (September 13, 2011).

[9] 12 CFR 262.3(b)(1)(ii)(F) (''The community or communities in which the head offices of the largest subsidiary savings association, if any, *or* an applicant and of each savings association, shares of which are to be directly or indirectly acquired, are located . . . .'') (emphasis added).

[10] 5 U.S.C. 553.

[11] 5 U.S.C. 553(b)(B).

[12] 5 U.S.C. 553(d).

B. Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (PRA) states that no agency may conduct or sponsor, nor is the respondent required to respond to, an information collection unless it displays a currently valid OMB control number. The information collection requirements associated with this final rule are implemented through the Board's FR Y–3 (Application to Become a Bank Holding Company and/or Acquire an Additional Bank or Bank Holding Company) (OMB No. 7100–0121) and FR LL–10(e) (Application to Become a Savings and Loan Holding Company or to Acquire a Savings Association or Savings and Loan Holding Company) (OMB No. 7100–0336), both of which provide detailed instructions regarding the newspaper publication requirement associated with an application. The Board is not proposing revisions to either the FR Y–3 or the FR LL–10(e) at this time.

C. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) [13] requires an agency to consider whether the rules it proposes will have a significant economic impact on a substantial number of small entities.[14] The RFA applies only to rules for which an agency publishes a general notice of proposed rulemaking pursuant to 5 U.S.C. 553(b). As discussed previously, consistent with section 553(b)(B) of the APA, the Board has determined for good cause that general notice and opportunity for public comment is unnecessary and contrary to the public's interest, and therefore the Board is not issuing a notice of proposed rulemaking. Accordingly, the Board has concluded that the RFA's requirements relating to an initial and final regulatory flexibility analysis do not apply.

D. Plain Language

Section 722 of the Gramm-Leach-Bliley Act [15] requires the Federal banking agencies to use ''plain language'' in all proposed and final rules published after January 1, 2000. In light of this requirement, the Board has sought to present the final rule in a simple and straightforward manner.

List of Subjects in 12 CFR Part 262

Administrative practice and procedure, Banks, Banking, Federal Reserve System.

[13] 5 U.S.C. 601 *et seq.*

[14] Under regulations issued by the Small Business Administration, a small entity includes a depository institution, bank holding company, or savings and loan holding company with total assets of $850 million or less. *See* 13 CFR 121.201.

[15] 12 U.S.C. 4809.

Authority and Issuance

For the reasons stated in the preamble the Board of Governors of the Federal Reserve System amends 12 CFR part 262 as follows:

PART 262—RULES OF PROCEDURE

■ 1. The authority citation for part 262 continues to read as follows:

Authority: 5 U.S.C. 552; 12 U.S.C. 248, 321, 325, 326, 483, 602, 611a, 625, 1467a, 1828(c), 1842, 1844, 1850a, 1867, 3105, 3106, 3108, 5361, 5368, 5467, and 5469.

■ 2. In § 262.3, revise paragraphs (b)(1)(ii)(E) and (F) to read as follows:

§ 262.3 Applications.

* * * * *

(b) * * *

(1) * * *

(ii) * * *

(E) The community or communities in which the head offices of the largest subsidiary bank, if any, of an applicant and of each bank, shares of which are to be directly or indirectly acquired, are located in the case of applications under section 3 of the Bank Holding Company Act, or

(F) The community or communities in which the head offices of the largest subsidiary savings association, if any, of an applicant and of each savings association, shares of which are to be directly or indirectly acquired, are located in the case of applications under section 10 of the Home Owners' Loan Act.

* * * * *

By order of the Board of Governors of the Federal Reserve System, acting through the Secretary of the Board under delegated authority.

Benjamin W. McDonough,

Secretary of the Board.

[FR Doc. 2026–05544 Filed 3–19–26; 8:45 am]

BILLING CODE 6201–01–P

FEDERAL HOUSING FINANCE AGENCY

12 CFR Part 1228

RIN 2590–AB61

Correcting Amendment Reinstating ''Grandfather'' Exceptions to Restrictions on Private Transfer Fee Covenants; Correction

AGENCY: Federal Housing Finance Agency.

ACTION: Final rule; technical amendment; correction.

SUMMARY: The Federal Housing Finance Agency published a Final Rule; Technical Amendment document in the **Federal Register** on March 17, 2026, regarding Correcting Amendment Reinstating ''Grandfather'' Exceptions to Restrictions on Private Transfer Fee Covenants. The **ACTION:** line of the Final Rule; Technical Amendment document incorrectly stated that the Final Rule was requesting public comments, however, the Final Rule; Technical Amendment document is not requesting public comments. This correction removes ''request for comments'' from the **ACTION:** line of the Final Rule; Technical Amendment document.

DATES: Effective March 20, 2026.

FOR FURTHER INFORMATION CONTACT: Sara L. Todd, Assistant General Counsel, Office of General Counsel (OGC), (202) 649–3527, *sara.todd@fhfa.gov,* Federal Housing Finance Agency, 400 Seventh Street SW, Washington, DC 20219. This is not a toll-free number. The mailing address is: Federal Housing Finance Agency, Fourth Floor, 400 Seventh Street SW, Washington, DC 20219. For TTY/TRS users with hearing and speech disabilities, dial 711 and ask to be connected to the contact number above.

SUPPLEMENTARY INFORMATION:

Correction

In the **Federal Register** of March 17, 2026, in Final Rule; Technical Amendment FR Doc. 2026–05160 at 91 FR 12673, on page 12673, correct the **ACTION:** to read ''**ACTION:** Final rule; technical amendment.''

Clinton Jones,

General Counsel, Federal Housing Finance Agency.

[FR Doc. 2026–05463 Filed 3–19–26; 8:45 am]

BILLING CODE 8070–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–5030; Project Identifier MCAI–2025–00322–R; Amendment 39–23290; AD 2026–06–02]

RIN 2120–AA64

Airworthiness Directives; Bell Textron Canada Limited Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain Bell Textron Canada Limited Model 429 helicopters. This AD was prompted by reports of incorrectly installed lockwire

on the stability and control augmentation system (SCAS) actuator jam nut. This AD requires inspecting the installation of the lockwire on the SCAS actuator jam nut and, if the lockwire is incorrectly installed, removing the lockwire and installing a new lockwire correctly. This AD also prohibits the installation of an affected SCAS actuator assembly unless certain requirements are met. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective April 24, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain other publication listed in this AD as of April 24, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2025–5030; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For Transport Canada material identified in this AD, contact Transport Canada, Transport Canada National Aircraft Certification, 159 Cleopatra Drive, Nepean, Ontario, K1A 0N5, Canada; phone: (888) 663–3639; email: *TC.AirworthinessDirectives-Consignesdenavigabilite.TC@tc.gc.ca;* website: *tc.canada.ca/en/aviation.*
- You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110. It is also available at *regulations.gov* under Docket No. FAA–2025–5030.

FOR FURTHER INFORMATION CONTACT: Michael Yeshiambel, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (316) 946–4133; email: *michael.m.yeshiambel@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to Bell Textron Canada Limited Model 429 helicopters serial numbers 57001 and subsequent with SCAS actuator part number (P/N) 429–001–065–107, 429–001–065–109, and 429–001–065–111. The NPRM was published in the **Federal Register** on November 24, 2025 (90 FR 52897). The NPRM was prompted by Transport Canada AD CF–2025–16, dated March 17, 2025 (Transport Canada AD CF–2025–16) (also referred to as the MCAI), issued by Transport Canada, which is the aviation authority for Canada. The MCAI states that there have been several reports of incorrectly installed lockwire on the SCAS actuator jam nut. The MCAI further states that the incorrect installation of the lockwire could allow the actuator jam nut to loosen.

This condition, if not addressed, could lead to the SCAS actuator rotating about the axis of the tube, interfering with the adjacent structure and limiting or completely jamming control movement, resulting in partial or complete loss of control of the helicopter.

In the NPRM, the FAA proposed to require inspecting the installation of the lockwire on the SCAS actuator jam nut and, if the lockwire is incorrectly installed, removing the lockwire and installing a new lockwire correctly. The NPRM also proposed prohibiting the installation of an affected SCAS actuator assembly unless certain requirements are met.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–5030.

Discussion of Final Airworthiness Directive

Comments

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

Conclusion

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

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Transport Canada AD CF–2025–16, which specifies procedures for a one-time inspection of the lockwire installation of the jam nuts of the cyclic longitudinal, cyclic lateral, and directional SCAS actuators and, if the lockwire is improperly installed, removal of the lockwire and installation of a new lockwire in the correct direction. Transport Canada AD CF–2025–16 also prohibits the installation of an affected SCAS actuator assembly unless certain requirements are met.

This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

Costs of Compliance

The FAA estimates that this AD affects 101 helicopters of U.S. registry.

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

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspect lockwire	1.5 work-hour × $85 per hour = $128	$0	$128	$12,928

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

ON CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Replace lockwire	.5 work-hours × $85 per hour = $43	$0	$43

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2026–06–02 Bell Textron Canada Limited: Amendment 39–23290; Docket No. FAA–2025–5030; Project Identifier MCAI–2025–00322–R.

(a) Effective Date

This airworthiness directive (AD) is effective April 24, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Bell Textron Canada Limited Model 429 helicopters, certificated in any category, as identified in Transport Canada AD CF–2025–16, dated March 17, 2025 (Transport Canada AD CF–2025–16).

(d) Subject

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

(e) Unsafe Condition

This AD was prompted by reports of incorrectly installed lockwire on the stability and control augmentation system (SCAS) actuator jam nut. The FAA is issuing this AD to address the incorrect installation of the lockwire. The unsafe condition, if not addressed, could allow the SCAS actuator jam nut to loosen, which could lead to the SCAS actuator rotating about the axis of the tube, interfering with the adjacent structure and limiting or completely jamming control movement, resulting in partial or complete loss of control of the helicopter.

(f) Compliance

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

(g) Required Actions

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, Transport Canada AD CF–2025–16.

(h) Exceptions to Transport Canada AD CF–2025–16

(1) Where Transport Canada AD CF–2025–16 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where Transport Canada AD CF–2025–16 requires compliance in terms of air time, this AD requires using hours time-in-service.

(i) 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 (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) Special Flight Permits

Special flight permits are prohibited.

(k) Additional Information

For more information about this AD, contact Michael Yeshiambel, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (316) 946–4133; email: *michael.m.yeshiambel@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) Transport Canada AD CF–2025–16, dated March 17, 2025.

(ii) [Reserved]

(3) For Transport Canada material identified in this AD, contact Transport Canada, Transport Canada National Aircraft Certification, 159 Cleopatra Drive, Nepean, Ontario, K1A 0N5, Canada; phone: (888) 663–3639; email: *TC.AirworthinessDirectives-Consignesdenavigabilite.TC@tc.gc.ca.* You may view this material on the Transport Canada website at *tc.canada.ca/en/aviation*.

(4) You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N–321, 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 March 12, 2026.

Steven W. Thompson,

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

[FR Doc. 2026–05549 Filed 3–19–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2025–5140; Airspace Docket No. 25–AAL–171]

RIN 2120–AA66

Establishment of Class E Airspace; Birch Creek Airport, Birch Creek, AK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E airspace extending upward from 700 feet above the surface at Birch Creek Airport, Birch Creek, Alaska (AK). This action supports the safety and management of instrument flight rules (IFR) operations at the airport.

DATES: Effective date 0901 UTC, May 14, 2026. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

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

FAA Order JO 7400.11K, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/.* You may also contact the Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

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

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it establishes Class E airspace to support IFR operations at Birch Creek Airport, Birch Creek, AK.

History

The FAA published an NPRM for Docket No. FAA–2025–5140 in the **Federal Register** (91 FR 2515; January 21, 2026), proposing to establish a Class E airspace area at Birch Creek Airport, Birch Creek, AK. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Incorporation by Reference

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

The Rule

This action amends 14 CFR part 71 by establishing a Class E airspace area extending upward from 700 feet above the surface at Birch Creek Airport, Birch Creek, AK, to contain two private-use special instrument approach procedures in support of passenger shuttle, medevac, and cargo aircraft.

Birch Creek Airport does not have published departure procedures; instead, it allows for diverse departures. To accommodate this, a 6.4-mile radius of Class E airspace extending upward from 700 feet above the surface is established to contain departing IFR aircraft until reaching 1,200 feet above the surface. A 6.4-mile radius also provides containment of arriving IFR operations below 1,500 feet above the surface when executing either of the private-use special instrument approach procedures.

Regulatory Notices and Analyses

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

Environmental Review

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

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

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

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

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

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11K,

Airspace Designations and Reporting Points, dated August 4, 2025, and effective September 15, 2025, is amended as follows:

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

* * * * *

ANM AK E5 Birch Creek, AK [New]

Birch Creek Airport, AK
(Lat. 66°16′28″ N, long. 145°49′06″ W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the airport.

* * * * *

Issued in Des Moines, Washington, on March 17, 2026.

B.G. Chew,

Group Manager, Operations Support Group, Western Service Center.

[FR Doc. 2026–05500 Filed 3–19–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2025–3718; Airspace Docket No. 25–ASW–11]

RIN 2120–AA66

Amendment of Class D Airspace and Establishment of Class E Airspace; Fort Worth, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends the Class D airspace and establishes Class E airspace at Fort Worth, TX. The name and geographic coordinates of Fort Worth Meacham International Airport, Fort Worth, TX, and the name of Fort Worth NAS JRB (Carswell Field), Fort Worth, TX, are also being updated to coincide with the FAA's aeronautical database. The FAA is taking these actions to accommodate a U.S. Navy request to change the Fort Worth NAS JRB (Carswell Field) Class D airspace from full-time to part-time and establish part-time Class E surface airspace; the associated airspace reviews conducted to accommodate this request; and a biennial airspace review of the Perot Field/Fort Worth Alliance Airport, Fort Worth, TX. These actions bring the airspace into compliance with FAA orders and support instrument flight rule (IFR) procedures and operations.

DATES: Effective 0901 UTC, July 9, 2026. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

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

FAA Order JO 7400.11K, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/.* You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT: Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5711.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends the Class D airspace and establishes Class E airspace to support IFR operations at the affected airports.

History

The FAA published an NPRM for Docket No. FAA–2025–3718 in the **Federal Register** (91 FR 1473; January 14, 2026) proposing to amend the Class D airspace and establish Class E airspace at Fort Worth, TX. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Differences From the NPRM

Subsequent to publication of the NPRM, two (2) typographical errors were discovered in the NPRM. The longitude line separating the Class D airspace between Fort Worth Meacham International Airport and Fort Worth NAS JRB (Carswell Field) should be 097°24′01″ W. It is listed correctly in the Class D airspace legal description for Fort Worth Meacham International Airport but incorrectly listed as 097°24′00″ W in the Class D airspace legal description and the Class E surface airspace legal description for Fort Worth NAS JRB (Carswell Field). And the header for the Fort Worth NAS JRB (Carswell Field) Class E surface area was inadvertently labeled as ''[Amended]'' when it should be labeled as ''[Establish]''.

Correction of these typographic errors does not change the boundaries of the airspace as they currently exist or as proposed or impose any additional requirements on users of the airspace. These changes are administrative in nature only. Accordingly, the FAA finds good cause that recirculating this action for public comment is unnecessary.

Incorporation by Reference

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

The Rule

This action amends 14 CFR part 71 by making several modifications to the Class D airspace and establishing Class E airspace in the Fort Worth, TX, area as the result of a U.S. Navy request to change the Fort Worth NAS JRB (Carswell Field), Fort Worth, TX, Class D airspace from full-time to part-time and establish part-time Class E surface airspace; the associated airspace reviews affected by the request; and a biennial airspace review of Perot Field/Fort Worth Alliance Airport, Fort Worth, TX.

For the Perot Field/Fort Worth Alliance Airport, Fort Worth, TX, Class D airspace, the action: (1) expands the radius from 4.5 miles to 5.4 miles; (2)

expands the exclusion area around Stage Coach Hills Airport, Westlake, TX, from 0.5 miles to 1.5 miles; (3) adds exclusion areas of 1 mile around Aero Valley Airport, Roanoke, TX, and 1 mile around Hicks Airfield, Fort Worth, TX; and (4) removes the part-time language from the legal description to correct an administrative oversight.

For the Fort Worth Meacham International Airport, Fort Worth, TX, Class D airspace, the action: (1) expands the radius from 4.2 miles to 5 miles; (2) removes the name of the airport from the airspace legal description header to comply with changes to FAA Order JO 7400.2R, Procedures for Handling Airspace Matters; and (3) updates the geographic coordinates and the name of the airport from Fort Worth Meacham Airport to Fort Worth Meacham International Airport to coincide with the FAA's aeronautical database.

For the Fort Worth NAS JRB (Carswell Field), Fort Worth, TX, Class D airspace, the action: (1) increases the radius from 4.5 miles to 5.9 miles; (2) adds an exclusion area within a 1-mile radius of Flying Oaks Airport; (3) removes the name of the airport from the airspace legal description header to comply with changes to FAA Order JO 7400.2R; (4) updates the name of the airport from Fort Worth Naval Air Station JRB (Carswell Field) to Fort Worth NAS JRB (Carswell Field) to coincide with the FAA's aeronautical database; (5) removes the NAS JRB Fort Worth ILS Localizer North, the NAS JRB Fort Worth TACAN, the NAS JRB Fort Worth ILS Localizer South, and the associated extensions from the airspace legal description as they are no longer required; and (6) adds part-time language to the legal description.

And the action establishes a part-time Class E surface area at Fort Worth NAS JRB (Carswell Field) within a 5.9-mile radius of the airport excluding that airspace east of long 097°24′01″ W and excluding that area within a 1-mile radius of Flying Oaks Airport.

Regulatory Notices and Analyses

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

Environmental Review

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

Lists of Subjects in 14 CFR 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

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

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

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

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

§ 71.1 [Amended]

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

Paragraph 5000 Class D Airspace.

* * * * *

ASW TX D Fort Worth, TX [Amended]

Perot Field/Fort Worth Alliance Airport, TX
(Lat. 32°59′25″ N, long. 097°19′10″ W)
Aero Valley Airport, TX
(Lat. 33°02′59″ N, long. 097°13′56″ W)
Stage Coach Hills Airport, TX
(Lat. 32°58′00″ N, long. 097°14′01″ W)
Hicks Field, TX
(Lat. 32°55′52″ N, long. 097°24′42″ W)

That airspace extending upward from the surface to but not including 3,000 feet MSL within a 5.4-mile radius of Perot Field/Fort Worth Alliance Airport excluding that airspace within a 1-mile radius of Aero Valley Airport, and excluding that airspace within a 1.5-mile radius of Stage Coach Hills Airport, and excluding that airspace within a 1-mile radius of Hicks Field, and excluding that airspace within the Dallas/Fort Worth, TX, Class B airspace area.

ASW TX D Fort Worth, TX [Amended]

Fort Worth Meacham International Airport, TX
(Lat. 32°49′11″ N, long. 097°21′45″ W)

That airspace extending upward from the surface to and including 3,200 feet MSL within a 5-mile radius of Fort Worth Meacham International Airport excluding the portion west of longitude 097°24′01″ W.

ASW TX D Fort Worth, TX [Establish]

Fort Worth NAS JRB (Carswell Field), TX
(Lat. 32°46′09″ N, long. 097°26′30″ W)
Flying Oaks Airport, TX
(Lat. 32°49′45″ N, long. 097°32′06″ W)

That airspace extending upward from the surface up to and including 3,000 feet MSL within a 5.9-mile radius of Fort Worth NAS JRB (Carswell Field) excluding that airspace east of longitude 097°24′01″ W, and excluding that airspace within a 1-mile radius of Flying Oaks Airport. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Chart Supplement.

* * * * *

6002 Class E Airspace Areas Designated as Surface Areas

* * * * *

ASW TX E2 Fort Worth, TX [Establish]

Fort Worth NAS JRB (Carswell Field), TX
(Lat. 32°46′09″ N, long. 097°26′30″ W)
Flying Oaks Airport, TX
(Lat. 32°49′45″ N, long. 097°32′06″ W)

That airspace extending upward from the surface within a 5.9-mile radius of Fort Worth NAS JRB (Carswell Field) excluding that airspace east of longitude 097°24′01″W, and excluding that airspace within a 1-mile radius of Flying Oaks Airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Chart Supplement.

* * * * *

Issued in Fort Worth, Texas, on March 18, 2026.

Courtney E. Johns,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2026–05499 Filed 3–19–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1305

[Docket No. DEA–1005]

Ordering Schedule I and II Controlled Substances Using DEA Form 222; Technical Amendments

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: Final rule, technical amendment.

SUMMARY: On September 30, 2019, the Drug Enforcement Administration (DEA) published the final rule, New Single-Sheet Format for U.S. Official Order Form for Schedule I and II Controlled Substances (DEA Form 222). The final rule implemented a new single sheet format for DEA Form 222 and provided for a two-year transition period to switch from the triplicate form. This technical amendment corrects certain regulations erroneously not amended in the final rule which creates ambiguities. The amendment clarifies that a DEA Form 222 Power of Attorney may only be executed or revoked by a registrant, a partner of the registrant, or an officer of a registrant corporate entity. It resolves ambiguity over who may sign a DEA Form 222 and removes the obsolete transition provision for the triplicate version of DEA Form 222. These are conforming revisions that do not make any substantive changes to the regulations.

DATES: This rule is effective March 20, 2026.

FOR FURTHER INFORMATION CONTACT: Heather Achbach, Regulatory Drafting and Policy Support Section, Diversion Control Division, Drug Enforcement Administration; Telephone: (571) 776–3882.

SUPPLEMENTARY INFORMATION:

I. Legal Authority

The Controlled Substances Act (CSA) grants the Attorney General authority to promulgate rules and regulations relating to the registration and control of the manufacture, distribution, and dispensing of controlled substances; [1] as well as the maintenance and submission of records and reports [2] that are necessary and appropriate for the efficient execution of his statutory functions.[3] The Attorney General is further authorized by the CSA to promulgate rules and regulations relating to the registration and control of importers and exporters of controlled substances.[4] The Attorney General has delegated these authorities to the Administrator of the Drug Enforcement Administration (DEA).[5]

II. Technical Amendment to Power of Attorney for DEA Form 222 and Electronic Orders

Pursuant to DEA's current regulations, ''A registrant may authorize one or more individuals . . . to issue orders for schedule I and II controlled substances on the registrant's behalf by executing a power of attorney for each such individual.'' [6] In the 2019 final rule, DEA amended 21 CFR 1305.05(d)(1) to require that a DEA Form 222 Power of Attorney (POA) must be executed by ''the registrant, if an individual; a partner of the registrant, if a partnership; or an officer of the registrant, if a corporation, corporate division, association, trust or other entity.'' [7] Prior to that amendment, DEA regulations provided, in relevant part, that a POA could be executed or revoked by the person who signed the most recent application for a DEA registration or re-registration. During the comment period, DEA received numerous comments about the POAs, noting that the proposed amendment would be more restrictive than the then-current rule with respect to who could sign a POA. DEA was clear in its response that due to ''the significance of Form 222 signature authority, and the potential for diversion when that authority is abused, the DEA deems it appropriate to require an officer, a partner, or the registrant him- or herself to sign POAs under 21 CFR 1305.05.'' [8] However, due to an administrative error, two related provisions of 21 CFR 1305.05 were not modified at that time: 21 CFR 1305.05(c) which provides form language for a DEA Form 222 POA and the notice of revocation of a POA, and 21 CFR 1305.05(e), which explains who must revoke a POA.

In this technical amendment, DEA is merely replacing the language in those provisions, 21 CFR 1305.05(c) and 21 CFR 1305.05(e), to mirror the language of 21 CFR 1305.05(d)(1), which more precisely specifies who is authorized to execute a POA to order schedule I and II controlled substances. Directly substituting this language allows for clarity and consistency in the regulations, as 21 CFR 1305.05(c) and 21 CFR 1305.05(e) should have the same precise language of 21 CFR 1305.05(d)(1), specifically: a power of attorney must be executed by ''[t]he registrant, if an individual; a partner of the registrant, if a partnership; or an officer of the registrant, if a corporation, corporate division, association, trust or other entity.'' [9] Thus, 21 CFR 1305.05(c) will no longer allow a person authorized to sign an application for registration to execute or revoke a POA to sign DEA Form 222s. Similarly, 21 CFR 1305.05(e) will no longer allow a person authorized to sign an application for registration to revoke a POA to sign DEA Form 222s.

In addition, DEA is making a similar conforming revision in 21 CFR 1305.12(d) to clearly establish who is authorized to sign a DEA Form 222. The amended provision clarifies that a DEA Form 222 must be signed by the registrant, if an individual; a partner of the registrant, if a partnership; or an officer of the registrant, if a corporation, corporate division, association, trust or other entity. This removes prior language which referred the reader to 21 CFR 1305.05 but included a provision allowing a person who signed the last application for a DEA registration to sign a DEA Form 222.

a. Removal of Triplicate DEA Form 222 Regulatory Text

When DEA implemented the single sheet format for DEA Form 222 in September 2019, 21 CFR 1305.20 was promulgated to explain the transition process for DEA registrants to switch from the triplicate form to the single sheet form. Registrants were given a two-year transition period allowing the continued use of their existing stock of triplicate DEA Forms 222 before switching to the single sheet format.[10] On October 30, 2021, DEA ceased accepting the triplicate form of DEA Form 222.[11] Thus, 21 CFR 1305.20 is obsolete, and DEA is removing this section from DEA's regulations and reserving it for future use.

III. Regulatory Analysis

a. Administrative Procedure Act

DEA is issuing this final rule without prior notice and an opportunity to comment pursuant to the Administrative Procedure Act's (APA) (5 U.S.C. 553) ''good cause'' exception. In certain circumstances, an agency may forgo the notice-and-comment rulemaking when a rulemaking is published in the **Federal Register** and

[1] 21 U.S.C. 821.
[2] 21 U.S.C. 827.
[3] 21 U.S.C. 871(b).
[4] 21 U.S.C. 958(f).
[5] 28 CFR 0.100(b).
[6] 21 CFR 1305.05(a).
[7] 21 CFR 1305.05(d)(1).
[8] 84 FR at 51368.
[9] 21 CFR 1305.05(d)(1).
[10] 84 FR 51368 (Sept. 30, 2019).
[11] 21 CFR 1305.20(a).

the agency ''for good cause finds . . . that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.'' [12]

This rule contains only technical corrections to DEA's current regulations, and it imposes no new or substantive requirement on the public or DEA registrants. As such, DEA has determined that notice and the opportunity for public comment on this rule are unnecessary. Because this is not a substantive rule, and as DEA finds good cause pursuant to 5 U.S.C. 553(d)(3), this final rule takes effect upon date of publication in the **Federal Register**.

b. Executive Orders 12866 (Regulatory Planning and Review), 13563 (Improving Regulation and Regulatory Review), and 14192 (Regulatory Review)

DEA has determined that this rulemaking is not a ''significant regulatory action'' under section 3(f) of Executive Order (E.O.) 12866, Regulatory Planning and Review. Accordingly, this proposed rule has not been submitted to the Office of Management and Budget (OMB) for review. This proposed rule has been drafted and reviewed in accordance with E.O. 12866, ''Regulatory Planning and Review,'' section 1(b), Principles of Regulation; E.O. 13563, ''Improving Regulation and Regulatory Review,'' section 1(b), General Principles of Regulation; and E.O. 14192 ''Unleashing Prosperity Through Deregulation.''

c. Executive Order 12988, Civil Justice Reform

This rule meets the applicable standards set forth in Sections 3(a) and 3(b)(2) of E.O. 12988 to eliminate drafting errors and ambiguity, minimize litigation, provide a clear legal standard for affected conduct, and promote simplification and burden reduction.

d. Executive Order 13132, Federalism

This rule does not have federalism implications warranting the application of E.O. 13132. The final rule does not have substantial direct effects on the states, on the relationship between the Federal government and the States, or the distribution of power and responsibilities among the various levels of government.

e. Executive Order 14294, Overcriminalization of Federal Regulations

Executive Order 14294 specifies that all notices of proposed rulemaking (NPRMs) and final rules published in the **Federal Register**, the violation of which may constitute criminal regulatory offenses, should include a statement identifying that the rule or proposed rule is a criminal regulatory offense, the authorizing statute, and the mens rea requirement for each element of the offense. Since this final rule does not involve a criminal regulatory offense, E.O. 14294 does not apply.

f. Executive Order 14267 Reducing Anti-Competitive Regulatory Barriers

The final rule does not reduce competition, entrepreneurship, and innovation.

g. Executive Order 13175, Consultation and Coordination With Indian Tribal Governments

This rule does not have tribal implications warranting the application of E.O. 13175. This rule does not have substantial direct effects 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.

h. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612) applies to rules that are subject to notice and comment under section 553(b) of the APA. As explained above, DEA determined that there is good cause to exempt this rule from notice and comment. Consequently, the RFA does not apply to this final rule.

i. Unfunded Mandates Reform Act of 1995

In accordance with the Unfunded Mandates Reform Act of 1995 (UMRA), 2 U.S.C. 1501 *et seq.,* DEA has determined that this action will not result in 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 million or more (adjusted annually for inflation) in any one year. Therefore, neither a Small Government Agency Plan nor any other action is required under the provisions of UMRA.

j. Congressional Review Act

This rule is not a major rule as defined the Congressional Review Act (CRA), 5 U.S.C. 804. However, pursuant to the CRA, DEA is submitting a copy of this final rule to both Houses of Congress and to the Comptroller General.

k. Paperwork Reduction Act

This final rule involves existing collection 1117–0010 but does not impose a new collection or modify an existing collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521). This action does not impose additional recordkeeping or reporting requirements on State or local governments, individuals, businesses, or organizations. 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. Copies of the approved existing information collection may be obtained at *http://www.reginfo.gov/public/do/PRAMain.*

List of Subjects in 21 CFR Part 1305

Drug traffic control, reporting and recordkeeping requirements.

For the reasons stated in the preamble, DEA amends 21 CFR part 1305 as follows:

PART 1305—ORDERS FOR SCHEDULE I AND II CONTROLLED SUBSTANCES

■ 1. The authority citation for part 1305 continues to read as follows:

Authority: 21 U.S.C. 821, 828, 871(b), unless otherwise noted.

■ 2. In § 1305.05, revise paragraphs (c) and (e) to read as follows:

§ 1305.05 Power of attorney.

* * * * *

(c) The power of attorney and notice of revocation must be similar to the following format:

Power of Attorney for DEA Forms 222 and Electronic Orders

(Name of registrant)

(Address of registrant)

(DEA registration number)

I, _____ (name of person granting power), the undersigned (the registrant, if an individual; a partner of the registrant, if a partnership; or an officer of the registrant, if a corporation, corporate division, association, trust or other entity), have made, constituted, and appointed, and by these presents, do make, constitute, and appoint _____ (name of attorney-in-fact), my true and lawful attorney for me in my name, place, and stead, to execute applications for Forms 222 and to sign orders for schedule I and II controlled substances, whether these orders be on Form 222 or electronic, in accordance with 21 U.S.C. 828 and Part 1305 of Title 21 of the Code of Federal Regulations. I hereby ratify and confirm all that said attorney must lawfully do or cause to be done by virtue hereof.

(Signature of person granting power)

[12] 5 U.S.C. 553(b)(B).

I, _____ (name of attorney-in-fact), hereby affirm that I am the person named herein as attorney-in-fact and that the signature affixed hereto is my signature.

(signature of attorney-in-fact)

Witnesses:

1. _____
2. _____

Signed and dated on the _____ day of _____, (year), at _____.

Notice of Revocation

The foregoing power of attorney is hereby revoked by the undersigned (the registrant, if an individual; a partner of the registrant, if a partnership; or an officer of the registrant, if a corporation, corporate division, association, trust or other entity). Written notice of this revocation has been given to the attorney-in-fact _____ this same day.

(Signature of person revoking power)

Witnesses:

1. _____
2. _____

Signed and dated on the _____ day of _____, (year), at _____.

* * * * *

(e) A power of attorney must be revoked by:

(1) The registrant, if an individual; a partner of the registrant, if a partnership; or an officer of the registrant, if a corporation, corporate division, association, trust or other entity; and

(2) Two witnesses.

* * * * *

■ 3. In 1305.12, revise paragraph (d) to read as follows:

§ 1305.12 Procedure for executing DEA Forms 222.

* * * * *

(d) Each DEA Form 222 must be signed and dated by the registrant, if an individual; a partner of the registrant, if a partnership; or an officer of the registrant, if a corporation, corporate division, association, trust or other entity; or a person granted power of attorney to sign a DEA Form 222 under § 1305.05. The name of the purchaser, if different from the individual signing DEA Form 222, must also be inserted in the signature space.

* * * * *

§ 1305.20 [Removed and Reserved]

■ 4. Remove and reserve § 1305.20.

Signing Authority

This document of the Drug Enforcement Administration was signed on March 3, 2026, by Administrator Terrance C. Cole. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Heather Achbach,

Federal Register Liaison Officer, Drug Enforcement Administration.

[FR Doc. 2026–05482 Filed 3–19–26; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[TD 10043]

RIN 1545–BQ83

Substantiation Requirements and Qualified Nonpersonal Use Vehicles

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Final regulation.

SUMMARY: This document contains final regulations relating to the definition of qualified nonpersonal use vehicles. Qualified nonpersonal use vehicles are excepted from the substantiation requirements that apply to certain listed property. These final regulations add unmarked vehicles used by firefighters or members of a rescue squad or ambulance crew as a new type of qualified nonpersonal use vehicle. These final regulations affect governmental units that provide firefighter or rescue squad or ambulance crew member employees with unmarked qualified nonpersonal use vehicles and the employees who use those vehicles.

DATES:

Effective date: These final regulations are effective on March 20, 2026.

Applicability date: § 1.274–5(k)(2)(ii)(S), (k)(7), (k)(9)(v) and references to § 1.274–5(k)(9) in § 1.132–5(h) apply to taxable years ending on or after March 20, 2026.

FOR FURTHER INFORMATION CONTACT: Stephanie Caden at (202) 317–4774 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Authority

These final regulations are issued under the authority granted to the Secretary of the Treasury or his delegate (Secretary) by sections 274(p), 132(o), and 7805(a) of the Internal Revenue Code (Code). Section 274(p) provides the Secretary with an express grant of authority to prescribe such regulations as the Secretary may deem necessary to carry out the purposes of that section. Section 132(o) provides the Secretary with an express grant of authority to prescribe such regulations as may be necessary or appropriate to carry out the purposes of that section. Section 7805(a) authorizes the Secretary to prescribe all needful rules and regulations for the enforcement of the Code.

Background

This document contains amendments to the Income Tax Regulations (26 CFR part 1) under sections 132 and 274. In general, section 274 limits or disallows deductions for certain expenditures that otherwise would be allowable under chapter 1 of the Code, primarily under section 162(a), which allows a deduction for ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business.

Section 274(d), as relevant to these final regulations, provides that a taxpayer is not allowed a deduction or credit for certain expenses unless the expenses are substantiated by adequate records or by sufficient evidence corroborating the taxpayer's own statement as to the amount, time and place, and business purposes of the expenditure, and the business relationship to the taxpayer of the person receiving the benefit. These substantiation requirements apply to expenses incurred in the use of any listed property, as defined in section 280F(d)(4), which includes any passenger automobile and any other property used as a means of transportation. However, section 274(d) also provides that qualified nonpersonal use vehicles are excepted from these substantiation requirements.

Section 274(i) defines a qualified nonpersonal use vehicle as one which, by reason of its nature, ''is not likely to be used more than a de minimis amount for personal purposes.'' Current regulations under section 274 define qualified nonpersonal use vehicles to include clearly marked police, fire, or public safety officer vehicles that are owned or leased by a governmental unit and required to be used for commuting by a police officer, firefighter, or public safety officer (as defined in section

402(l)(4)(C)) who, when not on a regular shift, is on call at all times. Any personal use (other than commuting) of the vehicle outside the limit of the police officer's arrest powers or the firefighter's or public safety officer's obligation to respond to an emergency must be prohibited by the governmental unit. *See* § 1.274–5(k)(2)(ii)(A) and (k)(3). The various examples included in § 1.274–5(k)(8) illustrate that a prohibition on personal use (other than commuting) is intended to exist in situations where both commuting and only de minimis personal use, such as personal errands, are permitted.

The current regulations also define qualified nonpersonal use vehicles as including unmarked law enforcement vehicles owned or leased by Federal, State, county, or local governmental agencies or departments that officially authorize the business and personal use of the vehicle by law enforcement officers whom they employ, provided any personal use is incidental to law enforcement functions. *See* § 1.274–5(k)(2)(ii)(R) and (k)(6). The current regulations define law enforcement officers as individuals who are employed on a full-time basis by a governmental unit that is responsible for the prevention or investigation of crime involving injury to persons or property (including apprehension or detention of persons for those crimes), who are authorized by law to carry firearms, execute search warrants, and to make arrests (other than merely a citizen's arrest), and who regularly carry firearms (except when it is not possible to do so because of the requirements of undercover work). *See* § 1.274–5(k)(6)(ii). Unmarked law enforcement vehicles allow law enforcement officers to operate inconspicuously, *e.g.,* so that they can conduct these duties while performing undercover work.

The current regulations do not include unmarked vehicles used by firefighters, members of rescue squads, or ambulance crews in the definition of qualified nonpersonal use vehicles. Historically, firefighters and rescue squad and ambulance crew members were provided with vehicles that had markings to indicate their status as emergency response vehicles. More recently, however, the IRS and Treasury Department have become aware that some governmental units are assigning these emergency responders unmarked vehicles due to increased incidents of harassment of first responders and vandalism of clearly marked fire and emergency vehicles and equipment.

The use of unmarked vehicles allows firefighters and other emergency personnel who commute and are required to be on call at all times, even when not on a regular shift, to travel inconspicuously, thereby reducing risk of harassment and vandalism. Also, unmarked firefighter and rescue squad or ambulance crew vehicles typically are specially outfitted with onboard equipment, which is used by firefighters and emergency personnel to suppress fires, conduct rescue activities, or provide emergency medical services as part of an official emergency response system. Because these vehicles are generally specially outfitted with such equipment, any personal use of these vehicles is likely to be minimal. Thus, adding unmarked firefighter, rescue squad or ambulance crew vehicles as a new category of qualified nonpersonal use vehicle in the regulations is consistent with the underlying intent of section 274(i).

On December 3, 2024, a notice of proposed rulemaking (NPRM) (REG–106595–22) was published in the **Federal Register** (89 FR 95727) that proposed amending § 1.274–5(k)(2)(ii) to add unmarked vehicles used by firefighters, members of rescue squads, or ambulance crews to the list of qualified nonpersonal use vehicles that are exempt from the substantiation requirements of section 274(d). The NPRM also proposed amending § 1.274–5(k) to add a new § 1.274–5(k)(7) providing definitions for the terms ''unmarked firefighter, rescue squad or ambulance crew vehicles'', ''firefighter,'' and ''member of a rescue squad or ambulance crew,'' and proposed adding § 1.274–5(k)(9)(v) (*Example 5*) illustrating the new provision. Finally, the NPRM proposed making conforming amendments to §§ 1.132–1(g) and 1.132–5(h)(1).

No public hearing was requested or held. Three comments responding to the NRPM were received. All comments were considered and are available for public inspection and copying at *http://www.regulations.gov* or upon request. The public comments are discussed in the Summary of Comments section of this preamble.

Summary of Comments

One commenter provided comments on issues that are unrelated to the Code or tax administration in general and therefore are outside the scope of these regulations. Another commenter expressed appreciation that firefighters and members of rescue squads and ambulance crews were being granted the same tax treatment as other first responders who use qualified nonpersonal use vehicles. The commenter noted the need for fire department personnel who maintain 24-hour response capacity to use unmarked vehicles to travel inconspicuously for security purposes and reduce the risk of harassment and vehicle damage. The commenter further noted that including unmarked nonpersonal use vehicles used by firefighters, members of rescue squads, or ambulance crews on the list of qualified nonpersonal use vehicles will ensure that those who respond to emergencies in specially equipped unmarked vehicles will be able to continue to do so without unreasonable financial burden.

Another commenter asked what the proposed rule would cost in terms of lost tax revenue. These regulations will not have a significant economic impact and are not subject to review under section 6(b) of Executive Order 12866. Accordingly, the Treasury Department and the IRS have not conducted an analysis of the revenue impact of the rule.

The Treasury Department and the IRS requested comments on whether the definitions of ''unmarked firefighter, rescue squad or ambulance crew vehicles,'' ''firefighter,'' and ''member of a rescue squad or ambulance crew,'' are sufficient to accomplish the intended purpose of the proposed regulations or whether any of them might lead to potential abuse. No comments were received regarding these definitions.

After consideration of the comments, these final regulations adopt all the provisions of the proposed regulations with some minor, non-substantive changes to certain provisions.

Special Analyses

I. Regulatory Planning and Review—Economic Analysis

These final regulations are not subject to review under section 6(b) of Executive Order 12866 pursuant to the Memorandum of Agreement (July 4, 2025) between the Treasury Department and the Office of Management and Budget regarding review of tax regulations.

II. Paperwork Reduction Act

These final regulations do not create new collection requirements, as defined under the Paperwork Reduction Act (44 U.S.C. 35); and do not alter any previously approved Office of Management and Budget information collection requirements and their associated burden.

III. Regulatory Flexibility Act

It is hereby certified that these final regulations will not have a significant economic impact on a substantial number of small entities pursuant to the

Regulatory Flexibility Act (5 U.S.C. chapter 6). This certification is based on the fact that these final regulations do not impose any new or different requirements on small entities. These final regulations would apply only to employers that utilize unmarked firefighter, rescue squad, or ambulance vehicles and therefore would affect a relatively small number of entities. In addition, these final regulations would not affect employment tax reporting or require any additional substantiation. Rather, these final regulations exempt affected entities from substantiation requirements and for this reason do not add any economic burden to affected entities. Therefore, a Regulatory Flexibility Analysis under the Regulatory Flexibility Act (5 U.S.C. chapter 6) is not required. The Treasury Department and the IRS did not receive any comments on any impact these final regulations would have on small entities.

IV. Section 7805(f)

Pursuant to section 7805(f) of the Internal Revenue Code, the NPRM preceding this regulation was submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small business. No comment was received.

V. Unfunded Mandates Reform Act

Section 202 of the Unfunded Mandates Reform Act of 1995 requires that agencies assess anticipated costs and benefits and take certain other actions before issuing a final rule that includes any Federal mandate that may result in expenditures in any one year by a State, local, or Tribal government, in the aggregate, or by the private sector, of $100 million in 1995 dollars, updated annually for inflation. These final regulations do not include any Federal mandate that may result in expenditures by State, local, or Tribal governments, or by the private sector, in excess of that threshold.

VI. Executive Order 13132: Federalism

Executive Order 13132 (Federalism) prohibits an agency from publishing any rule that has federalism implications if the rule either imposes substantial, direct compliance costs on State and local governments, and is not required by statute, or preempts State law, unless the agency meets the consultation and funding requirements of section 6 of the Executive order. These final regulations do not have federalism implications, do not impose substantial direct compliance costs on State and local governments, and do not preempt State law within the meaning of the Executive order.

Drafting Information

The principal author of these final regulations is Stephanie L. Caden of the Office of the Associate Chief Counsel (Employee Benefits, Exempt Organizations, and Employment Taxes). However, other personnel from the Treasury Department and the IRS participated in their development.

List of Subjects in 26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

Adoption of Amendments to the Regulations

Accordingly, 26 CFR part 1 is amended as follows:

PART 1—INCOME TAXES

■ **Paragraph 1.** The authority citation for part 1 is amended by revising the entries for §§ 1.132–0 through 1.132–8T and § 1.274–5 to read in part as follows:

Authority: 26 U.S.C. 7805 * * *

* * * * *

Sections 1.132–0 through 1.132–8T also issued under 26 U.S.C. 132(o).

* * * * *

Section 1.274–5 also issued under 26 U.S.C. 274(p).

* * * * *

■ **Par. 2.** Section 1.132–1 is amended by adding a sentence to the end of paragraph (g) to read as follows:

§ 1.132–1 Exclusion from gross income for certain fringe benefits.

* * * * *

(g) * * * In addition, references to § 1.274–5(k)(9) in § 1.132–5(h) are applicable as of March 20, 2026.

§ 1.132–5 [Amended]

■ **Par. 3.** Section 1.132–5 is amended by, in paragraph (h)(1), removing the text ''§ 1.274–5(k)(3) through (8)'' and adding the text ''§ 1.274–5(k)(3) through (9)'' in its place, and removing the text ''paragraphs (k)(3) through (8)'' and adding the text ''§ 1.274–5(k)(3) through (9)'' in its place.

■ **Par. 4.** Section 1.274–5 is amended by:

■ 1. Redesignating paragraph (k)(2)(ii)(S) as paragraph (k)(2)(ii)(T) and adding new paragraph (k)(2)(ii)(S);

■ 2. Redesignating paragraphs (k)(7) and (8) as paragraphs (k)(8) and (9) and adding a new paragraph (k)(7);

■ 3. In newly redesignated paragraph (k)(9), redesignating *Examples 1* through *4* as paragraphs (k)(9)(i) through (k)(9)(iv), respectively.

■ 4. Adding paragraph (k)(9)(v); and

■ 5. Revising paragraph (m).

The additions and revision read as follows:

§ 1.274–5 Substantiation requirements.

* * * * *

(k) * * *

(2) * * *

(ii) * * *

(S) Unmarked firefighter, rescue squad, or ambulance crew vehicles (as defined in paragraph (k)(7) of this section).

* * * * *

(7) *Unmarked firefighter, rescue squad, or ambulance crew vehicles*—(i) *In general.* The substantiation requirements of section 274(d) and this section do not apply to an unmarked firefighter, rescue squad, or ambulance crew vehicle required to be used for commuting by the firefighter or member of a rescue squad or ambulance crew, who, when not on a regular shift, is on call at all times. Personal use (other than commuting) of the vehicle outside the firefighter's or rescue squad or ambulance crew member's obligation to respond to an emergency must be prohibited by the governmental unit, or any agency or instrumentality thereof, that owns or leases the vehicle and employs the firefighter, member of a rescue squad, or ambulance crew member.

(ii) *Unmarked firefighter, rescue squad, or ambulance crew vehicle defined.* An *unmarked firefighter, rescue squad, or ambulance crew vehicle* is an unmarked vehicle used by a firefighter, or member of a rescue squad or ambulance crew, that is owned or leased by a governmental unit, or any agency or instrumentality thereof, and that is specially outfitted to allow firefighters or members of rescue squads and ambulance crews to travel safely and efficiently to the scene of an emergency and provide emergency services. Onboard equipment on the vehicles includes but is not limited to lights and sirens, medical emergency equipment, life-saving devices such as defibrillators, and radios that assist firefighters, rescue squads, or ambulance crews in communicating with a central source or other emergency response crews regarding, for example, traffic or hospital capacity. Onboard equipment may also include items such as personal protective equipment (*e.g.,* helmet, coat, boots), emergency oxygen tanks, reference manuals, and laptop computers that enable workers to access important information related to the emergency. A license plate marking or insignia does not disqualify a vehicle from being an unmarked firefighter, rescue squad, or

ambulance crew vehicle for purposes of this paragraph (k)(7).

(iii) *Firefighter.* The term *firefighter* means an individual who is employed by a governmental unit, or any agency or instrumentality thereof, that is responsible for firefighting, rescue activity, or the provision of emergency medical care, and other related emergency services to prevent injury to persons or property and has the official authority to engage in fire suppression and provide related emergency services.

(iv) *Member of a rescue squad or ambulance crew.* For purposes of this paragraph (k)(7), the term *member of a rescue squad or ambulance crew* has the same meaning as in 34 U.S.C. 10284(10)(A).

* * * * *

(9) * * *

(v) *Example 5.* Emergency medical technician, X, is a *member of a rescue squad* employed by City M. X is provided with an unmarked vehicle (equipped with sirens and medical equipment) for use in responding to emergencies. X, along with other members of the rescue squad, is ordinarily on duty for a regular shift and on call during the other hours of the day. X is required to use the unmarked rescue squad vehicle to commute to X's home in City M. The rescue squad's official policy regarding unmarked rescue squad vehicles prohibits personal use (other than commuting) of the vehicles outside the city limits. When not using the vehicle on the job, X uses the vehicle only for commuting, personal errands while commuting, and personal errands within City M. All use of the vehicle by X conforms to the requirements of paragraph (k)(7) of this section. Therefore, the value of that use is excluded from X's gross income as a working condition fringe and the vehicle is not subject to the substantiation requirements of section 274(d).

* * * * *

(m) *Applicability date.* This section applies to expenses paid or incurred after December 31, 1997. However, paragraph (j)(3) of this section applies to expenses paid or incurred after September 30, 2002, and paragraph (k) of this section applies to clearly marked public safety officer vehicles, as defined in paragraph (k)(3) of this section, only with respect to uses occurring after May 19, 2010. The rules of paragraphs (k)(2)(ii)(S), (k)(7) and (k)(9)(v) of this section apply to taxable years ending on or after March 20, 2026.

Frank J. Bisignano,

Chief Executive Officer.

Approved: February 17, 2026.

Kenneth J. Kies,

Assistant Secretary of the Treasury (Tax Policy).

[FR Doc. 2026–05525 Filed 3–19–26; 8:45 am]

BILLING CODE 4831–GV–P

DEPARTMENT OF LABOR

Employee Benefits Security Administration

29 CFR Part 2510

RIN 1210–AC36

Retirement Security Rule: Definition of an Investment Advice Fiduciary: Notice of Court Vacatur

AGENCY: Employee Benefits Security Administration, Department of Labor.

ACTION: Final rule; technical amendment.

SUMMARY: This document implements the judicial vacatur of the Department's 2024 final rule defining who is a ''fiduciary'' under the Employee Retirement Income Security Act of 1974. This document also reflects the judicial vacatur of the Department's 2024 amendments to Prohibited Transaction Exemption 2020–02 (PTE 2020–02) and the judicial vacatur of portions of the preamble to PTE 2020–02; and republishes in full the operative text of PTE 2020–02 (as originally published on December 18, 2020).

DATES: Effective April 20, 2026.

FOR FURTHER INFORMATION CONTACT: Fred Wong, Office of Regulations and Interpretations, Employee Benefits Security Administration (EBSA) (202) 693–8500; Susan Wilker, Office of Exemption Determinations, EBSA (202) 693–8557. These are not toll-free numbers.

SUPPLEMENTARY INFORMATION: This **SUPPLEMENTARY INFORMATION** contains two parts. Part I includes background information and explains the reasons for the actions being taken. Part II republishes the operative text of PTE 2020–02 as originally published on December 18, 2020. The amendatory text contains the housekeeping amendments to title 29 of the Code of Federal Regulations (CFR).

Part I. Background

1. 2024 Fiduciary Rule and Related Litigation

On April 25, 2024, the Department of Labor published a final regulation, titled ''Retirement Security Rule: Definition of an Investment Advice Fiduciary'' (2024 Fiduciary Rule), defining who is a ''fiduciary'' of an employee benefit plan under section 3(21)(A)(ii) of the Employee Retirement Income Security Act of 1974 (ERISA) as a result of giving investment advice to a plan or its participants or beneficiaries for a fee or other compensation.[1] The 2024 Fiduciary Rule also applied to the definition of a ''fiduciary'' of a plan (including an individual retirement account (IRA)) under section 4975(e)(3)(B) of the Internal Revenue Code of 1986 (Code). The 2024 Fiduciary Rule replaced regulatory text, dating back to 1975, that set out a five-part test for determining fiduciary status under section 3(21)(A)(ii) of ERISA (Five-part Test Regulation).[2] Also on April 25, 2024, the Department adopted amendments to Prohibited Transaction Exemption (PTE) 2020–02, titled Improving Investment Advice for Workers & Retirees, described below.

In May 2024, litigation was brought by the Federation of Americans for Consumer Choice (FACC) in the United States District Court for the Eastern District of Texas, and by the American Council of Life Insurers (ACLI) in the United States District Court for the Northern District of Texas, challenging the 2024 Fiduciary Rule. The ACLI also challenged the amendments to PTE 2020–02 adopted on April 25, 2024. On July 25 and 26, 2024, the district court for the Eastern District of Texas and the district court for the Northern District of Texas, respectively, granted motions staying the effective date of the 2024 Fiduciary Rule. *Fed'n of Ams. for Consumer Choice, Inc.* v. *U.S. Dep't of Labor,* 742 F. Supp. 3d 677, 702 (E.D. Tex. 2024); *Am. Council of Life Insurers* v. *U.S. Dep't of Labor,* No. 4:24–cv–482–O, 2024 WL 3572297, at *9 (N.D. Tex. Jul. 26, 2024). The district court for the Northern District of Texas also stayed the effective date of the amendments to PTE 2020–02.[3]

[1] 89 FR 32122 (Apr. 25, 2024).

[2] 40 FR 50842 (Oct. 31, 1975).

[3] The United States District Court for the Northern District of Texas also stayed the effective date of the amendments to PTEs 75–1, 77–4, 80–83, 83–1, 84–24, and 86–128. 24 WL 3572297, at *1, *9. The United States District Court for the Eastern District of Texas also stayed the effective dates of the amendments to PTE 84–24.

2. Litigation Related to Five-Part Test Regulation

On December 18, 2020, the Department adopted PTE 2020–02, a prohibited transaction exemption under ERISA and the Code, permitting investment advice fiduciaries with respect to employee benefit plans and IRAs to receive compensation that would otherwise be prohibited, in the absence of an exemption, subject to certain conditions. PTE 2020–02 expressly covers prohibited transactions resulting from both rollover advice and advice on how to invest assets within a plan or IRA. The preamble to PTE 2020–02, in addition to describing its terms, also provided the Department's interpretation of the Five-part Test Regulation. Among other matters, the preamble provided guidance on when advice to roll over plan assets to an IRA would be considered fiduciary investment advice under the Five-part Test Regulation. In April 2021, the Department issued further guidance in a set of ''Frequently Asked Questions'' (2021 FAQs), including FAQ 7, which related to rollover advice under the Five-part Test Regulation and built on guidance provided in the preamble to PTE 2020–02.

In February 2022, the FACC brought litigation in the United States District Court for the Northern District of Texas challenging the Department's guidance in the preamble of PTE 2020–02 with respect to rollover advice and to the regular basis requirement of the Five-part Test Regulation. Also in February 2022, the American Securities Association (ASA) brought litigation in the United States District Court for the Middle District of Florida challenging the ''policies referenced in'' FAQ 7. On February 13, 2023, the district court in the ASA case vacated the ''policy referenced in FAQ 7.'' *Am. Sec. Ass'n* v. *U.S. Dep't of Labor,* 22–cv–00330–VMC, 2023 WL 1967573, at *22 (M.D. Fla. Feb. 13, 2023). On May 16, 2023, the United States Department of Justice voluntarily withdrew its appeal of the ASA ruling. With respect to the FACC challenge, on June 30, 2023, a United States Magistrate Judge issued Findings, Conclusions, and Recommendations of the United States Magistrate Judge on Plaintiffs' Motion for Summary Judgment and Defendants' Cross-Motion to Dismiss for Lack of Jurisdiction or, in the Alternative, for Summary Judgment. *Fed'n of Ams. for Consumer Choice, Inc.* v. *U.S. Dep't of Labor,* No. 3:22–cv–243–K–BT, 2023 WL 5682411 (N.D. Tex. June 30, 2023). On July 9, 2025, the district court in the FACC case issued an order accepting the Magistrate Judge's Findings, Conclusions, and Recommendations, and vacating portions of the preamble to PTE 2020–02 in which the Department interpreted the Five-part Test Regulation. Order Accepting Findings and Recommendation of the United States Magistrate Judge. *Fed'n of Ams. for Consumer Choice, Inc.* v. *U.S. Dep't of Labor,* No. 3:22–cv–243–K–BT, 2025 WL 1898668 (N.D. Tex. July 9, 2025).

3. Effect of Litigation

The 2024 orders by the district courts in the Eastern and Northern Districts of Texas stayed the effective date of the 2024 Fiduciary Rule, which left in place the prior regulatory text, *i.e.,* the Five-part Test Regulation. The 2024 order of the district court in the Northern District of Texas stayed the effective date of the 2024 amendments to PTE 2020–02, leaving in place PTE 2020–02 as adopted on December 18, 2020. Further, these orders remain undisturbed because of the dismissal of the consolidated appeal by the U.S. Court of Appeals for the Fifth Circuit, dated November 28, 2025,[4] and the final judgment in the district courts dated March 12, 2026, in the Eastern District of Texas and March 17, 2026, in the Northern District of Texas. Because the 2024 Fiduciary Rule never became effective, and the Five-part Test Regulation was never replaced, this document takes the administrative steps necessary to conform the regulatory text in the CFR.

Even though PTE 2020–02 has remained operative, its preamble is no longer reliable due to the courts' vacaturs in the 2022 litigation. In the *ASA* ruling, prior to vacating the ''policy referenced in FAQ 7,'' the district court observed that the ''policy referenced in FAQ 7'' also is referenced in the preamble to PTE 2020–02. *American Securities Ass'n,* 2023 WL 1967573, at *10. Moreover, although the court in FACC vacated only portions of the preamble to PTE 2020–02, the matters addressed in those vacated portions interrelate with matters and guidance in other portions of the preamble to such an extent that the Department is no longer confident in the soundness of the remaining portions of the preamble. The scope and style of the courts' vacaturs leave in their wake too much ambiguity regarding what portions of the preamble guidance remain valid and reliable. For example, while some portions of the preamble may lack an express connection to fiduciary investment advice, fiduciary investment advice is nonetheless the foundation on which the entire preamble discussion is based, making it difficult to determine whether and/or the extent the retention of portions of the preamble would frustrate the intention of the courts. To protect stakeholders from relying on preamble language that either has been directly invalidated by the courts' vacaturs, or preamble language that may be rendered logically flawed or misinterpreted as a direct or indirect consequence of the courts' vacaturs, the Department, in this document, clarifies its view that the entire preamble of PTE 2020–02 is effectively vacated.

What is not ambiguous, however, is that neither district court questioned the procedural aspects of the Department's grant of PTE 2020–02, including the Department's required findings under section 408(a) of ERISA and section 4975(c)(2) of the Code that PTE 2020–02 is administratively feasible, in the interests of plans and their participants and beneficiaries and IRA owners, and protective of the rights of participants and beneficiaries of plans and IRA owners. These findings continue to be expressed through the exemption's conditions, which are set forth below. Accordingly, today's action (like the courts' vacaturs), which leaves in full effect each term and condition of PTE 2020–02 as originally granted, has no impact on any finding underpinning PTE 2020–02, including the Department's findings under section 408(a) of ERISA and section 4975(c)(2) of the Code. As a matter of convenience for interested persons, Part II of this document is republishing in full the text of PTE 2020–02, without the amendments adopted on April 25, 2024. This ministerial action reflects the judicial actions discussed above and affects no legal rights or obligations and imposes no costs.[5]

4. Procedural and Other Matters

The Administrative Procedure Act provides that when an agency for good cause finds that notice and public procedure are impracticable, unnecessary, or contrary to the public interest, the agency may issue a rule without providing notice and an opportunity for public comment. 5 U.S.C. 553(b)(B). The Department has determined that there is good cause for dispensing with public comments in

[4] *Fed'n of Ams. for Consumer Choice, Inc. et al.,* v. *U.S. Dep't of Labor,* Nos. 24–40637 and 24–10890 (5th Cir. Nov. 28, 2025) (order dismissing appeal pursuant to appellant's motion).

[5] EBSA's website will be updated to reflect the applicability of the pre-amendment version of the affected exemptions (including 75–1, 77–4, 80–83, 83–1, 84–24, and 86–128).

this case, inasmuch as this final rule merely conforms the text in the CFR to reflect the mandate of the courts' decisions by removing the 2024 Fiduciary Rule from the CFR and replacing it with the Five-part Test Regulation. Because the Department is merely giving effect to the courts' orders, and is not exercising discretion with respect to this action, any notice and comment process would be unnecessary (*e.g.,* because no comment could impact the Department's responsibility to follow legal orders), impracticable (*e.g.,* because the Department's actions are required by legal orders), and contrary to the public interest (*e.g.,* because a notice and comment process would serve only to slow down the finalization of, and the coordination of public policy clarity associated with, a result already mandated by the courts). In 2020, the Department made similar findings in connection with implementing a judicial vacatur of a final rule relating to fiduciary investment advice adopted in 2016.[6]

Likewise, while notice and an opportunity to comment are rights granted to citizens subject to the rulemaking process, the Department is under no obligation to provide such rights in the absence of a final agency action. In this case, the preamble of today's final rule provides notice that the Department no longer considers the preamble to PTE 2020–02 to be reliable guidance considering the effects of two courts' vacaturs of portions of that preamble. But this interpretive position regarding that preamble is not final agency action triggering notice and comment. In the Department's view, just as the original making of the preamble to PTE 2020–02 was interpretive action and not final agency action triggering notice and comment rights, unmaking that preamble interpretively in the preamble to today's final rule likewise does not trigger notice and comment rights. 5 U.S.C. 553(b)(A). Further, to the extent the act of vacating the preamble to PTE 2020–02 is the type of action that could have triggered the APA's notice and comment rights, it was the two district courts—through their vacaturs—that mandated action, and not the Department which is merely giving effect to the courts' orders in a responsible manner.

This final rule has been determined to be not a significant regulatory action for purposes of Executive Orders 12866 and 13563. Additionally, no analysis is required under the Regulatory Flexibility Act or Sections 202 and 205 of the Unfunded Mandates Reform Act of 1999, because, for the reasons discussed above, the Department is not required to engage in notice and comment under the Administrative Procedure Act. This final rule does not have significant Federalism implications under Executive Order 13132. The Office of Information and Regulatory Affairs has determined that this final rule is not a significant regulatory action under Executive Order 12866. The final rule is not subject to the requirements of the Paperwork Reduction Act of 1995 (PRA 95) (44 U.S.C. 3501 *et seq.*), because it does not contain a collection of information as defined in 44 U.S.C. 3502(3).

The Congressional Review Act, 5 U.S.C. 801 *et seq.,* generally provides that before certain actions may take effect, the agency promulgating the action must submit a report, which includes a copy of the action, to each House of the Congress and to the Comptroller General of the United States. This final action is administrative and only implements the district courts' rulings. Accordingly, the Department has determined that good cause exists, and that this technical amendment is not subject to the timing requirements of the Congressional Review Act.

Part II. Republication of PTE 2020–02

This section republishes in full the operative text of PTE 2020–02 as originally published in the **Federal Register** on December 18, 2020.[7] PTE 2020–02 is not codified in the CFR.

Section I—Transactions

(a) In general. ERISA Title I (Title I) and the Internal Revenue Code (the Code) prohibit fiduciaries, as defined, that provide investment advice to Plans and individual retirement accounts (IRAs) from receiving compensation that varies based on their investment advice and compensation that is paid from third parties. Title I and the Code also prohibit fiduciaries from engaging in purchases and sales with Plans or IRAs on behalf of their own accounts (principal transactions). This exemption permits Financial Institutions and Investment Professionals who provide fiduciary investment advice to Retirement Investors to receive otherwise prohibited compensation and engage in riskless principal transactions and certain other principal transactions (Covered Principal Transactions) as described below. The exemption provides relief from the prohibitions of ERISA section 406(a)(1)(A), (D), and 406(b), and the sanctions imposed by Code section 4975(a) and (b), by reason of Code section 4975(c)(1)(A), (D), (E), and (F), if the Financial Institutions and Investment Professionals provide fiduciary investment advice in accordance with the conditions set forth in Section II and are eligible pursuant to Section III, subject to the definitional terms and recordkeeping requirements in Sections IV and V.

(b) Covered transactions. This exemption permits Financial Institutions and Investment Professionals, and their Affiliates and Related Entities, to engage in the following transactions, including as part of a rollover from a Plan to an IRA as defined in Code section 4975(e)(1)(B) or (C), as a result of the provision of investment advice within the meaning of ERISA section 3(21)(A)(ii) and Code section 4975(e)(3)(B):

(1) The receipt of reasonable compensation; and

(2) The purchase or sale of an asset in a riskless principal transaction or a Covered Principal Transaction, and the receipt of a mark-up, mark-down, or other payment.

(c) Exclusions. This exemption does not apply if:

(1) The Plan is covered by Title I of ERISA and the Investment Professional, Financial Institution or any Affiliate is (A) the employer of employees covered by the Plan, or (B) a named fiduciary or plan administrator with respect to the Plan that was selected to provide advice to the Plan by a fiduciary who is not independent of the Financial Institution, Investment Professional, and their Affiliates;

(2) The transaction is a result of investment advice generated solely by an interactive website in which computer software-based models or applications provide investment advice based on personal information each investor supplies through the website, without any personal interaction or advice with an Investment Professional (*i.e.,* robo-advice); or

(3) The transaction involves the Investment Professional acting in a fiduciary capacity other than as an investment advice fiduciary within the meaning of the regulations at 29 CFR 2510.3–21(c)(1)(i) and (ii)(B) or 26 CFR 54.4975–9(c)(1)(i) and (ii)(B) setting forth the test for fiduciary investment advice.

Section II—Investment Advice Arrangement

Section II requires Investment Professionals and Financial Institutions to comply with Impartial Conduct Standards, including a best interest

[6] *See* 85 FR 40589 (July 7, 2020).

[7] 85 FR 82798, 82862 (Dec. 18, 2020).

standard, when providing fiduciary investment advice to Retirement Investors. In addition, the exemption requires Financial Institutions to acknowledge fiduciary status under Title I and/or the Code, and describe in writing the services they will provide and their material Conflicts of Interest. Finally, Financial Institutions must adopt policies and procedures prudently designed to ensure compliance with the Impartial Conduct Standards when providing fiduciary investment advice to Retirement Investors and conduct a retrospective review of compliance.

(a) *Impartial Conduct Standards.* The Financial Institution and Investment Professional comply with the following ''Impartial Conduct Standards'':

(1) Investment advice is, at the time it is provided, in the Best Interest of the Retirement Investor. As defined in Section V(b), such advice reflects the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims, based on the investment objectives, risk tolerance, financial circumstances, and needs of the Retirement Investor, and does not place the financial or other interests of the Investment Professional, Financial Institution or any Affiliate, Related Entity, or other party ahead of the interests of the Retirement Investor, or subordinate the Retirement Investor's interests to their own;

(2)(A) The compensation received, directly or indirectly, by the Financial Institution, Investment Professional, their Affiliates and Related Entities for their services does not exceed reasonable compensation within the meaning of ERISA section 408(b)(2) and Code section 4975(d)(2); and (B) as required by the federal securities laws, the Financial Institution and Investment Professional seek to obtain the best execution of the investment transaction reasonably available under the circumstances; and

(3) The Financial Institution's and its Investment Professionals' statements to the Retirement Investor about the recommended transaction and other relevant matters are not, at the time statements are made, materially misleading.

(b) *Disclosure.* Prior to engaging in a transaction pursuant to this exemption, the Financial Institution provides the disclosures set forth in (1) and (2) to the Retirement Investor:

(1) A written acknowledgment that the Financial Institution and its Investment Professionals are fiduciaries under Title I and the Code, as applicable, with respect to any fiduciary investment advice provided by the Financial Institution or Investment Professional to the Retirement Investor;

(2) A written description of the services to be provided and the Financial Institution's and Investment Professional's material Conflicts of Interest that is accurate and not misleading in all material respects; and

(3) Prior to engaging in a rollover recommended pursuant to the exemption, the Financial Institution provides the documentation of specific reasons for the rollover recommendation, required by Section II(c)(3), to the Retirement Investor.

(c) *Policies and Procedures.*

(1) The Financial Institution establishes, maintains, and enforces written policies and procedures prudently designed to ensure that the Financial Institution and its Investment Professionals comply with the Impartial Conduct Standards in connection with covered fiduciary advice and transactions.

(2) Financial Institutions' policies and procedures mitigate Conflicts of Interest to the extent that a reasonable person reviewing the policies and procedures and incentive practices as a whole would conclude that they do not create an incentive for a Financial Institution or Investment Professional to place their interests ahead of the interest of the Retirement Investor.

(3) The Financial Institution documents the specific reasons that any recommendation to roll over assets from a Plan to another Plan or an IRA as defined in Code section 4975(e)(1)(B) or (C), from an IRA as defined in Code section 4975(e)(1)(B) or (C) to a Plan, from an IRA to another IRA, or from one type of account to another (*e.g.,* from a commission-based account to a fee-based account) is in the Best Interest of the Retirement Investor.

(d) *Retrospective Review.*

(1) The Financial Institution conducts a retrospective review, at least annually, that is reasonably designed to assist the Financial Institution in detecting and preventing violations of, and achieving compliance with, the Impartial Conduct Standards and the policies and procedures governing compliance with the exemption.

(2) The methodology and results of the retrospective review are reduced to a written report that is provided to a Senior Executive Officer.

(3) A Senior Executive Officer of the Financial Institution certifies, annually, that:

(A) The officer has reviewed the report of the retrospective review;

(B) The Financial Institution has in place policies and procedures prudently designed to achieve compliance with the conditions of this exemption; and

(C) The Financial Institution has in place a prudent process to modify such policies and procedures as business, regulatory, and legislative changes and events dictate, and to test the effectiveness of such policies and procedures on a periodic basis, the timing and extent of which is reasonably designed to ensure continuing compliance with the conditions of this exemption.

(4) The review, report and certification are completed no later than six months following the end of the period covered by the review.

(5) The Financial Institution retains the report, certification, and supporting data for a period of six years and makes the report, certification, and supporting data available to the Department, within 10 business days of request, to the extent permitted by law including 12 U.S.C. 484.

(e) *Self-Correction.* A non-exempt prohibited transaction will not occur due to a violation of the exemption's conditions with respect to a transaction, provided:

(1) Either the violation did not result in investment losses to the Retirement Investor or the Financial Institution made the Retirement Investor whole for any resulting losses;

(2) The Financial Institution corrects the violation and notifies the Department of Labor of the violation and the correction via email to *IIAWR@dol.gov* within 30 days of correction;

(3) The correction occurs no later than 90 days after the Financial Institution learned of the violation or reasonably should have learned of the violation; and

(4) The Financial Institution notifies the person(s) responsible for conducting the retrospective review during the applicable review cycle and the violation and correction is specifically set forth in the written report of the retrospective review required under subsection II(d)(2).

Section III—Eligibility

(a) General. Subject to the timing and scope provisions set forth in subsection (b), an Investment Professional or Financial Institution will be ineligible to rely on the exemption for 10 years following:

(1) A conviction of any crime described in ERISA section 411 arising out of such person's provision of investment advice to Retirement

Investors, unless, in the case of a Financial Institution, the Department grants a petition pursuant to subsection (c)(1) below that the Financial Institution's continued reliance on the exemption would not be contrary to the purposes of the exemption ; or

(2) Receipt of a written ineligibility notice issued by the Department for (A) engaging in a systematic pattern or practice of violating the conditions of this exemption in connection with otherwise non-exempt prohibited transactions; (B) intentionally violating the conditions of this exemption in connection with otherwise non-exempt prohibited transactions; or (C) providing materially misleading information to the Department in connection with the Financial Institution's or Investment Professional's conduct under the exemption; in each case, as determined by the Department pursuant to the process described in subsection (c).

(b) Timing and Scope of Ineligibility.

(1) An Investment Professional shall become ineligible immediately upon (A) the date of the trial court's conviction of the Investment Professional of a crime described in subsection (a)(1), regardless of whether that judgment remains under appeal; or (B) the date of the written ineligibility notice described in subsection (a)(2), issued to the Investment Professional.

(2) A Financial Institution shall become ineligible following (A) the 10th business day after the conviction of the Financial Institution or another Financial Institution in the same Controlled Group of a crime described in subsection (a)(1) regardless of whether that judgment remains under appeal, or, if the Financial Institution timely submits a petition described in subsection (c)(1) during that period, 21 days after the date of the Department's written denial of the petition; or (B) 21 days after the date of the written ineligibility notice, described in subsection (a)(2), issued to the Financial Institution or another Financial Institution in the same Controlled Group.

(3) Controlled Group. A Financial Institution is in the same Controlled Group with another Financial Institution if it would be considered in the same ''controlled group of corporations'' or ''under common control'' with the Financial Institution, as those terms are defined in Code section 414(b) and (c), in each case including the accompanying regulations.

(4) Winding Down Period. Any Financial Institution that is ineligible will have a one-year winding down period during which relief is available under the exemption subject to the conditions of the exemption other than eligibility. After the one-year period expires, the Financial Institution may not rely on the relief provided in this exemption for any additional transactions.

(c) *Opportunity to be heard.*

(1) Petitions under subsection (a)(1).

(A) A Financial Institution that has been convicted of a crime described under subsection (a)(1) or another Financial Institution in the same Controlled Group may submit a petition to the Department informing the Department of the conviction and seeking a determination that the Financial Institution's continued reliance on the exemption would not be contrary to the purposes of the exemption. Petitions must be submitted, within 10 business days after the date of the conviction, to the Department by email at *IIAWR@dol.gov.*

(B) Following receipt of the petition, the Department will provide the Financial Institution with the opportunity to be heard, in person or in writing or both. The opportunity to be heard in person will be limited to one in-person conference unless the Department determines in its sole discretion to allow additional conferences.

(C) The Department's determination as to whether to grant the petition will be based solely on its discretion. In determining whether to grant the petition, the Department will consider the gravity of the offense; the relationship between the conduct underlying the conviction and the Financial Institution's system and practices in its retirement investment business as a whole; the degree to which the underlying conduct concerned individual misconduct, or, alternately, corporate managers or policy; how recent was the underlying lawsuit; remedial measures taken by the Financial Institution upon learning of the underlying conduct; and such other factors as the Department determines in its discretion are reasonable in light of the nature and purposes of the exemption. The Department will provide a written determination to the Financial Institution that articulates the basis for the determination.

(2) Written ineligibility notice under subsection (a)(2). Prior to issuing a written ineligibility notice, the Department will issue a written warning to the Investment Professional or Financial Institution, as applicable, identifying specific conduct implicating subsection (a)(2), and providing a six-month opportunity to cure. At the end of the six-month period, if the Department determines that the conduct persists, it will provide the Investment Professional or Financial Institution with the opportunity to be heard, in person or in writing or both, before the Department issues the written ineligibility notice. The opportunity to be heard in person will be limited to one in-person conference unless the Department determines in its sole discretion to allow additional conferences. The written ineligibility notice will articulate the basis for the determination that the Investment Professional or Financial Institution engaged in conduct described in subsection (a)(2).

(d) A Financial Institution or Investment Professional that is ineligible to rely on this exemption may rely on a statutory or separate administrative prohibited transaction exemption if one is available or seek an individual prohibited transaction exemption from the Department. To the extent an applicant seeks retroactive relief in connection with an exemption application, the Department will consider the application in accordance with its retroactive exemption policy as set forth in 29 CFR 2570.35(d). The Department may require additional prospective compliance conditions as a condition of retroactive relief.

Section IV—Recordkeeping

The Financial Institution maintains for a period of six years records demonstrating compliance with this exemption and makes such records available, to the extent permitted by law including 12 U.S.C. 484, to any authorized employee of the Department or the Department of the Treasury.

Section V—Definitions

(a) ''Affiliate'' means:

(1) Any person directly or indirectly through one or more intermediaries, controlling, controlled by, or under common control with the Investment Professional or Financial Institution. (For this purpose, ''control'' would mean the power to exercise a controlling influence over the management or policies of a person other than an individual);

(2) Any officer, director, partner, employee, or relative (as defined in ERISA section 3(15)), of the Investment Professional or Financial Institution; and

(3) Any corporation or partnership of which the Investment Professional or Financial Institution is an officer, director, or partner.

(b) Advice is in a Retirement Investor's ''Best Interest'' if such advice reflects the care, skill, prudence, and

diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims, based on the investment objectives, risk tolerance, financial circumstances, and needs of the Retirement Investor, and does not place the financial or other interests of the Investment Professional, Financial Institution or any Affiliate, Related Entity, or other party ahead of the interests of the Retirement Investor, or subordinate the Retirement Investor's interests to their own.

(c) A ''Conflict of Interest'' is an interest that might incline a Financial Institution or Investment Professional—consciously or unconsciously—to make a recommendation that is not in the Best Interest of the Retirement Investor.

(d) A ''Covered Principal Transaction'' is a principal transaction that:

(1) For sales to a Plan or an IRA:

(A) Involves a U.S. dollar denominated debt security issued by a U.S. corporation and offered pursuant to a registration statement under the Securities Act of 1933, a U.S. Treasury Security, a debt security issued or guaranteed by a U.S. federal government agency other than the U.S. Department of Treasury, a debt security issued or guaranteed by a government-sponsored enterprise, a municipal security, a certificate of deposit, an interest in a Unit Investment Trust, or any investment permitted to be sold by an investment advice fiduciary to a Retirement Investor under an individual exemption granted by the Department after the effective date of this exemption that includes the same conditions as this exemption; and

(B) If the recommended investment is a debt security, the security is recommended pursuant to written policies and procedures adopted by the Financial Institution that are reasonably designed to ensure that the security, at the time of the recommendation, has no greater than moderate credit risk and sufficient liquidity that it could be sold at or near carrying value within a reasonably short period of time; and

(2) For purchases from a Plan or an IRA, involves any securities or investment property.

(e) ''Financial Institution'' means an entity that is not disqualified or barred from making investment recommendations by any insurance, banking, or securities law or regulatory authority (including any self-regulatory organization), that employs the Investment Professional or otherwise retains such individual as an independent contractor, agent or registered representative, and that is:

(1) Registered as an investment adviser under the Investment Advisers Act of 1940 (15 U.S.C. 80b–1 *et seq.*) or under the laws of the state in which the adviser maintains its principal office and place of business;

(2) A bank or similar financial institution supervised by the United States or a state, or a savings association (as defined in section 3(b)(1) of the Federal Deposit Insurance Act (12 U.S.C. 1813(b)(1)));

(3) An insurance company qualified to do business under the laws of a state, that: (A) Has obtained a Certificate of Authority from the insurance commissioner of its domiciliary state which has neither been revoked nor suspended; (B) has undergone and shall continue to undergo an examination by an independent certified public accountant for its last completed taxable year or has undergone a financial examination (within the meaning of the law of its domiciliary state) by the state's insurance commissioner within the preceding five years, and (C) is domiciled in a state whose law requires that an actuarial review of reserves be conducted annually and reported to the appropriate regulatory authority;

(4) A broker or dealer registered under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*); or

(5) An entity that is described in the definition of Financial Institution in an individual exemption granted by the Department after the date of this exemption that provides relief for the receipt of compensation in connection with investment advice provided by an investment advice fiduciary under the same conditions as this class exemption.

(f) For purposes of subsection I(c)(1), a fiduciary is ''independent'' of the Financial Institution and Investment Professional if: (i) The fiduciary is not the Financial Institution, Investment Professional, or an Affiliate; (ii) the fiduciary does not have a relationship to or an interest in the Financial Institution, Investment Professional, or any Affiliate that might affect the exercise of the fiduciary's best judgment in connection with transactions covered by the exemption; and (iii) the fiduciary does not receive and is not projected to receive within the current federal income tax year, compensation or other consideration for his or her own account from the Financial Institution, Investment Professional, or an Affiliate, in excess of 2% of the fiduciary's annual revenues based upon its prior income tax year.

(g) ''Individual Retirement Account'' or ''IRA'' means any plan that is an account or annuity described in Code section 4975(e)(1)(B) through (F).

(h) ''Investment Professional'' means an individual who:

(1) Is a fiduciary of a Plan or an IRA by reason of the provision of investment advice described in ERISA section 3(21)(A)(ii) or Code section 4975(e)(3)(B), or both, and the applicable regulations, with respect to the assets of the Plan or IRA involved in the recommended transaction;

(2) Is an employee, independent contractor, agent, or representative of a Financial Institution; and

(3) Satisfies the federal and state regulatory and licensing requirements of insurance, banking, and securities laws (including self-regulatory organizations) with respect to the covered transaction, as applicable, and is not disqualified or barred from making investment recommendations by any insurance, banking, or securities law or regulatory authority (including any self-regulatory organization).

(i) ''Plan'' means any employee benefit plan described in ERISA section 3(3) and any plan described in Code section 4975(e)(1)(A).

(j) A ''Related Entity'' is any party that is not an Affiliate, but in which the Investment Professional or Financial Institution has an interest that may affect the exercise of its best judgment as a fiduciary.

(k) ''Retirement Investor'' means:

(1) A participant or beneficiary of a Plan with authority to direct the investment of assets in his or her account or to take a distribution;

(2) The beneficial owner of an IRA acting on behalf of the IRA; or

(3) A fiduciary of a Plan or an IRA.

(l) A ''Senior Executive Officer'' is any of the following: The chief compliance officer, the chief executive officer, president, chief financial officer, or one of the three most senior officers of the Financial Institution.

End of PTE 2020–02

Statutory Authority

This regulation is issued pursuant to the authority in section 505 of ERISA (Pub. L. 93–406, 88 Stat. 894; 29 U.S.C. 1135) and section 102 of Reorganization Plan No. 4 of 1978, 5 U.S.C. App. 237, and under Secretary of Labor's Order No. 1–2011, 77 FR 1088 (Jan. 9, 2012).

List of Subjects in 29 CFR Part 2510

Employee benefit plans, Pensions.

For the reasons stated in the preamble, the Department is amending part 2510 of subchapter B of chapter XXV of title 29 of the Code of Federal Regulations as follows:

SUBCHAPTER B—DEFINITIONS AND COVERAGE UNDER THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974

PART 2510—DEFINITIONS OF TERMS USED IN SUBCHAPTERS C, D, E, F, AND G OF THIS CHAPTER

■ 1. The authority citation for part 2510 continues to read as follows:

Authority: 29 U.S.C. 1002(1)–(8), 1002(13)–(16), 1002(20), 1002(21), 1002(34), 1002(37), 1002(38), 1002(40)–(44), 1031, and 1135; Div. O, Title I, Sec. 101, Public Law 116–94, 133 Stat. 2534 (Dec. 20, 2019); Div. T, Title I, Sec. 105, Public Law 117–328, 136 Stat. 4459 (Dec. 29, 2022); Secretary of Labor's Order 1–2011, 77 FR 1088 (Jan. 9, 2012); Secs. 2510.3–21, 2510.3–101 and 2510.3–102 also issued under Sec. 102 of Reorganization Plan No. 4 of 1978, 5 U.S.C. App. 752 (2018) (E.O. 12108, 44 FR 1065 (Jan. 3, 1979)), and 29 U.S.C. 1135 note. Section 2510.3–38 also issued under Sec. 1(b) Public Law 105–72, 111 Stat. 1457 (Nov. 10, 1997).

■ 2. Revise § 2510.3–21 to read as follows:

§ 2510.3–21 Definition of ''Fiduciary.''

(a)–(b) [Reserved]

(c) *Investment advice.* (1) A person shall be deemed to be rendering ''investment advice'' to an employee benefit plan, within the meaning of section 3(21)(A)(ii) of the Employee Retirement Income Security Act of 1974 (the Act) and this paragraph, only if:

(i) Such person renders advice to the plan as to the value of securities or other property, or makes recommendation as to the advisability of investing in, purchasing, or selling securities or other property; and

(ii) Such person either directly or indirectly (*e.g.,* through or together with any affiliate)—

(A) Has discretionary authority or control, whether or not pursuant to agreement, arrangement or understanding, with respect to purchasing or selling securities or other property for the plan; or

(B) Renders any advice described in paragraph (c)(1)(i) of this section on a regular basis to the plan pursuant to a mutual agreement, arrangement or understanding, written or otherwise, between such person and the plan or a fiduciary with respect to the plan, that such services will serve as a primary basis for investment decisions with respect to plan assets, and that such person will render individualized investment advice to the plan based on the particular needs of the plan regarding such matters as, among other things, investment policies or strategy, overall portfolio composition, or diversification of plan investments.

(2) A person who is a fiduciary with respect to a plan by reason of rendering investment advice (as defined in paragraph (c)(1) of this section) for a fee or other compensation, direct or indirect, with respect to any moneys or other property of such plan, or having any authority or responsibility to do so, shall not be deemed to be a fiduciary regarding any assets of the plan with respect to which such person does not have any discretionary authority, discretionary control or discretionary responsibility, does not exercise any authority or control, does not render investment advice (as defined in paragraph (c)(1) of this section) for a fee or other compensation, and does not have any authority or responsibility to render such investment advice, provided that nothing in this paragraph shall be deemed to:

(i) Exempt such person from the provisions of section 405(a) of the Act concerning liability for fiduciary breaches by other fiduciaries with respect to any assets of the plan; or

(ii) Exclude such person from the definition of the term ''party in interest'' (as set forth in section 3(14)(B) of the Act) with respect to any assets of the plan.

(d) *Execution of securities transactions.* (1) A person who is a broker or dealer registered under the Securities Exchange Act of 1934, a reporting dealer who makes primary markets in securities of the United States Government or of an agency of the United States Government and reports daily to the Federal Reserve Bank of New York its positions with respect to such securities and borrowings thereon, or a bank supervised by the United States or a State, shall not be deemed to be a fiduciary, within the meaning of section 3(21)(A) of the Act, with respect to an employee benefit plan solely because such person executes transactions for the purchase or sale of securities on behalf of such plan in the ordinary course of its business as a broker, dealer, or bank, pursuant to instructions of a fiduciary with respect to such plan, if:

(i) Neither the fiduciary nor any affiliate of such fiduciary is such broker, dealer, or bank; and

(ii) The instructions specify:

(A) The security to be purchased or sold;

(B) A price range within which such security is to be purchased or sold, or, if such security is issued by an open-end investment company registered under the Investment Company Act of 1940 (15 U.S.C. 80a–1, *et seq.*), a price which is determined in accordance with Rule 22c–1 under the Investment Company Act of 1940 (17 CFR 270.22c–1);

(C) A time span during which such security may be purchased or sold (not to exceed five business days); and

(D) The minimum or maximum quantity of such security which may be purchased or sold within such price range, or, in the case of a security issued by an open-end investment company registered under the Investment Company Act of 1940, the minimum or maximum quantity of such security which may be purchased or sold, or the value of such security in dollar amount which may be purchased or sold, at the price referred to in paragraph (d)(1)(ii)(B) of this section.

(2) A person who is a broker-dealer, reporting dealer, or bank which is a fiduciary with respect to an employee benefit plan solely by reason of the possession or exercise of discretionary authority or discretionary control in the management of the plan or the management or disposition of plan assets in connection with the execution of a transaction or transactions for the purchase or sale of securities on behalf of such plan which fails to comply with the provisions of paragraph (d)(1) of this section, shall not be deemed to be a fiduciary regarding any assets of the plan with respect to which such broker-dealer, reporting dealer or bank does not have any discretionary authority, discretionary control or discretionary responsibility, does not exercise any authority or control, does not render investment advice (as defined in paragraph (c)(1) of this section) for a fee or other compensation, and does not have any authority or responsibility to render such investment advice, provided that nothing in this paragraph shall be deemed to:

(i) Exempt such broker-dealer, reporting dealer, or bank from the provisions of section 405(a) of the Act concerning liability for fiduciary breaches by other fiduciaries with respect to any assets of the plan; or

(ii) Exclude such broker-dealer, reporting dealer, or bank from the definition, of the term ''party in interest'' (as set forth in section 3(14)(B) of the Act) with respect to any assets of the plan.

(e) *Affiliate and control.* (1) For purposes of paragraphs (c) and (d) of this section, an ''affiliate'' of a person shall include:

(i) Any person directly or indirectly, through one or more intermediaries, controlling, controlled by, or under common control with such person;

(ii) Any officer, director, partner, employee or relative (as defined in

section 3(15) of the Act) of such person; and

(iii) Any corporation or partnership of which such person is an officer, director or partner.

(2) For purposes of this paragraph, the term ''control'' means the power to exercise a controlling influence over the management or policies of a person other than an individual.

Signed at Washington, DC, this 17th day of March, 2026.

Daniel Aronowitz,

Assistant Secretary, Employee Benefits Security Administration, U.S. Department of Labor.

[FR Doc. 2026–05492 Filed 3–18–26; 4:15 pm]

BILLING CODE 4510–29–P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

37 CFR Part 1

[Docket No. PTO–P–2025–0008]

RIN 0651–AD85

Required Use by Foreign Applicants and Patent Owners of a Patent Practitioner

AGENCY: United States Patent and Trademark Office, Commerce.

ACTION: Final rule.

SUMMARY: The United States Patent and Trademark Office (USPTO or Office) is amending the Rules of Practice in Patent Cases to require patent applicants and patent owners whose domicile is not located within the United States (U.S.) or its territories (hereinafter foreign applicants/inventors and patent owners) to be represented by a registered patent practitioner. A requirement that foreign applicants/inventors and patent owners be represented by a registered patent practitioner will bring the U.S. in line with most other countries that require that such parties be represented by a licensed or registered person of that country. Additionally, this requirement will increase efficiency and enable the USPTO to more effectively use available mechanisms to enforce compliance by all foreign applicants/inventors and patent owners with U.S. statutory and regulatory requirements in patent matters, and enhance the USPTO's ability to respond to false certifications, misrepresentations, and fraud.

DATES: This rule is effective on July 20, 2026.

FOR FURTHER INFORMATION CONTACT: Mark Polutta, Senior Legal Advisor, at (571) 272–7709, or Andrew St. Clair, Legal Advisor, at (571) 270–0238, of the Office of Patent Legal Administration or via email addressed to *patentpractice@uspto.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Pursuant to its authority under 35 U.S.C. 2(b)(2), the USPTO is revising the rules in part 1 of title 37 of the Code of Federal Regulations to require foreign applicants/inventors and patent owners to be represented by a registered patent practitioner, as defined in 37 CFR 1.32(a)(1) (*i.e.,* a registered patent attorney or registered patent agent under 37 CFR 11.6 or an individual given limited recognition under § 11.9(a) or (b) or § 11.16) (hereinafter, registered patent practitioner). Requiring all foreign applicants/inventors and patent owners to be represented by a registered patent practitioner: (1) treats foreign applicants/inventors and patent owners similarly to how U.S. applicants/inventors and patent owners are treated in other countries and harmonizes U.S. practice with the rest of the world; (2) increases efficiency as the USPTO spends significant resources assisting *pro se* applicants (*i.e.,* an applicant who is prosecuting the application without a registered patent practitioner); (3) enables the USPTO to more effectively use available mechanisms to enforce compliance with statutory and regulatory requirements in patent matters; and (4) enhances the USPTO's ability to respond to false certifications, misrepresentations, and fraud.

A. Harmonization of U.S. Practice With Other Intellectual Property (IP) Offices With Respect to Representation

Almost all IP Offices require foreign applicants/inventors and patent owners to be represented by a person licensed or registered in that country. The USPTO is implementing a similar requirement. Requiring foreign applicants/inventors and patent owners to be represented by a registered patent practitioner helps to harmonize patent filing practice across IP Offices.

B. Increase Efficiency

The USPTO utilizes significant resources assisting *pro se* inventors. Requiring foreign applicants/inventors and patent owners to use registered patent practitioners will increase efficiency, as the applications will be in better form for examination. Applications from *pro se* inventors generally require additional processing by the Office of Patent Application Processing (OPAP) because the application papers are often not in condition for publication, examination, or both. Additionally, *pro se* applications usually require patent examiners to spend additional examination time on procedural matters, thereby increasing overall patent application pendency. Implementing this final rule will help allocate USPTO resources to the merits of examination and, accordingly, decrease patent application processing times.

C. Enforce Compliance With U.S. Statutory and Regulatory Requirements

The requirement for representation by a registered patent practitioner is also necessary to enforce compliance by all foreign patent applicants/inventors and patent owners with U.S. statutory and regulatory requirements in patent matters. Registered patent practitioners are subject to the USPTO Rules of Professional Conduct and disciplinary sanctions for violations of those rules. *See* 37 CFR 11.15, 11.20, and 11.100–11.901. Accordingly, registered patent practitioners have, among others, various ethical obligations to the USPTO, including a duty to cooperate with inquiries and investigations. *See, e.g.,* 37 CFR 11.303 and 11.801.

The USPTO has seen an increase in the number of false micro entity certifications to claim a reduction in fees and other false certification documents being filed. False certifications unjustly diminish the monetary resources of the USPTO, and false certifications on petitions or requests to expedite examination result in applications being unjustly advanced out of turn. Requiring submissions to be made by registered patent practitioners subject to the USPTO Rules of Professional Conduct and concomitant disciplinary sanctions imposed by the USPTO Director will make it less likely that the submissions will be signed by an unauthorized party or contain inaccurate or fraudulent statements, particularly with regard to any certification of micro entity status to claim a reduction in fees and any certification relevant to expediting the application.

D. Fraud Mitigation and the Integrity of the U.S. Patent System

Requiring foreign patent applicants/inventors and patent owners to use registered patent practitioners will also facilitate fraud mitigation and protect the integrity of the U.S. patent system. As discussed, registered patent practitioners have a duty to cooperate with investigations and respond to lawful requests for information. *See* 37 CFR 11.801(b). Further, it is professional misconduct for a registered patent

practitioner to engage in conduct involving dishonesty, fraud, deceit, or misrepresentation. *See* 37 CFR 11.804(c). It is also professional misconduct for a registered patent practitioner to engage in conduct that is prejudicial to the administration of justice. *See* 37 CFR 11.804(d). Because registered patent practitioners are subject to disciplinary sanctions pursuant to 37 CFR 11.15 and 11.20, they have an interest in responding to inquiries and investigations that extends beyond the outcome of a particular application.

For example, the USPTO currently sends fee deficiency notices in applications which appear to have false micro entity certifications, and can also send requests for information or show cause orders in applications in which an apparent misrepresentation has been made. In patent applications with *pro se* inventor-applicants, abandonment of the application effectively terminates the USPTO's ability to gather information. If a subsequent application is filed on the same subject matter, for example, by the same entity that made the false micro entity certification in the abandoned application, it may be difficult or impossible for the USPTO to establish that the applications are commonly owned or otherwise attributable to the same parties. However, when a registered patent practitioner is of record in the application or files papers in the application, the ability of the USPTO to gather information about the certifications or representations that were made extends beyond abandonment of the application. Therefore, requiring foreign patent applicants/inventors and patent owners to use registered patent practitioners will facilitate fraud mitigation and protect the integrity of the U.S. patent system.

II. Enforcement

Unsigned or improperly signed papers are not entered into the record of the application or patent. *See, e.g.,* Manual of Patent Examining Procedure (MPEP) 714.01. As such, when representation by a registered patent practitioner is required, papers such as amendments and other replies, application data sheets, information disclosure statements, or petitions, will not be entered unless they are signed by a registered patent practitioner. This does not apply to papers which are required to be signed by a specific party, such as the inventor's oath or declaration under 37 CFR 1.63.

The definition of the term ''domicile'' is provided in 37 CFR 1.9(p). The domicile of an inventor-applicant will normally be determined by the residence information provided in the application data sheet (ADS) under 37 CFR 1.76, or the inventor's oath or declaration under 37 CFR 1.63. The domicile of an applicant who is not an inventor will normally be determined based on the mailing address provided in the Applicant Information section of the ADS. If an ADS is inconsistent with the information provided in another document that was submitted at the same time or prior to the ADS submission, the ADS will control. *See* 37 CFR 1.76(d). This is because the ADS is intended to be the means by which an applicant provides complete bibliographic information. In some instances, the USPTO may refer to sources other than those listed above in order to assess compliance with the domicile requirement, including sources of information that are not present in the patent application file. For example, in order to determine whether the domicile is accurate, the USPTO may refer to the notarized Patent Electronic System Verification Form (PTO–2042a) or other identity verification information. The Patent Electronic System Verification Form is a document which may be sent to the Electronic Business Center (EBC) during the process of obtaining a registered Patent Center account.

For international applications having an international filing date on or after September 16, 2012, the international application enters the national stage when the applicant has filed the documents and fees required by 35 U.S.C. 371(c)(1) and (2) within the period set in 37 CFR 1.495. *See* MPEP 1893.01. Therefore, documents and fees submitted to comply with 35 U.S.C. 371(c) and/or (f) will be accepted as required by statute. Additionally, processing of documents and fees by the PCT Receiving Office, International Searching Authority, International Preliminary Examining Authority, or the International Bureau as provided for by the Patent Cooperation Treaty is not affected by this rule.

A paper filed on behalf of the patent owner may indicate the domicile of the patent owner if such information is not present in the application file. When it is necessary for the USPTO to act on a paper submitted in the file of an issued patent and the paper is not signed by a registered patent practitioner, the paper may not be treated on its merits. For example, if a petition to accept unintentionally delayed payment of a maintenance fee in an expired patent under 37 CFR 1.378(b) is filed that is not signed by a registered patent practitioner, the petition may be dismissed before consideration on the merits if it cannot be determined whether the paper complies with 37 CFR 1.31 and 1.33(b).

Regarding the assessment of compliance referred to above, applicants, patent owners, and practitioners are reminded that the presentation to the Office of any paper by a party, whether a practitioner or non-practitioner, constitutes a certification under 37 CFR 11.18(b). A misrepresentation of the domicile of an applicant or patent owner would not be ''to the best of the party's knowledge, information and belief, formed after an inquiry reasonable under the circumstances'' as required under 37 CFR 11.18(b)(2). Violations of 37 CFR 11.18(b)(2) by a party, whether a practitioner or non-practitioner, may result in the imposition of sanctions under 37 CFR 11.18(c), which may include termination of the proceedings. *See* 37 CFR 1.4(d)(5)(i).

III. Discussion of Specific Rules

By this final rule, the following sections to 37 CFR part 1 are amended as follows:

A. Section 1.9

Section 1.9 is amended to add new paragraph (p) defining domicile as the permanent legal place of residence of a natural person or the principal place of business of a juristic entity. The domicile of an inventor-applicant will normally be determined by the residence information provided in the ADS under 37 CFR 1.76, or the inventor's oath or declaration under 37 CFR 1.63. The domicile of an applicant who is not an inventor will normally be determined based on the mailing address provided in the Applicant Information section of the ADS. *See* section II. above for further discussion.

B. Section 1.31

Section 1.31 is amended by revising the title and rule to include ''patent owner,'' and reformatting the rule language into paragraphs (a) and (b). The section is further amended to indicate that an applicant as defined in § 1.42 or patent owner whose domicile is not located within the U.S. or its territories must be represented by a registered patent practitioner. The section is also amended to require that a patent owner who is a juristic entity must be represented by a registered patent practitioner. The section previously required a juristic entity who was the applicant to be represented by a registered patent practitioner, but has

now been expanded to make a similar requirement for patent owners.

The phrase ''an applicant as defined in § 1.42'' in paragraph (a) encompasses any inventor, joint inventor, legal representative, person to whom the inventor has assigned, person to whom the inventor is under an obligation to assign, or person who otherwise shows sufficient proprietary interest in the matter who is named as an applicant. Thus, an applicant as defined in § 1.42 must be represented by a registered patent practitioner if at least one of the parties identified as the applicant has a domicile that is not located within the U.S. or its territories. *See* § 1.31(a)(2). As a reminder, powers of attorney must be signed by all parties identified as the applicant or patent owner in order to be effective.

C. Section 1.32

Section 1.32 is amended by adding the definition of patent practitioner to partially parallel § 11.10(a).

D. Section 1.33

Section 1.33 is amended by revising paragraph (b)(3) to indicate that, unless otherwise specified, amendments and other papers filed in an application or patent submitted on behalf of a juristic entity, an applicant as defined in § 1.42 whose domicile is not located within the United States or its territories, or a patent owner whose domicile is not located within the United States or its territories must be signed by a patent practitioner. These revisions to paragraph (b)(3) are consistent with the changes to § 1.31, discussed above.

A foreign domiciled inventor who is the applicant may initially file a U.S. patent application with the USPTO and pay the filing fee at the time of filing. However, any application data sheet that accompanies the application papers or is submitted later, as well as all follow-on correspondence, must be signed by a patent practitioner. A patent practitioner must also sign any request or petition that is filed in such an application, including but not limited to a request for prioritized examination and a petition to make special. To pay the issue fee, PTOL–85 Part B is required by virtue of 37 CFR 1.33(b) in order to indicate in the record that the fee was paid by a person having authority to bind the applicant; therefore, the PTOL–85B would also have to be signed by a patent practitioner when representation is required.

IV. Comments and Responses

The USPTO published a notice of proposed rulemaking (NPRM) on December 29, 2025, soliciting comments on the proposed changes to the rules of practice to require foreign applicants/inventors to be represented by a registered patent practitioner. *See* Required Use by Foreign Applicants and Patent Owners of a Patent Practitioner, 90 FR 60594. In response to the NPRM, the USPTO received nine (9) relevant comments from a range of stakeholders. The USPTO received two (2) comments from intellectual property (IP) organizations, one (1) comment from a regulatory organization, one (1) from a law firm, four (4) from individuals, and one (1) submitted anonymously. Overall, most of the comments were supportive of implementing a requirement for foreign applicants/inventors to be represented by a registered patent practitioner, and included specific suggestions and questions. A summary of the comments and the USPTO's responses thereto follow:

Comment #1: Several comments requested that the Office confirm that the requirement for using a U.S. practitioner would not impact the accordance of a filing date.

Response #1: This rule does not change the requirements for receiving a filing date. Under current procedure, an application which is received without a signature or with an improper signature is accorded a filing date as set forth in 37 CFR 1.53. Consistent with this procedure, when the new requirements herein are in effect, an application with a foreign-domiciled applicant but without the signature of a registered patent practitioner will be accorded a filing date under the conditions set forth in 37 CFR 1.53. Papers that do not include a practitioner's signature when one is required may require corrective action thereafter.

Comment #2: One comment suggested that the rule change should not apply to foreign domiciled inventors with U.S. citizenship and should not apply to applications with mixed-domicile applicant groups.

Response #2: The USPTO does not collect information on citizenship. Verification of citizenship would necessitate the collection of sensitive protected personal data such as birth certificates or passports, which in turn imparts a significant risk and administrative burden on the USPTO. The allocation of resources to processes for evaluating citizenship would impede the ability to allocate resources to the merits of examination. Notably, the requirement to be represented by a registered patent practitioner does not concern substantive issues of patentability, and the USPTO already requires U.S. citizens to be represented by a registered patent practitioner when an application names a juristic entity applicant. Regarding mixed-domicile applicant groups, providing such an exception would diminish the benefits associated with requiring representation by a registered patent practitioner. Additionally, providing an exception for mixed-domicile applicant groups would create a new incentive to misrepresent or manipulate the inventorship in an application, in that adding a single inventor-applicant could avoid the requirement to be represented by a registered patent practitioner.

Comment #3: Several comments requested that the Office provide a transition period and provide notice to applicants with information such as a link to obtain a practitioner list maintained by the Office.

Response #3: This rule becomes effective 120 days after publication in the **Federal Register**, which is an amount of advanced notice selected to permit foreign-domiciled applicants to obtain representation.

The OED register of active patent practitioners who are eligible to represent others before the USPTO is available here: *https://oedci.uspto.gov/OEDCI/practitionerSearchEntry.* The Office cannot aid in the selection of a patent practitioner.

Comment #4: Two comments requested that the Office clarify or review the definition of domicile in 37 CFR 1.9(p). One comment observes that a person may have multiple legal residences. Another observes that the phrase ''principal place of business'' is well-known in the context of a statute involving jurisdiction.

Response #4: New rule 37 CFR 1.9(p) provides that the term domicile as used in this chapter means the permanent legal place of residence of a natural person or the principal place of business of a juristic entity. The Office expects that it would be a rare occurrence for there to be a genuine ambiguity about whether a person is foreign-domiciled. In an instance in which a person has multiple legal residences both within and outside the United States, the phrase ''permanent legal place of residence'' in 37 CFR 1.9(p) can resolve any ambiguity because it is consistent with and would apply the same principles for determining permanent residence for purposes of being a U.S. tax resident. *See* 26 U.S.C. 7701. It is also noted that all juristic entities are already required to be represented by a registered patent practitioner, regardless of domicile.

Comment #5: One comment in favor of the proposed changes to the rules also

requested that the Office revise 37 CFR 11.6(c) to discontinue reciprocity with Canadian practitioners.

Response #5: This rulemaking does not address the standards for becoming a registered patent practitioner, and at this time the USPTO does not plan to modify the reciprocity provision of 37 CFR 11.6(c).

Comment #6: One comment provides arguments contending that the new rules should not be applied to provisional applications, and that the benefits discussed herein are not relevant with respect to provisional applications.

Response #6: The effect of the requirement for representation on provisional applications is expected to be minimal. As discussed above, an application with a foreign-domiciled applicant but without the signature of a registered patent practitioner will be accorded a filing date under the conditions set forth in 37 CFR 1.53; this includes provisional applications. In the rare instances in which a filing in a provisional application requires processing, such as a petition to revive or a petition to change inventorship, representation will be required for foreign-domiciled applicants for the reasons set forth herein.

Comment #7: One comment argues that the USPTO should not go forward with the rule and that the rule is unfairly discriminatory and may cause foreign inventors to decide against filing patent applications in the U.S.

Response #7: The USPTO believes requiring foreign applicants/inventors to be represented by a registered patent practitioner will (1) treat foreign applicants/inventors and patent owners similarly to how U.S. applicants/inventors and patent owners are treated in other countries and harmonize U.S. practice with the rest of the world; (2) increase efficiency, as the USPTO spends extra resources to assist *pro se* applicants; (3) enable the USPTO to more effectively use available mechanisms to enforce compliance with statutory and regulatory requirements in patent matters; and (4) enhance the USPTO's ability to respond to false certifications, misrepresentations, and fraud. Although it is appreciated that some parties are opposed to the new requirement for representation, the above-stated benefits justify the implementation of these regulations.

V. Implementation

Beginning on the effective date of this final rule, patent applicants and patent owners whose domicile is not located within the United States (U.S.) or its territories (hereinafter foreign applicants/inventors and patent owners) are required to be represented by a registered patent practitioner. This requirement is applicable to all filings including new application filings, amendments, replies, and other papers received on or after the effective date, and there will not be a distinction based on the effective filing date of an application or the like. When an application is filed by a foreign inventor or applicant without the signature of a registered patent practitioner, the Office may mail a notice which also informs the inventor or applicant of the requirement for obtaining a practitioner. When necessary, based on the papers received, the notice will set a time period for response. The notice will include a link to a USPTO web page to assist inventors/applicants in finding a registered patent practitioner.

Applications filed by foreign-domiciled applicants will be accorded a filing date, as this rule does not change the requirements for receiving a filing date. Under current procedure, an application which is received without a signature or with an improper signature is accorded a filing date as set forth in 37 CFR 1.53. Consistent with this procedure, when the new requirements herein are in effect, an application with a foreign-domiciled applicant but without the signature of a registered patent practitioner will be accorded a filing date under the conditions set forth in 37 CFR 1.53. Papers that do not include a practitioner's signature when one is required may necessitate corrective action.

The Application Data Sheet (ADS) and micro entity certification form will not be accepted if signed by an inventor or applicant whose domicile is in a foreign country. In such cases, the ADS and micro entity certification form must be signed by a registered patent practitioner.

When an application is filed by a foreign inventor/applicant and it includes an ADS that is not signed by a registered patent practitioner, the ADS will be treated as a transmittal letter in accordance with 37 CFR 1.76(e). Thus, inventorship will not be set nor will benefit or priority claims be effective.

A foreign-domiciled inventor or applicant can pay the filing fees; however, to establish micro entity status, a registered patent practitioner must sign the micro entity certification. A fee may be paid in the micro entity amount only if it is submitted with, or subsequent to, the submission of a certification of entitlement to micro entity status. *See* 37 CFR 1.29(f) and MPEP 509.04(I). Therefore, in applications for which representation by a registered patent practitioner is required, payment of fees in micro entity amounts will require there to be representation by a registered patent practitioner. Payment of the basic filing fee, search fee, or examination fee after the original filing date will incur the surcharge set forth in 37 CFR 1.16(f), and for provisional applications payment of the basic filing fee after the original filing date will incur the surcharge set forth in 37 CFR 1.16(g).

The lack of entry of a paper due to the lack of signature of a registered patent practitioner may require corrective action, depending on the circumstances of the application and the type of paper at issue. For example, if an ADS is treated as a transmittal letter in accordance with 37 CFR 1.76(e), a benefit or priority claim presented therein will not be entered; depending on the timing of when a proper ADS is submitted, a petition for delayed benefit claim under 37 CFR 1.78(c) or (e) or a petition for delayed priority claim under 37 CFR 1.55(e) may be necessary. As discussed above, in instances in which it is determined that representation by a registered patent practitioner is required, the Office may mail a notice which notifies the applicant of the determination. In instances where it is believed that this determination is erroneous, the applicant may submit a reply which addresses the issue of domicile. A reply which addresses the issue of domicile will be considered on the merits even when the applicant has not obtained representation, because such consideration is necessary to evaluate the propriety of the initial decision. In the event that a reply addresses the issue of domicile and also includes secondary remarks regarding other outstanding requirements, the USPTO will not necessarily address the secondary remarks if the determination of foreign-domicile is maintained. For example, if an applicant receives a notice which states that representation by a registered patent practitioner is required based on the domicile of the applicant, and also states that the drawings contain formal defects, a reply may be submitted which traverses both determinations. In this example, if the remarks traversing the representation requirement are unpersuasive, the USPTO will not necessarily consider nor respond to the remarks regarding the drawing formalities because treating all remarks on the merits would undermine the efficacy of the representation requirement. In this scenario, the time period for response will continue to run.

Regarding the issue of traversing a determination that an applicant or

patent owner is foreign-domiciled, it is noted that the USPTO may require evidence in order to change an initial determination. For example, in the event that an applicant is determined to be foreign-domiciled based on information available to the USPTO, the submission of a reply which merely includes conclusory and/or unsubstantiated statements about the domicile of the applicant will not be sufficient to change the determination.

The procedures regarding a *bona fide* attempt to advance an application to final action as set forth in 37 CFR 1.135(c) are not modified by this rulemaking.

Notwithstanding the ability to obtain a filing date, the representation requirement for foreign-domiciled applicants is applicable on the original date of filing. In some instances, the failure to comply with the representation requirement on the original filing date may cause a result which cannot be remediated in a particular application. For example, a request for the application not to publish as set forth in 37 CFR 1.213 or a request for prioritized examination under 37 CFR 1.102(e)(1) is required to be submitted *with* the original filing of the application. In the event that such a request is not accepted because it is improperly signed due to lack of compliance with the representation requirement, it is not possible to subsequently meet the requirements for the request in that application.

The payment of maintenance fees by a person or organization other than the patentee is specifically provided for by 37 CFR 1.366(a). Therefore, this rulemaking does not impose any new requirement with respect to the payment of maintenance fees, and the USPTO will not consider the domicile of a patent owner with regard to acceptance of maintenance fees.

VI. Rulemaking Considerations

A. Administrative Procedure Act

This final rule revises the procedures governing the representation of patent applicants and patent owners at the USPTO. The changes in this final rule do not change the substantive criteria of patentability. Therefore, the changes in this rulemaking involve rules of agency practice and procedure and/or interpretive rules and do not require notice-and-comment rulemaking, pursuant to 5 U.S.C. 553(b)(A)). *See Perez* v. *Mortg. Bankers Ass'n,* 575 U.S. 92, 97, 101 (2015) (explaining that interpretive rules ''advise the public of the agency's construction of the statutes and rules which it administers'' and do not require notice-and-comment when issued or amended); *Cooper Techs. Co.* v. *Dudas,* 536 F.3d 1330, 1336–37 (Fed. Cir. 2008) (5 U.S.C. 553, and thus 35 U.S.C. 2(b)(2)(B), do not require notice-and-comment rulemaking for ''interpretative rules, general statements of policy, or rules of agency organization, procedure, or practice''); *In re Chestek PLLC,* 92 F.4th 1105, 1110 (Fed. Cir. 2024) (noting that rule changes that ''do[ ] not alter the substantive standards by which the USPTO evaluates trademark applications'' are procedural in nature and thus ''exempted from notice-and-comment rulemaking.''); and *JEM Broadcasting Co.* v. *F.C.C.,* 22 F.3d 320, 328 (D.C. Cir. 1994) (''[T]he 'critical feature' of the procedural exception [in 5 U.S.C. 553(b)(A)] 'is that it covers agency actions that do not themselves alter the rights or interests of parties, although [they] may alter the manner in which the parties present themselves or their viewpoints to the agency.' '' (quoting *Batterton* v. *Marshall,* 648 F.2d 694, 707 (D.C. Cir. 1980))). Nevertheless, the USPTO chose to seek public comment before implementing the rule to benefit from the public's input.

B. Regulatory Flexibility Act

As prior notice and an opportunity for public comment are not required pursuant to 5 U.S.C. 553 or any other law, neither a Regulatory Flexibility Act analysis nor a certification under the Regulatory Flexibility Act (RFA) (5 U.S.C. 601, *et seq.*) is required. *See* 5 U.S.C. 603. Nevertheless, the USPTO published an Initial Regulatory Flexibility Analysis (IRFA), along with the NPRM, on December 29, 2025 (90 FR 60594). The USPTO publishes this Final Regulatory Flexibility Analysis (FRFA) to complete its examination of the impact of the USPTO's changes to require foreign applicants/inventors and patent owners to be represented by a registered patent practitioner. The USPTO received no comments from the public directly applicable to the IFRA, as stated below in Item 2.

Items 1–6 below discuss the six items specified in 5 U.S.C. 604(a)(1)–(6) to be addressed in a FRFA. Item 6 below discusses alternatives considered by the USPTO.

1. A statement of the need for, and objectives of, the rule:

The USPTO is revising the rules to require that foreign applicants/inventors and patent owners be represented by a registered patent practitioner, as defined in 37 CFR 1.32(a)(1). An ''applicant'' is the person applying for a patent, and can be any inventor, joint inventor, legal representative, person to whom the inventor has assigned, person to whom the inventor is under an obligation to assign, or person who otherwise shows sufficient proprietary interest in the matter who is named as an applicant. Under this amended rule, foreign applicants/inventors and patent owners must be represented by a registered patent practitioner if at least one of the parties identified as an applicant or a patent owner has a domicile that is not located within the U.S. or its territories. A patent practitioner as defined in 37 CFR 1.32(a)(1) means a registered patent attorney or registered patent agent under 37 CFR 11.6 or an individual given limited recognition under § 11.9(a) or (b) or § 11.16. When representation by a registered patent practitioner is required, papers such as amendments and other replies, application data sheets, information disclosure statements, or petitions will not be entered unless they are signed by a registered patent practitioner; papers that are required to be signed by a specific party, such as the inventor's oath or declaration under 37 CFR 1.63, are excluded. The requirement for a registered patent practitioner is applicable to all types of patent applications (*i.e.,* utility, plant, design, etc.). This rule brings the United States in line with most other countries that require that such parties be represented by a licensed or registered person of that country. Additionally, this rule increases efficiency and enables the USPTO to more effectively use available mechanisms to enforce compliance by all foreign applicants/inventors and patent owners with U.S. statutory and regulatory requirements in patent matters, and enhances the USPTO's ability to respond to false certifications, misrepresentations, and fraud. The rule is also amended to require that a patent owner who is a juristic entity must be represented by a registered patent practitioner. The rule previously required a juristic entity who was the applicant to be represented by a registered patent practitioner, and has now been expanded to make explicit a similar requirement for patent owners.

2. *A statement of the significant issues raised by the public comments in response to the IRFA, a statement of the assessment of the Agency of such issues, and a statement of any changes made in the proposed rule as a result of such comments:*

The USPTO did not receive any public comments in response to the IRFA. However, the USPTO received comments about the proposed requirement for representation, which are discussed in the preamble.

3. *The response of the Agency to any comments filed by the Chief Counsel for Advocacy of the Small Business Administration in response to the proposed rule, and a detailed statement of any change made to the proposed rule in the final rule as a result of the comments:*

The USPTO did not receive any comments filed by the Chief Counsel for Advocacy of the Small Business Administration in response to the proposed rule.

4. *A description of and an estimate of the number of small entities to which the rule will apply or an explanation of why no such estimate is available:*

The Small Business Administration (SBA) small business size standards that are applicable to most analyses conducted to comply with the RFA are set forth in 13 CFR 121.201. These regulations generally define small businesses as those with fewer than a specified maximum number of employees or less than a specified level of annual receipts for the entity's industrial sector or North American Industry Classification System (NAICS) code. As provided by the RFA, and after consulting with the SBA, the USPTO formally adopted an alternate size standard for the purpose of conducting an analysis or making a certification under the RFA for patent-related regulations. *See* Business Size Standard for Purposes of United States Patent and Trademark Office Regulatory Flexibility Analysis for Patent-Related Regulations, 71 FR 67109 (Nov. 20, 2006), 1313 Off. Gaz. Pat. Office 60 (Dec. 12, 2006). The USPTO's alternate small business size standard is SBA's previously established size standard that identifies the criteria entities must meet to be entitled to pay reduced patent fees. *See* 13 CFR 121.802.

If patent applicants assert or certify entitlement for reduced patent fees, the USPTO captures this data in its patent application data repository (formerly the Patent Application Locating and Monitoring (PALM) system and now called the One Patent Service Gateway (OPSG) system), which tracks information on each patent application submitted to the USPTO.

Unlike the SBA small business size standards set forth in 13 CFR 121.201, the size standard for the USPTO is not industry specific. The USPTO's definition of a small business concern for RFA purposes is a business or other concern that: (1) meets the SBA's definition of a ''business concern or concern'' set forth in 13 CFR 121.105; and (2) meets the size standards set forth in 13 CFR 121.802 for the purpose of paying reduced patent fees, namely, an entity: (a) whose number of employees, including affiliates, does not exceed 500 persons; and (b) which has not assigned, granted, conveyed, or licensed (and is under no obligation to do so) any rights in the invention to any person who made it and could not be classified as an independent inventor, or to any concern that would not qualify as a nonprofit organization or a small business concern under this definition. *See* Business Size Standard for Purposes of United States Patent and Trademark Office Regulatory Flexibility Analysis for Patent-Related Regulations, 71 FR at 67112 (Nov. 20, 2006), 1313 Off. Gaz. Pat. Office at 63 (Dec. 12, 2006). Thus, for the purpose of this analysis, the USPTO defines small entities to include applicants/inventors and patent owners who pay ''small'' or ''micro'' entity fees at the USPTO.

In fiscal year (FY) 2022, the USPTO received 512,038 patent applications.[1] As discussed earlier, this final rule impacts those applications from foreign applicants/inventors or patent owners who are not represented by a registered patent practitioner. An applicant is considered to be a foreign applicant/inventor or patent owner if at least one party who was identified as an applicant or a patent owner had a domicile that was not located within the U.S. or its territories.

As seen in Table 1 below, of the total 512,038 patent applications filed in FY 2022, 215,459 (42.1%) were filed by U.S. applicants/inventors and patent owners, and 296,579 (57.9%) were filed by foreign applicants/inventors and patent owners.

TABLE 1—FILINGS FROM FOREIGN OR U.S. APPLICANTS AS A PERCENTAGE OF TOTAL FILINGS

Applicant	FY 2022	Percentage
US	215,459	42.1
Foreign	296,579	57.9
Total	512,038	100.0

[1] Fiscal year (FY) 2022 data is being used for this analysis to correspond with the most current available estimates of legal costs as published by American Intellectual Property Law Association in its 2023 Report on the Economic Survey. Patent application data show that filing trends in FY 2023 and FY 2024 have been consistent with FY 2022, with filings in FY 2023 totaling 516,915 and filings in FY 2024 totaling 527,538.

Table 2 below shows the number of applications that were filed without a registered patent practitioner (*i.e., pro se*) and those that were filed with a registered patent practitioner, in addition to the entity status of the applicant(s). Of the total 296,579 filings made by a foreign applicant/inventor or patent owner, 295,362 were represented by a registered patent practitioner (foreign represented) and 1,217 were not represented by a registered patent practitioner (foreign *pro se*).[2] The 1,217 foreign *pro se* applications will be impacted by the requirement to retain representation by a registered patent practitioner under this final rule.

The USPTO anticipates that this final rule will not have a substantial impact on foreign small entities. Of the total 295,362 foreign represented applications, 75,111 are considered to be small entities for the purposes of this analysis because they paid the ''small'' or ''micro'' entity fee (''foreign represented small entities''), and of the 1,217 foreign *pro se* applications, 1,102 are considered to be small entities because they paid the ''small'' or ''micro'' entity fee (''foreign *pro se* small entities''). The USPTO acknowledges that representation status in an application is dynamic, and some number of applicants change their status of representation after filing by either retaining a registered patent practitioner or separating from a registered patent practitioner and proceeding *pro se.* For the purposes of this analysis, the USPTO assumes that the 1,102 applications filed by foreign *pro se* small entities did not change their representation status and thus will be subject to the requirement to be represented by a registered patent practitioner. This final rule is not expected to significantly impact foreign small entities, as the vast majority are represented by a registered patent practitioner. Only 1,102 foreign *pro se* small entities, or 1.4% of the 76,213 total foreign small entities filing patent applications, will be affected.

[2] An application is determined to be *pro se* if there are no current attorney(s) associated with the application or if no attorney(s) has been directly associated with the application over the application's prosecution history.

TABLE 2—TOTAL # OF APPLICATIONS FILED IN FY 2022

[Per OPPDA data obtained in June 2025]

Application type	Undisc.	Small	Micro	Total	Percentage	
US *Pro Se*	1,664	1,747	2,180	5,591	1.09	215,459
US Represented	129,805	67,318	12,745	209,868	40.99	
Foreign *Pro Se*	115	490	612	1,217	.24	296,579
Foreign Represented	220,251	60,720	14,391	295,362	57.86	
Totals	351,835	130,275	29,928	512,038	100.0	

Any registered patent practitioner retained by the foreign applicants/inventors and patent owners as a result of this final rule will be required to be a registered patent attorney or registered patent agent under 37 CFR 11.6 or an individual given limited recognition under § 11.9(a) or (b) or § 11.16.

5. *A description of the projected reporting, recordkeeping and other compliance requirements of the rule, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report or record:*

The final rule imposes no new reporting or recordkeeping requirements. Compliance with the rule will be enforced by requiring an appropriate signature on papers submitted in patent matters.

6. *A description of the steps the Agency has taken to minimize the significant economic impact on small entities consistent with the stated objectives of applicable statutes, including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in the final rule and why each one of the other significant alternatives to the rule considered by the Agency which affect the impact on small entities was rejected:*

The USPTO chose the alternative of requiring foreign applicants/inventors and patent owners to be represented by a registered patent practitioner because it will enable the USPTO to achieve its goals effectively and efficiently. Those goals are to (1) enable the USPTO to more effectively use available mechanisms to enforce compliance by all foreign applicants/inventors and patent owners with U.S. statutory and regulatory requirements in patent matters, and (2) enhance the USPTO's ability to respond to false certifications, misrepresentations, and fraud. Additionally, the final rule brings the United States in line with most other countries that require that such parties be represented by a licensed or registered person of that country.

Due to the difficulty in quantifying the intangible benefits associated with the final rule, the USPTO provides a discussion of the qualitative benefits to patent applicants/inventors and patent owners. The primary benefits of the final rule are ensuring compliance by all foreign patent applicants/inventors and patent owners with U.S. statutory and regulatory requirements in patent matters, and facilitating fraud mitigation and protecting the integrity of the U.S. patent system. The USPTO has noticed an increase in the number of false micro entity certifications to claim a reduction in fees and other false certification documents being filed. False certifications unjustly diminish the monetary resources of the USPTO, and false certifications on petitions or requests to expedite examination result in applications being unjustly advanced out of turn. Requiring submissions to be made by registered patent practitioners subject to the USPTO Rules of Professional Conduct and concomitant disciplinary sanctions imposed by the USPTO Director will make it less likely that the submissions will be signed by an unauthorized party or contain inaccurate or fraudulent statements, particularly with regard to any certification of micro entity status to claim a reduction in fees and any certification relevant to expediting the application.

The final rule also addresses the problem of patent application pendency. *Pro se* applications generally require additional processing by the OPAP because the application papers are often not in condition for publication, examination, or both. Additionally, *pro se* applications usually require patent examiners to spend additional examination time on procedural matters, thereby increasing overall patent application pendency. This final rule will help allocate USPTO resources to the merits of examination and, accordingly, decrease patent application processing times. Requiring foreign applicants/inventors and patent owners to use registered patent practitioners will increase efficiency, as the applications will be in better form for examination. Thus, the final rule will provide qualitative value to all applicants/inventors and patent owners because this rule will help allocate USPTO resources to the merits of examination and, accordingly, generally decrease processing times for all patent applications.

The RFA requires agencies to consider the economic impact of their regulatory proposals on small entities, specifically U.S. small businesses, small governmental jurisdictions and small organizations. This final rule will require all applicants/inventors and patent owners, in which at least one party identified as the applicant or patent owner has a foreign domicile, to be represented by a registered patent practitioner. Although there will be some number of U.S.-domiciled applicants/inventors and patent owners that will be affected because at least one party identified as the applicant or patent owner has a foreign domicile, the USPTO estimates that the number of foreign *pro se* small entities impacted by this rule (1,102) is small when compared to the 76,213 total foreign small entities that file patent applications. The costs incurred by the 1,102 foreign *pro se* small entities will vary depending on the nature of legal services provided and complexity of the application.

Tables 3, 4, and 5 below provide the estimated costs for a U.S. patent practitioner to prosecute an application based on professional rates as reported by the American Intellectual Property Law Association in the 2023 Report on the Economic Survey.[3] The professional rates[4] shown below are the median charges in FY 2022 for legal services rendered for a utility application.[5] The

[3] *See* Am. Intellectual Prop. Law Ass'n, Report of the Economic Survey 43 (2023).

[4] Copy, drawing, and government fees are not included in the rates.

[5] The Report on the Economic Survey provides professional rates for legal services rendered only in utility applications. Because the professional rates in utility applications typically represent the upper range of legal costs, these rates will be used as a proxy to calculate the costs for legal services rendered for all applications, including plant and design applications.

tables do not include services for which legal counsel is not required (such as payment of maintenance fees) or services that are not part of prosecution (such as *ex parte* reexamination, novelty search, validity and infringement opinions, and reference management). The figures in Tables 3 and 4 show the estimated legal cost for prosecuting applications that are of minimal complexity as well as applications that are relatively complex.

Table 3 below provides the estimated cost to impacted entities if a U.S. patent practitioner is retained prior to filing of a non-provisional application. These cases include applications of foreign origin where no substantive direction is provided by the foreign attorney, and thus the patent practitioner would be required to provide substantive legal advice to prosecute the application, including legal services connected with preparing, filing, and prosecuting an application. Based on the total estimated number of applications filed by foreign applicants/inventors and patent owners that are also considered to be small entities, the total legal cost for non-provisional applications to comply with this final rule is estimated to range from $13,124,820 to $13,334,200 for minimal complexity applications, to $16,430,820 to $19,395,200 for relatively complex applications.

TABLE 3—COST FOR LEGAL SERVICES BY PERFORMED U.S. PATENT PRACTITIONERS (FY 22)

[Patents of U.S. origin]

Service	Cost for minimal complexity applications	Cost for relatively complex applications (biotech/chemical; electrical/computer; mechanical)
Original (not divisional, continuation, or CIP) non-provisional application on invention	$8,000	$10,000 to $12,000
Application amendment/argument	$2,000	$3,000 to $3,500
Issuing an allowed application	$750	$750
Preparing and filing Information Disclosure Statement (IDS), less than 50 references and more than 50 references	$360 to $550	$360 to $550
Patent Term Adjustment calculation	$400	$400
Formalities, including preparing and filing formal declarations, assignment, and powers of attorney, responding to pre-examination notices and preparing papers to make corrections	$400	$400
Cost	$11,910 to $12,100	$14,910 to $17,600
Pro Se Foreign Applicants/Inventors and Patent Owners (Small Entities) Non-Provisional	1,102	1,102
Total Cost	$13,124,820 to $13,334,200	$16,430,820 to $19,395,200

Table 4 below provides the estimated cost to impacted entities if a U.S. patent practitioner is retained to file a non-provisional application of foreign origin that is in condition for filing and in which the foreign attorney provides substantive direction. In these cases, the U.S. patent practitioner would provide only minimal legal services connected with the initial filing of an application and the subsequent filing of other documents. Based on the total estimated number of applications filed by foreign applicants/inventors and patent owners that are also considered to be small entities, the total legal cost for a non-provisional application to comply with this final rule is estimated to range from $4,336,370 to $4,545,750 for minimal complexity applications, to $5,190,420 to $5,399,800 for relatively complex applications.

TABLE 4—COST FOR LEGAL SERVICES PERFORMED BY U.S. PATENT PRACTITIONERS (FY 22)

[Patents of foreign origin]

Service	Cost for minimal complexity applications	Cost for relatively complex applications (biotech/chemical; electrical/computer; mechanical)
Filing in USPTO, received ready for filing	$1,200	$1,200
Application amendment/argument, where foreign counsel or client provides detailed response instructions	$1,225	$2,000
Issuing an allowed application	$750	$750
Preparing and filing Information Disclosure Statement (IDS), less than 50 references and more than 50 references	$360 to $550	$360 to $550
Formalities, including preparing and filing formal declarations, assignment, and powers of attorney, responding to pre-examination notices and preparing papers to make corrections	$400	$400
Total Cost	$3,935 to $4,125	$4,710 to $4,900
Pro Se Foreign Applicants/Inventors and Patent Owners (Small Entities) Non-Provisional	1,102	1,102
Total Cost	$4,336,370 to $4,545,750	$5,190,420 to $5,399,800

Table 5 below provides a list of services that may be provided to impacted entities before or during prosecution, but are dependent on the nature of the application. The prosecution of a patent application is highly variable and a particular application may or may not require any of these services. If these services are provided, then the costs below would be added to the total legal costs in Tables 3 or 4, as applicable. The table below provides the percentage of all applications that have utilized these services.

TABLE 5

Service	Cost	Applications utilizing service	Percentage
Appeal to Board with/without oral argument	$5,000 to $8,000	8,205	2
Preparing and filing formal drawings	$600	30,822	6
Preparing for and conducting examination interview	$1,000	176,908	35
Providing a continuation recommendation (including proposed claim strategy)	$1,000	151,130	30
Filing previously prepared US applications as PCT application in US	$1,090	57,112	11
Entering National Stage in US Receiving Office from foreign Origin PCT application	$1,200	108,855	21
Provisional application	$3,900 to $5,000	147,275	29

As seen above, the USPTO estimates that only 1,102 (or 1.4%) foreign *pro se* small entities will be impacted by this final rule. This is a very small number when compared to the 76,213 total foreign small entities that file patent applications. Although the number of impacted small entities is not expected to be substantial, the economic impact varies depending on the nature of legal services provided and complexity of the application. Because prosecution of patent applications is highly variable, the legal costs incurred by the 1,102 foreign *pro se* small entities would depend on whether the application is of U.S. origin or foreign origin, with applications of U.S. origin incurring more cost than those of foreign origin, and the level of complexity of the application, with relatively complex applications incurring higher costs than minimally complex applications. Legal costs would increase if any of the additional available services are utilized before or during prosecution.

The USPTO considered the alternative of taking no action and maintaining the status quo (''Alternative 1''). Alternative 1 was rejected because the USPTO has determined that the requirement that foreign applicants/inventors and patent owners be represented by a registered patent practitioner is needed to accomplish the stated objectives to increase efficiency and enable the USPTO to more effectively use available mechanisms to enforce compliance with U.S. statutory and regulatory requirements in patent matters, and to enhance the USPTO's ability to respond to false certifications, misrepresentations, and fraud.

C. Executive Order 12866 (Regulatory Planning and Review)

This rulemaking has been determined to be not significant for purposes of Executive Order 12866 (September 30, 1993).

D. Executive Order 13563 (Improving Regulation and Regulatory Review)

The USPTO has complied with Executive Order 13563 (January 18, 2011). Specifically, and as discussed above, the USPTO has, to the extent feasible and applicable: (1) reasonably determined that the benefits of the rule justify its costs; (2) tailored the rule to impose the least burden on society consistent with obtaining the agency's regulatory objectives; (3) selected a regulatory approach that maximizes net benefits; (4) specified performance objectives; (5) identified and assessed available alternatives; (6) involved the public in an open exchange of information and perspectives among experts in relevant disciplines, affected stakeholders in the private sector, and the public as a whole, and provided online access to the rulemaking docket; (7) attempted to promote coordination, simplification, and harmonization across government agencies and identified goals designed to promote innovation; (8) considered approaches that reduce burdens while maintaining flexibility and freedom of choice for the public; and (9) ensured the objectivity of scientific and technological information and processes.

E. Executive Order 14192 (Deregulation)

This regulation is not an Executive Order 14192 regulatory action because it is not significant under Executive Order 12866.

F. Executive Order 13132 (Federalism)

This rulemaking pertains strictly to federal agency procedures and does not contain policies with federalism implications sufficient to warrant preparation of a Federalism Assessment under Executive Order 13132 (August 4, 1999).

G. Executive Order 13175 (Tribal Consultation)

This rulemaking will not: (1) have substantial direct effects on one or more Indian tribes; (2) impose substantial direct compliance costs on Indian tribal governments; or (3) preempt tribal law. Therefore, a tribal summary impact statement is not required under Executive Order 13175 (November 6, 2000).

H. Executive Order 13211 (Energy Effects)

This rulemaking is not a significant energy action under Executive Order 13211 because this rulemaking is not likely to have a significant adverse effect on the supply, distribution, or use of energy. Therefore, a Statement of Energy Effects is not required under Executive Order 13211 (May 18, 2001).

I. Executive Order 12988 (Civil Justice Reform)

This rulemaking meets applicable standards to minimize litigation, eliminate ambiguity, and reduce burden as set forth in sections 3(a) and 3(b)(2) of Executive Order 12988 (February 5, 1996).

J. Executive Order 13045 (Protection of Children)

This rulemaking does not concern an environmental risk to health or safety that may disproportionately affect children under Executive Order 13045 (April 21, 1997).

K. Executive Order 12630 (Taking of Private Property)

This rulemaking will not effect a taking of private property or otherwise have taking implications under

Executive Order 12630 (March 15, 1988).

L. Congressional Review Act

Under the Congressional Review Act provisions of the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 801, *et seq.*), the USPTO will submit a report containing the final rule and other required information to the United States Senate, the United States House of Representatives, and the Comptroller General of the Government Accountability Office. The changes in this rulemaking are not expected to result in an annual effect on the economy of $100 million or more, a major increase in costs or prices, or significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets. Therefore, this rulemaking is not expected to result in a ''major rule'' as defined in 5 U.S.C. 804(2).

M. Unfunded Mandates Reform Act of 1995

The changes set forth in this rulemaking do not involve a Federal intergovernmental mandate that will result in the expenditure by State, local, and tribal governments, in the aggregate, of $100 million (as adjusted) or more in any one year, or a Federal private sector mandate that will result in the expenditure by the private sector of $100 million (as adjusted) or more in any one year, and will not significantly or uniquely affect small governments. Therefore, no actions are necessary under the provisions of the Unfunded Mandates Reform Act of 1995. *See* 2 U.S.C. 1501 *et seq.*

N. National Environmental Policy Act of 1969

This rulemaking will not have any effect on the quality of the environment and is thus categorically excluded from review under the National Environmental Policy Act of 1969. *See* 42 U.S.C. 4321 *et seq.*

O. National Technology Transfer and Advancement Act of 1995

The requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) are not applicable because this rulemaking does not contain provisions that involve the use of technical standards.

P. Paperwork Reduction Act of 1995

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501, *et seq.*) requires that the USPTO consider the impact of paperwork and other information collection burdens imposed on the public. The collection of information involved in this final rule has been reviewed and previously approved by OMB under control number 0651–0035. The USPTO is submitting an update to the 0651–0035 information collection in the form of a non-substantive change request.

Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB control number.

Q. E-Government Act Compliance

The USPTO is committed to compliance with the E-Government Act to promote the use of the internet and other information technologies, to provide increased opportunities for citizen access to Government information and services, and for other purposes.

List of Subjects in 37 CFR Part 1

Administrative practice and procedure, Biologics, Courts, Freedom of information, Inventions and patents, Reporting and recordkeeping requirements, Small businesses.

For the reasons stated in the preamble, the USPTO amends 37 CFR part 1 as follows:

PART 1—RULES OF PRACTICE IN PATENT CASES

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

Authority: 35 U.S.C. 2(b)(2), unless otherwise noted.

■ 2. Amend § 1.9 by adding paragraph (p) to read as follows:

§ 1.9 Definitions.

* * * * *

(p) The term domicile as used in this chapter means the permanent legal place of residence of a natural person or the principal place of business of a juristic entity.

■ 3. Revise § 1.31 to read as follows:

§ 1.31 Applicant and patent owner may be represented by one or more patent practitioners or joint inventors.

(a) An applicant for patent or patent owner may file and prosecute the applicant's or patent owner's own case, or the applicant or patent owner may give power of attorney so as to be represented by one or more patent practitioners or joint inventors, except that the following persons or entities must be represented by a patent practitioner:

(1) a juristic entity (*e.g.,* organizational assignee);

(2) an applicant as defined in § 1.42, in which the domicile of at least one of the parties identified as the applicant in the application is not located within the United States or its territories; and

(3) a patent owner, in which the domicile of at least one of the parties identified as the patent owner is not located within the United States or its territories.

(b) The Office cannot aid in the selection of a patent practitioner.

■ 4. Amend § 1.32 by revising paragraph (a)(1) to read as follows:

§ 1.32 Power of attorney.

(a) * * *

(1) *Patent practitioner* means a practitioner registered under § 11.6 or an individual given limited recognition under § 11.9(a) or (b) or § 11.16. Only these persons are permitted to represent others before the Office in patent matters. An attorney or agent registered under § 11.6(d) may only act as a practitioner in design patent applications or other design patent matters or design patent proceedings.

* * * * *

■ 5. Amend § 1.33 by revising paragraph (b)(3) to read as follows:

§ 1.33 Correspondence respecting patent applications, patent reexamination proceedings, and other proceedings.

* * * * *

(b) * * *

(3) The applicant (§ 1.42) or patent owner. Unless otherwise specified, all papers submitted on behalf of a juristic entity, an applicant as defined in § 1.42 in which the domicile of at least one of the parties identified as the applicant is not located within the United States or its territories, or a patent owner in which the domicile of at least one of the parties identified as the patent owner is not located within the United States or its territories must be signed by a patent practitioner.

* * * * *

John A. Squires,

Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

[FR Doc. 2026–05564 Filed 3–19–26; 8:45 am]

BILLING CODE 3510–16–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 130403320–4891–02; RTID 0648–XF560]

Snapper-Grouper Fishery of the South Atlantic; 2026–2027 Recreational Fishing Season for Black Sea Bass

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

ACTION: Temporary rule; recreational fishing season.

SUMMARY: NMFS announces that the recreational fishing season for black sea bass in South Atlantic Federal waters will extend throughout its 2026–2027 fishing year. Announcing the length of the recreational fishing season for black sea bass is one of the accountability measures (AMs) for the recreational sector. This announcement allows recreational fishers to maximize their opportunity to harvest the recreational annual catch limit (ACL) for black sea bass while NMFS manages harvest to protect the black sea bass resource.

DATES: This temporary rule is effective from April 20, 2026, through March 31, 2027.

FOR FURTHER INFORMATION CONTACT: Nikhil Mehta, NMFS Southeast Regional Office, telephone: 727–824–5305, email: *nikhil.mehta@noaa.gov.*

SUPPLEMENTARY INFORMATION: The snapper-grouper fishery in the South Atlantic includes black sea bass south of 35°15.19′ N latitude, which is due east of Cape Hatteras Light, North Carolina, and is managed under the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (FMP). NMFS prepared the FMP in collaboration with the South Atlantic Fishery Management Council (Council), and NMFS implements the FMP through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). Black sea bass occurring in Federal waters north of 35°15.19′ N latitude are managed under a different fishery management plan and are regulated by 50 CFR part 648.

The recreational fishing year for black sea bass is April 1 through March 31. One of the recreational AMs for black sea bass requires that, before the start of each recreational fishing year, NMFS will project the length of the recreational fishing season based on when NMFS projects recreational landings of black sea bass will reach the sector ACL, and announce the season end date in the **Federal Register** [50 CFR 622.193(e)(2)]. The purpose of this AM is to allow recreational fishermen to maximize their opportunities to harvest the recreational ACL through a more predictable recreational season while NMFS manages harvest within the recreational ACL to protect the stock from experiencing adverse biological consequences. The metric conversion for the imperial measurements used in this document is 1 pound (lb) equals approximately 0.45 kilograms.

The recreational ACL for black sea bass during the 2026–2027 fishing year is 310,602 lb in gutted weight or 366,510 lb in round weight [50 CFR 622.193(e)(2)]. NMFS estimates that recreational landings of black sea bass during the 2026–2027 fishing year will be less than the 2026–2027 recreational ACL. To make this determination, NMFS compared recreational landings of black sea bass in the last 3 fishing years for which data are available (2022–2023 through 2024–2025) to the recreational ACL for the 2026–2027 fishing year. Recreational landings in each of these past 3 fishing years have been less than the 2026–2027 recreational ACL, and NMFS expects similar landings for the 2026–2027 fishing season. Therefore, because NMFS projects that the recreational landings of black sea bass will be less than the 2026–2027 recreational ACL, NMFS does not expect to close the recreational harvest of black sea bass during the fishing year. Accordingly, the season end date for the recreational harvest of black sea bass in South Atlantic Federal waters is March 31, 2027.

The Council recently approved potential new management measures for black sea bass through Regulatory Amendment 37 under the FMP. If approved and implemented by NMFS, those changes could further restrict allowable recreational harvest by establishing a recreational annual catch target that is lower than the current recreational ACL and revising AMs for black sea bass to close recreational harvest if landings reach the annual catch target. It is currently unknown whether the timing for Regulatory Amendment 37 could affect the 2026–2027 fishing year for black sea bass. However, if NMFS does implement Regulatory Amendment 37, NMFS would inform fishermen and the public about how that action would affect the length of the recreational season for black sea bass at the time of implementation.

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR 622.193(e)(2), issued pursuant to section 304(b), and is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment is unnecessary. Such procedures are unnecessary because the rule establishing the recreational AM has already been subject to notice and comment, and all that remains is for NMFS to notify the public of the recreational season length.

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

Dated: March 18, 2026.

David R. Blankinship,

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

[FR Doc. 2026–05517 Filed 3–19–26; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 250512–0084; RTID 0648–XF120]

Fisheries Off West Coast States; Modification of the West Coast Salmon Fisheries; Inseason Action #21–#22 (2024) and #9–#22 (2025)

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

ACTION: Inseason modification of 2024–2025 and 2025–2026 management measures.

SUMMARY: NMFS announces 2 inseason actions for the 2025 portion of the 2024–2025 ocean salmon fisheries and 14 inseason actions for the 2025 portion of the 2025–2026 ocean salmon fisheries. These inseason actions modify the commercial and recreational salmon fisheries in the area from the United States/Canada border to Pigeon Point, CA.

DATES: The effective date for these inseason actions are set out in this document under the heading ''Inseason Actions'' and the actions remain in effect until superseded or modified.

FOR FURTHER INFORMATION CONTACT: Shannon Penna, (562) 980–4239, *Shannon.Penna@noaa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The annual management measures for the 2024–2025 (89 FR 44553, May 21, 2024) and 2025–2026 ocean salmon fisheries (90 FR 20810, May 16, 2025) govern the commercial and recreational fisheries in the area from the United States/Canada border to the United States/Mexico border. The 2024 management measures were effective from 0001 hours Pacific Daylight Time (PDT), May 16, 2024, until the effective date of the 2025–2026 management measures, and the 2025 management measures are effective from 0001 hours Pacific Daylight Time (PDT), May 16, 2025, until the effective date of the 2026–2027 management measures, as published in the **Federal Register**. NMFS is authorized to implement inseason management actions to modify fishing seasons, catch limits, and quotas as necessary to provide fishing opportunities while meeting management objectives for the affected species (50 CFR 660.409). Inseason actions in the salmon fishery may be taken directly by NMFS (50 CFR 660.409(a)—Fixed inseason management provisions) or upon consultation with the Chairman of the Pacific Fishery Management Council (Council), and the appropriate State Directors (50 CFR 660.409(b)—Flexible inseason management provisions).

Management of the salmon fisheries is divided into two geographic areas: north of Cape Falcon (NOF) (United States/Canada border to Cape Falcon, OR) and south of Cape Falcon (SOF) (Cape Falcon, OR, to the United States/Mexico border). This notice describes inseason actions from the 2024–2025 management cycle (actions #21 and #22) and actions from the 2025–2026 management cycle (actions #9 through #22). These actions affected the NOF commercial and recreational salmon fishery and the SOF commercial and recreational salmon fishery, as set out under the heading Inseason Actions below.

Consultations on these inseason actions took place with the Council Chairman and representatives for the appropriate State Directors. Consultations for the 2024 actions occurred on May 7, 2025, and May 14, 2025. Consultations for the 2025 actions occurred on July 30, 2025, August 7, 2025, August 14, 2025, August 20, 2025, August 26, 2025, August 29, 2025, September 4, 2025, and September 17, 2025. These consultations included representatives from NMFS, Council staff, Oregon Department of Fish and Wildlife, Washington Department of Fish and Wildlife (WDFW), and California Department of Fish and Wildlife (CDFW). Representatives from the Salmon Advisory Subpanel and the Salmon Technical Team (STT) were also present.

These inseason actions were announced on NMFS' telephone hotline and United States Coast Guard radio broadcast when the actions became effective. (50 CFR 660.411(a)(2)).

Inseason Actions

2024–2025 Management Measures

Reason and authorization for actions #21–#22: There was higher effort than anticipated in the first 2 weeks (May 1 through May 7, 2025, and May 8 through May 14) of the NOF commercial spring troll fishery, which resulted in more catch than originally projected. Due to the higher catch and the expectation that effort would remain at the same level, through inseason actions #21 and #22, NMFS lowered landing and possession limits for the entire NOF area and for individual subareas as described below. These actions were taken to preserve the quota for the length of the season, consistent with the Fishery Management Plan (FMP). The combined catch from multiple subareas counted toward the entire NOF limit. Together with the reduced subarea limits, this overall landing and possession limit was intended to further slow the fishery as it would avoid fishery participants catching the full subarea limit in multiple subareas in excess of the overall limit, and thus contribute further to preserving the quota for the length of the season. Additionally, the individual subarea limits allowed for greater access to the quota based on the availability of fish in each subarea, which allows for more equitable fishing opportunity.

Inseason #21 adjusted landing and possession limits for the second fishing week in May (May 8–14, 2025). Inseason #22 reduced the landing and possession limits for the remaining day in the 2024–2025 season, May 15, 2025. This action was necessary to avoid harvesters taking the entire landing and possession limit for the fishing week of May 15–21 (125 Chinook salmon) on May 15, as the 2025–2026 management measures would become effective on May 16 and re-set these limits. With the trip limits in effect for May 15, and considering the high catch rates in the first 2 weeks of May, it was projected that around 6,000 Chinook salmon may have been landed on May 15, 2025. The downward adjustment to the May 15 trip limits was thus necessary to avoid a severe impact to the fishery goal to provide economical Chinook salmon landing and possession limits through June. This inseason action adjusted the landing and possession limits for this single day to avoid an excessive level of catch on that day that would jeopardize the length of the season, taking into account the relevant quota and the higher observed catch rates during May 1–14.

The Regional Administrator (RA) considered the quotas for Chinook salmon stocks, the timing of the action relative to the length of the season, and the projected effort and catch rates against the remaining quota, and determined that these inseason actions described below are necessary to meet management and conservation goals set preseason. These inseason actions modified quotas, catch limits and/or fishing seasons under 50 CFR 660.409(b)(1)(i).

Inseason Action #21

Description of the action: Inseason action #21 modified the ocean salmon troll commercial fishery from the United States/Canada border to Cape Falcon, OR.

Effective dates: Inseason action #21 took effect for the following areas and dates and remained in effect until superseded by the 2025–2026 management measures.

- Effective May 8, 2025, until superseded, the landing and possession limit for the entire area between the United States/Canada border and Cape Falcon, OR, was modified from 250 Chinook salmon per vessel per landing week to 125 Chinook salmon per vessel per landing week (Thursday through Wednesday).
- Effective May 8, 2025, until superseded, the landing and possession limit in the subarea between the United States/Canada border and the Queets River was modified from 70 Chinook salmon per vessel per landing week to 60 Chinook salmon per vessel per landing week (Thursday through Wednesday).
- Effective May 8, 2025, until superseded, the landing and possession limit in the subarea between the Queets River and Leadbetter Point was modified from 250 Chinook salmon per vessel per landing week to 125 Chinook salmon per vessel per landing week (Thursday through Wednesday).

Inseason Action #22

Description of the action: Inseason action #22 modified the ocean salmon troll commercial fishery from the United

States/Canada border to Cape Falcon, OR.

Effective dates: Inseason action #22 took effect for the following areas and dates and remained in effect until superseded by the 2025–2026 management measures.

- Effective May 15, 2025, until superseded, the landing and possession limit for the entire area NOF was modified from 125 Chinook to 60 Chinook per vessel per landing week (Thursday through Wednesday).
- Effective May 15, 2025, until superseded, the landing and possession limit in the combined subareas between the United States/Canada border and the Leadbetter Point was modified to 50 Chinook per vessel per landing week (Thursday through Wednesday).

All other restrictions and regulations remained in effect as announced for the 2024–2025 ocean salmon fisheries (89 FR 44553, May 21, 2024; 89 FR 53529, June 27, 2024; 89 FR 61355, July 31, 2024; 89 FR 104895, December 26, 2024; 90 FR 13840, March 27, 2025; 90 FR 16090, April 17, 2025; 90 FR 26769, June 24, 2025) except as previously modified by inseason actions.

2025–2026 Management Measures

Inseason Action #9

Description of the action: Inseason action #9 modified the landing and possession limit for the commercial salmon troll fishery in the area between the United States/Canada border and Cape Falcon, OR, regardless of subarea, from 50 Chinook salmon to 80 Chinook salmon and from 60 adipose marked coho salmon to 45 adipose marked coho salmon per vessel per landing week (Thursday–Wednesday).

Effective dates: Inseason action #9 took effect at 12:01 a.m., on July 31, 2025, and remained in effect until August 7, 2025.

Reason and authorization for the action: As of July 30, 2025, the harvest of Chinook salmon was projected to be at 57.5 percent of the total 24,450 Chinook salmon quota. To enable the commercial salmon troll fishery to fully achieve its objectives and utilize the remaining Chinook salmon quota, the landing limit for Chinook salmon was increased. The harvest for adipose marked coho salmon was projected to be at 50.4 percent of the 8,820 coho salmon quota. To ensure the fishery remained within its coho salmon quota objective to allow coho salmon retention to remain open for the full season duration, the coho salmon landing limit was decreased. Chinook salmon leave the ocean earlier than coho salmon given their different life histories which meant the fishery had less time to harvest the remaining 43 percent of Chinook salmon quota remaining at this point in the season than it had to harvest the remaining 50 percent of the coho salmon quota. Increasing the landing and possession limits for Chinook while decreasing the landing and possession limits for coho facilitated access to the remaining Chinook salmon quota while simultaneously preventing an exceedance of the coho salmon quota and maintaining the duration of the fishing season planned pre-season.

The RA considered the quotas for Chinook salmon and coho salmon stocks, the timing of the action relative to the length of the season, catch and effort to date, projected catch and effort under the proposed action, and other relevant factors like weather, and determined that the inseason action described above is necessary to meet management and conservation goals set preseason. This inseason action modified the number of species that may be caught and landed during specific seasons and the establishment or modification of limited retention regulations under 50 CFR 660.409(b)(1)(ii).

Inseason Action #10

Description of the action: Inseason action #10 modified the landing and possession limit for the commercial salmon troll fishery in the area between the United States/Canada border and Cape Falcon, OR, from 80 Chinook salmon to 100 Chinook salmon. The landing and possession limit for coho salmon remained the same.

Effective dates: Inseason action #10 took effect at 4:00 p.m., on August 7, 2025, and remained in effect until August 20, 2025.

Reason and authorization for the action: As of August 6, 2025, the harvest of Chinook salmon was estimated to be at 70 percent of the 24,450 Chinook salmon quota in the area NOF. The landing and possession limit was increased to utilize the remaining Chinook salmon quota while Chinook salmon were still accessible to the fishery. This allowed the commercial salmon troll fishery to fully achieve its quota.

The RA considered the quotas for Chinook and coho salmon stocks, the timing of the action relative to the length of the season, catch and effort to date, projected catch and effort under the proposed action, and other relevant factors like weather, and determined that the inseason action described above is necessary to meet management and conservation goals set preseason. This inseason action modified species that may be caught and landed during specific seasons or modified limited retention regulations consistent with the regulations under 50 CFR 660.409(b)(1)(ii).

Inseason Action #11

Description of the action: Inseason action #11 modified the recreational fishery. The area between Cape Falcon and Leadbetter Point (Columbia River Subarea) was closed to fishing for salmon. Possession of salmon on board a vessel was prohibited in the Columbia River subarea.

Effective dates: Inseason action #11 took effect at 12:01 a.m., August 19, 2025, and remained in effect until August 29, 2025.

Reason and authorization for the action: For the area between Cape Falcon and Leadbetter Point (Columbia River subarea), for Chinook salmon, the cumulative season total reached 6,525 Chinook salmon on a guideline of 16,600, which was 39 percent of the guideline. For coho salmon, the cumulative season total reached 43,049 on a quota of 49,860, which was 86 percent of the coho quota. The subarea was closed, as it was anticipated that the coho salmon quota would be reached based on projected catch and effort, consistent with 50 CFR 660.409(a).

Inseason Action #12

Description of the action: Inseason action #12 modified the commercial salmon troll fishery in the area between the United States/Canada border and Cape Falcon. The landing and possession limits were modified from 100 Chinook salmon to 45 Chinook salmon per vessel per landing week and from 45 adipose marked coho salmon to 15 adipose marked coho salmon per vessel per landing week (Thursday–Wednesday).

Effective dates: Inseason action #12 went into effect on August 21, 2025, and remained in effect until August 27, 2025.

Reason and authorization of the action: Inseason action #12 was necessary because catch rates and effort would have been expected to be similar to the previous week, and without the modification to the landing and possession limits, the projected catch would have exceeded both the Chinook and coho salmon quotas. The majority of the Chinook and coho salmon quotas were landed by the end of the landing week prior to the modification of the landing and possession limits. The reduction in landing and possession limits was expected to result in lower

catch rates and effort allowing the fishery to continue while not exceeding either quota.

The RA considered the quotas for Chinook and coho salmon stocks, the timing of the action relative to the length of the season, catch and effort to date, projected catch and effort under the proposed action, and other relevant factors like weather, and determined that the inseason action described above is necessary to meet management and conservation goals set preseason. This inseason action modified species caught and landed during specific seasons and the establishment or modification of limited retention regulations under 50 CFR 660.409(b)(1)(ii).

Inseason Action #13

Description of the action: Inseason action #13 modified the commercial salmon troll fishery. The area between the United States/Canada border and Cape Falcon was closed.

Effective dates: Inseason action #13 went into effect on August 28, 2025, and remained in effect until the end of the summer season.

Reason and authorization for the action: Inseason action #12 reduced the landing and possession limits for Chinook and coho salmon as they were both reaching their quotas. This dampened catch rates and prolonged season length and fishing opportunity. With a limited summer quota remaining, inseason action #13 was necessary to ensure that Chinook and coho quotas were not exceeded, consistent with 50 CFR 660.409(a).

Inseason Action #14

Description of the action: Inseason action #14 modified the salmon recreational fishery. The subarea between Cape Falcon and Leadbetter Point (Columbia River subarea) was opened to fishing for salmon. Two salmon per day, no more than one of which may be a Chinook salmon. All coho salmon must be marked with a healed adipose fin clip.

Effective dates: Inseason action #14 went into effect at 12:01 a.m. on August 30, 2025, and remained in effect until 11:59 p.m. on August 30, 2025.

Reason and authorization for the action: The recreational ocean salmon fishery in the Columbia River subarea was closed on August 19, 2025, as it was anticipated that the coho salmon quota would be reached. Catch and remaining quota calculations determined that 93 percent of the coho salmon quota had been taken, leaving approximately 3,400 coho salmon remaining. Reopening the fishery for 1 day over the weekend allowed for access to the remaining quota, while minimizing the risk of exceeding the quota.

The RA considered the quotas for Chinook and coho salmon stocks, the timing of the action relative to the length of the season, catch and effort to date, projected catch and effort under the proposed action compared with the remaining quota, and other relevant factors like weather, and determined that the inseason action described above is necessary to meet management and conservation goals set preseason. This inseason action modified quotas and/or fishing seasons under 50 CFR 660.409(b)(1)(i).

Inseason Action #15

Description of the action: Inseason action #15 modified the recreational fishery. The subarea between Cape Falcon and Leadbetter Point (Columbia River subarea) was closed. Possession of salmon on board a vessel was prohibited in the Columbia River subarea.

Effective dates: Inseason action #15 went into effect at 12:01 a.m. on August 31, 2025, and remained in effect until September 30, 2025.

Reason and authorization for the action: After a 1-day opening to access the remining coho salmon quota, it was projected that the quota would be reached if another day of fishing was allowed, therefore the recreational fishery in the Columbia River subarea was closed to avoid exceeding the quota, consistent with 50 CFR 660.409(a).

Inseason Action #16

Description of the action: Inseason action #16 modified the SOF recreational fishery from Cape Falcon to Humbug Mountain. This action increased the non-mark selective coho quota from 30,000 to 33,930 through an impact-neutral rollover of 3,930 unused mark-selective coho salmon from the previous fishing period.

Effective dates: Inseason action #16 took effect on September 1, 2025, and remained in effect until September 30, 2025.

Reason and authorization for the action: This impact-neutral rollover of unutilized quota was anticipated in the Pacific Salmon Fishery Management Plan (FMP) and the 2025 ocean salmon regulations (50 CFR 660.409(b); *see also* 90 FR 20819, May 16, 2025). The STT calculated that an impact-neutral (not affecting the level of impact on the affected stocks) rollover of the unutilized coho salmon would add 3,930 coho salmon from the summer mark-selective (fin-clipped) fishery from May 16, 2025, through July 15, 2025, to the non-mark-selective coho salmon fishery from September fishery from September 1, 2025, through September 30, 2025. This action adjusted the non-mark-selective coho salmon fishery quota of 30,000 to an adjusted September quota of 33,930 coho salmon. An impact-neutral rollover utilized unused quota allowing for the maximum possible opportunity to fisheries while staying within the conservation goals set preseason.

The RA determined that this inseason action is necessary to meet management and conservation goals for the 2025-early 2026 management measures after considering the best available information on the quotas for coho salmon stocks, remaining quota, effects on coho conservation objectives and the other factors and considerations set forth in 50 CFR 660.409. This inseason action modified quotas and/or fishing seasons as authorized under 50 CFR 660.409(b)(1)(i).

Inseason Action #17

Description of the action: Inseason action #17 modified the NOF recreational fishery. The subarea between the Queets River to Cape Alava (La Push subarea) was closed.

Effective dates: Inseason action #17 was effective at 12:01 a.m., on September 2, 2025, and remained in effect until the end of the summer season.

Reason and authorization for the action: The recreational catches in the La Push subarea between August 18, 2025, through August 24, 2025, had a cumulative Chinook salmon total of 1,166 (51 percent of the Chinook salmon guideline) and a cumulative coho salmon total of 2,029 (78 percent of the coho quota). Based on season projections, WDFW proposed, and NMFS concurred, that closing the recreational salmon fishery September 2, 2025, allowed the fishery to maximize catch of the remaining available coho salmon guideline and Chinook salmon quota while remaining within conservation objectives. This inseason action modified quotas and/or fishing seasons under 50 CFR 660.409(b)(1)(i).

Inseason Action #18

Description of the action: Inseason action #18 modified the landing and possession limit for the commercial salmon troll fishery in the area NOF.

Effective dates: Inseason action #18 took effect for the following areas and dates and remained in effect until stated.

- Effective at 1:00 p.m., August 29, 2025, through 11:59 p.m., September 15, 2025, the commercial salmon troll fishery in the subareas between the

United States/Canada border and Leadbetter Point (Neah Bay, La Push, and Westport subareas) was open Fridays through Tuesdays, closed Wednesdays and Thursdays. The landing and possession limit was 15 Chinook salmon and 7 adipose-marked coho salmon per vessel per open period (Friday–Tuesday).

- Effective at 1:00 p.m., August 29, 2025, through 11:59 p.m., September 30, 2025, the commercial salmon troll fishery in the subarea between Leadbetter Point and Cape Falcon (Columbia River subarea) was open Fridays through Tuesdays, closed Wednesdays and Thursdays. The landing and possession limit was 15 Chinook salmon and 7 adipose-marked coho salmon per vessel per open period (Friday–Tuesday).

Reason and authorization for the action: As of August 29, 2025, in the area NOF, the Chinook salmon catch was 24,012 on a summer season quota of 24,450, with 438 Chinook salmon remaining on the quota. The adipose-marked coho salmon cumulative total was 8,112 on an adipose-marked coho quota of 8,280, with 168 remaining on the adipose-marked coho quota. Reopening the commercial salmon troll fishery with very restrictive landing and possession limits for Chinook and coho salmon allowed the fishery to re-open without exceeding the remaining limited amount of quota.

The RA considered the quotas for Chinook and coho salmon stocks, the timing of the action relative to the length of the season, catch and effort to date, projected catch and effort under the proposed action, and other relevant factors like weather, and determined that the inseason action described above is necessary to meet management and conservation goals set preseason. This inseason action modified species caught and landed during specific seasons and the establishment or modification of limited retention regulations under 50 CFR 660.409(b)(1)(ii).

Inseason Action #19

Description of the action: Inseason action #19 modified the commercial salmon troll fishery in the area between the United States/Canada border and Cape Falcon, OR. The landing and possession limits for all subareas NOF were modified to 10 Chinook salmon and 4 adipose-marked coho salmon per vessel for the entire open period.

Effective dates: Inseason action #19 was effective at 12:01 a.m., on September 5, 2025, and remained in effect until 11:59 p.m., September 10, 2025.

Reason and authorization for the action: Inseason action #19 was necessary to further reduce the landing and possession limit for the area NOF to allow the commercial salmon troll fishery access to the remaining quota. Harvest of Chinook salmon through August 28 obtained 99 percent of the 24,450 Chinook quota and obtained 99 percent of the 8,280 adipose-marked coho quota. Such low landing limits and declining effort allowed for more fishing opportunity without exceeding what very little remained of the quotas.

The RA considered the quotas for Chinook and coho salmon stocks, the timing of the action relative to the length of the season, catch and effort to date, projected catch and effort under the proposed action, and other relevant factors like weather, and determined that the inseason action described above is necessary to meet management and conservation goals set preseason. This inseason action modified species caught and landed during specific seasons and the establishment or modification of limited retention regulations under 50 CFR 660.409(b)(1)(ii).

Inseason Action #20

Description of the action: Inseason action #19 modified the commercial salmon troll fishery. The area between the United States/Canada border and Cape Falcon OR, was closed.

Effective dates: Inseason action #20 was effective at 12:01 a.m., on September 11, 2025, and remained in effect until the end of the summer season.

Reason and authorization of the action: In the landing week from September 5, 2025, through September 10, 2025, the Chinook salmon harvest was 24,225 on a quota of 24,450 (99.1 percent of the quota) and a coho salmon harvest of 8,217 on a quota of 8,280 (99.2 percent of the quota). Inseason action #20 was necessary to avoid exceeding the NOF commercial salmon troll fishery quota set preseason, consistent with 50 CFR 660.409(a).

Inseason Action #21

Description of the action: Inseason action #21 modified the recreational salmon fishery. The area between Cape Alava and the United States/Canada border (Neah Bay subarea) was closed.

Effective dates: Inseason action #21 went into effect on September 7, 2025, and remained in effect until the end of the summer season.

Reason and authorization of the action: In the Neah Bay subarea, harvest of Chinook salmon through August 28, 2025, was 99 percent of the 24,450 Chinook salmon quota, and 99 percent of the 8,280 adipose-clipped coho salmon quota. Closing the fishing ensured that quotas were not exceeded, consistent with 50 CFR 660.409(a).

Inseason Action #22

Description of the action: Inseason action #22 closed the recreational ocean salmon fishery from the Point Reyes, CA to Point Sur, CA.

Effective dates: Inseason action #22 took effect at 12:01 a.m., on September 29, 2025, and remained in effect until stated.

- The recreational ocean salmon fishery between Point Reyes and Pigeon Point, previously scheduled for September 29, 2025, through September 30, 2025, October 1, 2025, through October 5, 2025, and October 27, 2025, through October 31, 2025, was closed.
- The recreational ocean salmon fishery between Pigeon Point and Point Sur, previously scheduled for September 29, 2025, through September 30, 2025, was closed.

Reason and authorization of the action: The 2025 California recreational ocean salmon fall fishery season was structured under a 7,500 Chinook salmon harvest guideline applicable to the September through October season dates. Some subareas in the fishery opened September 4, 2025, through September 7, 2025, and if the harvest guideline was not met, were scheduled to continue for September 29, 2025, through September 30, 2025, between Point Reyes and Point Sur, and for October 1, 2025, through October 5, 2025, and October 27, 2025, through October 31, 2025, between Point Reyes and Pigeon Point. CDFW estimates that 12,000 Chinook salmon were taken statewide by 12,400 anglers aboard both charter vessels and private skiffs, exceeding the fall fishery harvest guideline of 7,500 Chinook salmon. Therefore, the remaining September 2025 and October 2025 season dates previously scheduled are closed.

The RA considered the harvest guidelines for Chinook salmon stocks, catch and effort to date compared to the harvest guideline, and other relevant factors and determined that the inseason action described above was necessary given management and conservation goals set preseason. This inseason action modified quotas and/or fishing seasons under 50 CFR 660.409(b)(1)(i).

All other restrictions and regulations remain in effect as announced for the 2025–2026 ocean salmon fisheries (90 FR 20810, May 16, 2025; 90 FR 26943, June 25, 2025) 90 FR 51205, November 17, 2025; 90 FR 59740, December 22, 2025) except as previously modified by inseason actions.

As provided by the inseason notice procedures at 50 CFR 660.411, actual notice of the described regulatory actions was given, prior to the time the actions became effective, by telephone hotline numbers 206–526–6667 and 800–662–9825, and by United States Coast Guard Notice to Mariners broadcasts on Channel 16 VHF–FM and 2182 kHz.

Classification

NMFS issues these actions pursuant to section 305(d) of the MSA. These actions were authorized by 50 CFR 660.409, which was issued pursuant to section 304(b) of the MSA, and are exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(3)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment would be impracticable and contrary to the public interest. Prior notice and opportunity for public comment on this action was impracticable because NMFS had insufficient time to provide for prior notice and the opportunity for public comment between the time Chinook and coho salmon abundance, catch, and effort information were developed and fisheries impacts were calculated, and the time the fishery modifications had to be implemented in order to ensure fishing opportunity consistent with conservation needs and management objectives, and/or fisheries are managed consistent with quotas and conservation objectives. There is a heightened need to respond quickly to inseason information about the salmon fishery because fish migrate quickly through the Exclusive Economic Zone (EEZ) and the mix of stocks in the EEZ shifts throughout the season, thus the time available between the time new information about the fishery becomes available and the opportunity to act effectively on that information is short. By the time public notice and comment would be completed, the mix of stocks in the fishery would have changed such that inseason action would be ineffective and potentially harmful. Therefore, NMFS determined that waiving notice and comment in order to respond to updated information indicating the need for immediate action to provide fishing opportunity consistent with quotas and conservation objectives, or to avoid exceeding quotas, served the public interest. As previously noted, actual notice of the regulatory action was provided to fishers through telephone hotlines and radio notifications. These actions comply with the requirements of the annual management measures for ocean salmon fisheries (90 FR 20810, May 16, 2025), the FMP, and regulations implementing the FMP under 50 CFR 660.409 and 660.411.

There is good cause under 5 U.S.C. 553(d)(3) to waive the 30-day delay in effective date, because as described above, a delay in effectiveness of this action would allow fishing at levels inconsistent with the goals of the FMP and the current management measures.

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

Dated: March 18, 2026.

David R. Blankinship,

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

[FR Doc. 2026–05504 Filed 3–19–26; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 91, No. 54
Friday, March 20, 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 AGRICULTURE

Agricultural Marketing Service

7 CFR Part 981

[Doc. No. AMS–SC–25–0016]

Almonds Grown in California; Amendment to the Marketing Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This proposed rule invites comments on a proposed amendment to Marketing Order No. 981, which regulates the handling of almonds grown in California. The proposed amendment would establish the authority to borrow funds from a commercial lending institution.

DATES: Comments must be received by May 19, 2026.

ADDRESSES: Interested persons are invited to submit written comments concerning this proposed rule. Comments can be sent to the Docket Clerk, Market Development Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW, STOP 0237, Washington, DC 20250–0237. Comments can also be sent to the Docket Clerk electronically by email: *MarketingOrderComment@usda.gov* or via the internet: *https://www.regulations.gov.* Comments should reference the document number, the date and page number of this issue of the **Federal Register**. Comments submitted in response to this proposed rule will be included in the record and will be made available to the public and can be viewed at: *https://www.regulations.gov.* Please be advised that comments are posted to *regulations.gov* without change.

FOR FURTHER INFORMATION CONTACT: Taylor Johnson, Marketing Specialist, or Matthew Pavone, Chief, Rulemaking Services Branch, Market Development Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW, Stop 0237, Washington, DC 20250–0237; telephone: (202) 720–2491, fax: (202) 720–8938, or email: *MarketOrderComment@usda.gov.*

SUPPLEMENTARY INFORMATION: This action, pursuant to 5 U.S.C. 553, proposes to amend regulations issued to carry out a marketing order as defined in 7 CFR 900.2(j). This proposed rule is issued under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674) (the Act), amending Marketing Order No. 981 (7 CFR part 981; the Order), regulating the handling of almonds grown in California. The Almond Board of California (Board) locally administers the Order and is comprised of growers and handlers of almonds operating within California.

Section 608c(17) of the Act (7 U.S.C. 608c(17)) and the applicable rules of practice and procedure at 7 CFR 900.43 authorize amendment of the Order through this informal rulemaking action. The Agricultural Marketing Service (AMS) will consider comments received in response to this proposed rule and, based on all the information available, will determine if the amendment is warranted. If AMS determines amendment of the Order is warranted, a subsequent proposed rule and notice of referendum would be issued, and growers would be allowed to vote for or against the proposed Order amendment. AMS would then issue a final rule effectuating any amendments favored in the referendum.

This action is exempt from the Office of Management and Budget (OMB) review process required by Executive Order 12866. This rule amends existing Marketing Order No. 981, as amended (7 CFR part 981), Almonds Grown in California, and is necessary for the continued operation of Marketing Order No. 981. Additionally, this action is exempt from the requirements of Executive Order 14192, ''Unleashing Prosperity Through Deregulation,'' pursuant to section 5(c).

This proposed rule has been reviewed under Executive Order 13175, ''Consultation and Coordination with Indian Tribal Governments,'' which requires Federal agencies to consider whether their rulemaking actions would have Tribal implications. AMS has determined that this rule is unlikely to have substantial direct effects 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.

This proposed rule has been reviewed under Executive Order 12988, ''Civil Justice Reform.'' This proposed rule is not intended to have retroactive effect. This proposed rule shall not be deemed to preclude, preempt, or supersede any State program covering almonds grown in California.

Section 608c(17) of the Act (7 U.S.C. 608c(17)) and the supplemental rules of practice at 7 CFR 900.43 authorize the use of informal rulemaking (5 U.S.C. 553) to amend Federal fruit, vegetable, and nut marketing agreements and orders. In determining whether informal rulemaking is appropriate, USDA is required to consider the nature and complexity of the proposed amendments, the potential regulatory and economic impacts on affected entities, and any other relevant matters.

AMS has considered these factors and has determined that the amendment proposed herein is not unduly complex and the nature of the proposed amendment is appropriate for utilizing the informal rulemaking process to amend the Order. A discussion of the potential regulatory and economic impacts on affected entities is discussed later in the ''Initial Regulatory Flexibility Analysis'' section of this proposed rule.

The Board discussed the proposal at length at its meeting held on August 8, 2024. Following that meeting, the Board voted on the proposed amendment to the Order, nine in favor and one opposed, by electronic vote distributed on August 19 and concluded on August 28, 2024.

Proposal—Seasonal Line of Credit

Section 981.81 of the Order authorizes the collection of assessments from almond handlers to provide funds to meet authorized Board expenses and the operating reserve requirements. This proposal would establish § 981.81(f), to authorize the Board to borrow funds from a commercial lending institution through a seasonal line of credit. The authority to borrow would provide short term funds to address cashflow constraints associated with the timing of program expenditures and revenue collection. This would ensure continuity in operations and Board functions, such as during the first few months of the marketing year when new crop is received but no assessment

revenue is collected. Borrowed funds would be repaid within a maximum period of 12 months.

The topic of borrowing authority previously appeared before California almond growers as a proposed amendment to the Order during a proposed rulemaking in April 2023 (88 FR 25559) and subsequent referendum order (88 FR 68500) conducted by USDA between October 30 and November 20, 2023. The proposal to add borrowing authority to the Order received the support of 63.59% of almond growers voting, representing 56.15% of the production volume. To be enacted, at least two-thirds of the growers voting, or at least two-thirds of the volume represented by those growers voting, would need to vote in favor of a proposal. The outcome fell just shy of these thresholds and was not enacted.

The Board reviewed and discussed borrowing authority over several meetings in 2023 and 2024 to identify the underlying cause of the failed amendment. It was determined the cause of the failed amendment was a combination of grower confusion with the regulatory language that appeared on the ballot and a lack of coordinated communication with stakeholders. Despite the failure, the Board maintained that having borrowing authority would allow it to better manage approved expenditures within its established internal control policies, and would help maintain cash flow.

As almond tonnage and assessment revenue have increased since the Order's promulgation, the industry has approved increasingly larger budgets which have year-round financial commitments. However, growers do not necessarily deliver the entire assessable crop at one time, nor do handlers have the facilities to process the entire crop at one time, and handlers instead purchase and market almonds throughout the production cycle. As a result, only about 18 percent of assessment revenue is paid to the Board when the first crop year assessment invoice is sent to handlers in October. Subsequently, the Board invoices for assessments in the second and third quarters of the crop year. Yet, many research activities and marketing programs are initiated early in the crop year, necessitating payment when services are performed, often well before the first assessments are received from October invoices. Although the Board currently maintains a reserve fund to help pay for early expenses, this fund is insufficient to advance some of the necessary payments. Authorizing the Board to borrow from commercial lending institutions would help it manage and sustain program activities during times of cash flow deficiencies.

Board members further noted that the ability to borrow against a line of credit is a common tool authorized in other Federal marketing orders, especially to accommodate expenses when the assessment revenue necessary to pay such expenses is not received until later in the year.

While addressing general business concerns about the potential risks associated with debt financing, the Board agreed that its internal control policies would be revised to reflect the new borrowing authorities. Notably, the Board stressed that these policies would include: monitoring by the finance department to take interest rates, debt levels, and timing of loans into consideration; allowing the lending institution to determine the maximum line of credit available; making the amount of credit needed proportional to the net position; and, ensuring line of credit advances are short term in nature, with preferred lengths and timelines to be decided by the industry-led finance and audit committee. The Board continues to believe that this proposal would make the Board more operationally efficient while not exceeding approved crop year budget ceilings. The Board does not anticipate this amendment to negatively impact California almond growers or handlers of any size.

Initial Regulatory Flexibility Analysis

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612), AMS has considered the economic impact of this proposed rule on small entities. Accordingly, AMS has prepared this initial regulatory flexibility analysis.

The purpose of the RFA is to fit regulatory actions to the scale of businesses subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act are unique in that they are brought about through group action of essentially small entities acting on their own behalf.

There are approximately 7,596 almond growers in the production area and 100 handlers subject to regulation under the Order. At the time this analysis was prepared, the Small Business Administration (SBA) defined small agricultural producers of almonds as those having annual receipts equal to or less than $3,750,000 (North American Industry Classification System (NAICS) code 111335, Tree Nut Farming). Small agricultural service firms, which include almond handlers, are defined by the SBA as those having annual receipts equal to or less than $34,000,000 (NAICS code 115114, Postharvest Crop Activities) (13 CFR 121.201).

To estimate the number of almond growers that would be considered small businesses per the SBA definition, AMS calculates the acreage required to produce the volume of almonds at an average price to reach the $3.75 million threshold. Due to the alternate-bearing nature of almonds, a two-year average is used to estimate price and yield, based on the most recent National Agricultural Statistics Service (NASS) data for 2023 and 2024. Based on a two-year average price of $1.93 per pound, shelled, and a two-year average yield of 1,880 pounds per acre, shelled, an almond grower would need more than 1,033 bearing acres to exceed the SBA threshold of $3.75 million ($3.75 million divided by $1.93 per pound, divided by 1,880 pounds per acre). According to the 2022 Census of Agriculture, 134 farms had almond acreage of 1,500 acres or more. This means that of the 7,596 growers in California, at least 98 percent of them would be considered small businesses.

To estimate the number of almond handlers that would be considered small businesses, per the SBA definition, AMS calculates total handler revenue using AMS Market News terminal market prices for almonds and for total California almond production, reported by NASS. The 2024 average terminal market price, used as a proxy for handler price, for almonds grown in California was $2.82 per pound. Total 2024 California production of almonds was 2.73 billion pounds, shelled. Assuming that all California almonds were processed by domestic handlers, total handler revenue in 2024 is estimated to be nearly $7.7 billion ($2.82 per pound multiplied by 2.73 billion pounds). If total handler revenue were evenly distributed among the 100 handlers in the production region, then each handler would have a 2024 annual receipt of nearly $77 million ($7.7 billion divided by 100 handlers), surpassing the $34 million threshold of the SBA definition of a small business. Therefore, based on this analysis, AMS estimates that most almond handlers would not be considered small businesses per the SBA definition.

This proposal would establish § 981.81(f) to authorize the Board to borrow funds from a commercial lending institution through a seasonal line of credit. The authority to borrow funds would provide necessary short term funds, given cashflow constraints associated with the timing of program

expenditures and revenue collection. This amendment would better ensure continuity in operations during periods when neither operating assessments nor reserve funds are sufficient to fund the Board functions. Borrowed funds would be repaid within a maximum period of 12 months.

The Board noted that the ability to borrow against a line of credit is a common tool authorized in other Federal marketing orders, especially to accommodate expenses when the assessment revenue necessary to pay such expenses is not received until later in the year.

While addressing general business concerns about the potential risks associated with debt financing, the Board agreed that its internal control policies would be revised to reflect the new borrowing authorities. Notably, the Board stressed that these policies would include: monitoring by the finance department to take interest rates, debt levels, and timing of loans into consideration; allowing the lending institution to determine the maximum line of credit available; making the amount of credit needed proportional to the net position; and, ensuring line of credit advances are short term in nature, with preferred lengths and timelines to be decided by the industry-led finance and audit committee. The Board continues to believe that this proposal would make the Board more operationally efficient while not exceeding approved crop year budget ceilings. The Board does not anticipate this to negatively impact California almond growers or handlers of any size.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), the Order's information collection requirements have been previously approved by OMB and assigned OMB No. 0581–0178, Vegetable and Specialty Crops. No changes in those requirements are necessary because of this proposed rule. Should any changes become necessary, they would be submitted to OMB for approval.

This proposed rule would not impose any additional reporting or recordkeeping requirements on either small or large almond handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies.

AMS is committed to complying with the E-Government Act, to promote the use of the internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

AMS has not identified any relevant Federal rules that duplicate, overlap, or conflict with this proposed rule.

The Board's meetings are widely publicized throughout the California almond production area. All interested persons are invited to attend the meetings and encouraged to participate in Board deliberations on all issues. Like all Board meetings, the meeting held on August 8, 2024, was public, and all entities, both large and small, were encouraged to express their views on the proposed amendment.

Interested persons are invited to submit comments on the proposed amendment to the Order, including comments on the regulatory and information collection impacts of this action on small businesses.

Following analysis of any comments received on the amendment discussed in this proposed rule, AMS will evaluate all available information and determine whether to proceed. If appropriate, AMS would publish a proposed rule and notice of referendum, and growers could vote for or against the proposed amendment. AMS would publish information about the referendum, including dates and voter eligibility requirements, in a future issue of the **Federal Register**. AMS would then publish a final rule to effectuate any amendment favored in the referendum.

General Findings

The findings hereinafter set forth are supplementary to the findings and determinations which were previously made in connection with the issuance of Marketing Order 981; and all said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

1. Marketing Order 981 as hereby proposed to be amended and all the terms and conditions thereof, would tend to effectuate the declared policy of the Act;

2. Marketing Order 981 as hereby proposed to be amended regulates the handling of almonds grown in California and is applicable only to persons in the respective classes of commercial and industrial activity specified in the Order;

3. Marketing Order 981 as hereby proposed to be amended is limited in application to the smallest regional production area which is practicable, consistent with carrying out the declared policy of the Act, and the issuance of several marketing orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the Act;

4. Marketing Order 981 as hereby proposed to be amended prescribes, insofar as practicable, such different terms applicable to different parts of the production area as are necessary to give due recognition to the differences in the production and marketing of almonds produced or packed in the production area; and

5. All handling of almonds grown or handled in the production area, as defined in Marketing Order 981, is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

A 60-day comment period is provided to allow interested persons to respond to this proposal. Any comments received on the amendment proposed in this rule will be analyzed, and if AMS determines to proceed based on all the information presented, a grower referendum would be conducted to determine grower support for the proposed amendment. If appropriate, a final rule would then be issued to effectuate the amendment favored by growers participating in the referendum.

List of Subjects in 7 CFR Part 981

Marketing agreements, Nuts, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, AMS proposes to amend 7 CFR part 981 as follows:

PART 981—ALMONDS GROWN IN CALIFORNIA

■ 1. The authority citation for part 981 continues to read as follows:

Authority: 7 U.S.C. 601–674.

■ 2. In § 981.81, add paragraph (f) to read as follows:

§ 981.81 Assessment.

* * * * *

(f) *Seasonal Line of Credit.* To provide short term funds given cashflow constraints associated with the timing of program expenditures and revenue collection. The Board may borrow money from a commercial lending institution for such purposes; funds will be repaid within a maximum of 12 months.

Erin Morris,

Administrator, Agricultural Marketing Service.

[FR Doc. 2026–05542 Filed 3–19–26; 8:45 am]

BILLING CODE P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

Proposed Amendment of Class C Airspace at Raleigh-Durham International Airport, NC; Public Meeting

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of meeting.

SUMMARY: This notice announces a fact-finding informal airspace meeting regarding a plan to amend Class C airspace at Raleigh-Durham International Airport, NC (KRDU). The purpose of the meeting is to provide relevant information about the proposal and solicit aeronautical comments of its effects on local aviation operations. Comments received during the meeting and the associated comment period will be considered prior to the issuance of any notice of proposed rulemaking (NPRM).

DATES: The meeting will be held virtually on May 6, 2026, from 5 p.m. to 7 p.m. (Eastern Time). Comments must be received on or before June 5, 2026.

ADDRESSES: Send comments on the proposal to Andreese Davis, Acting Group Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; or via email to: *9-AJO-RDU-Class-C-Comments@faa.gov.*

FOR FURTHER INFORMATION CONTACT: Ann Leaf, Air Traffic Manager, FAA Raleigh ATCT 1000, Sawyer Circle, Morrisville, NC 27560–7688. Telephone Number: 919–380–3113, email: *Ann.Leaf@faa.gov.*

SUPPLEMENTARY INFORMATION:

Meeting Procedures

The meeting will provide interested parties with an opportunity to present views, recommendations, and comments on the proposed airspace changes. This informal airspace meeting will be conducted in a virtual format using the Zoom teleconferencing tool. The meeting will also be recorded and available to watch on the FAA YouTube channel.

(a) *Registration*: To make a presentation at the meeting, you must register on or before May 5, 2026. To attend the meeting without making a presentation, the public can register here at any point prior to the start of the meeting within the space constraints: *https://airportnetwork.zoom.us/webinar/register/WN_OZqxSoi7Ruq2p27_2aMmSA.*

(b) The meeting will be open to all persons on a space-available basis. There will be no admission fee or other charge to attend and participate. The meeting will be informal in nature and conducted by one or more representatives of the FAA's Air Traffic Organization Eastern Service Area. A representative from the FAA will present a briefing on the planned airspace prior to opening the meeting to public comments.

(c) Each participant will be given an opportunity to deliver comments or make a presentation, although a time limit may be imposed to accommodate other speakers and closing times. Only comments concerning the plan to amend the Raleigh-Durham International Airport Class C airspace area will be accepted.

(d) Each person wishing to make a presentation will be asked to note their intent when registering for the meeting so appropriate time limits, if any, can be established. This meeting will not be adjourned until everyone who pre-registered to speak has had an opportunity to address the panel. This meeting may be adjourned at any time if all persons who so desire have had an opportunity to speak.

(e) Position papers or other handout material relating to the substance of the meeting will be accepted. Participants submitting papers or handout materials should send them to the physical or email address noted in the **ADDRESSES** section above. To be considered, such material must be received on or before the June 5, 2026, comment deadline noted in the **DATES** section above.

(f) This meeting will be formally recorded and available on the FAA YouTube channel. A summary of the comments made at the meeting will be filed in the rulemaking docket.

Information gathered through this meeting will assist the FAA in considering the proposal and drafting an NPRM, if any, that would be published in the **Federal Register**. The public will be afforded a separate opportunity to comment on any NPRM published on this matter.

A graphic depiction of the proposed airspace modifications may be viewed at the following URL: *https://www.faa.gov/air_traffic/community_engagement/rdu.*

Agenda for the Meeting

- Presentation of Meeting Procedures
- Informal Presentation of the proposed Class C Airspace area
- Public Presentations
- Discussions and Questions
- Closing Comments

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

Issued in Washington DC, on March 17, 2026.

Alex W. Nelson,

Manager, Rules and Regulations Group.

[FR Doc. 2026–05494 Filed 3–19–26; 8:45 am]

BILLING CODE 4910–13–P

LIBRARY OF CONGRESS

Copyright Office

37 CFR Parts 201, 202, and 203

[Docket No. 2026–2]

Copyright Office Fees

AGENCY: U.S. Copyright Office, Library of Congress.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Copyright Office proposes the adoption of a new fee schedule. The Office last adjusted fees in 2020, based on a study of its fiscal 2016 and 2017 costs. Since that time, the costs of providing Office services have risen substantially due to inflation and other increases. The proposed fees are intended to enable recovery of a percentage of the Office's costs, closer to historical levels, without imposing undue barriers to access its services. The Office welcomes public comment on the proposed changes in advance of submission of the fee schedule to Congress.

DATES: Written comments must be received no later than 11:59 p.m. Eastern Time on May 4, 2026.

ADDRESSES: For reasons of government efficiency, the Copyright Office is using the *regulations.gov* system for the submission and posting of public comments in this proceeding. All comments should be submitted electronically through *regulations.gov.* Specific instructions for submitting comments are available on the Copyright Office website at *http://copyright.gov/rulemaking/feestudy2026.* If electronic submission of comments is not feasible due to lack of access to a computer or the internet, please contact the Office using the contact information below for special instructions.

FOR FURTHER INFORMATION CONTACT: Rhea Efthimiadis, Assistant to the General Counsel, by email at *meft@copyright.gov,* or by telephone at 202–707–8350.

SUPPLEMENTARY INFORMATION: The Copyright Office last adjusted its fee

schedule in March 2020 based on a multi-year study of the Office's fiscal 2016 and 2017 costs.[1] Since that time, both inflation and the costs of providing Office services have risen substantially. To maintain fiscally responsible operations at a level commensurate with stakeholder demand for services, and in recognition of actual to-date cost increases and projected inflation, the Office proposes fee adjustments. The Office's goal is to restore recovery of the historically higher percentage of its actual expenses from fees in order to support its operations and provide high quality services to the public. This notice describes the Office's statutory authority in setting fees, outlines the methodology employed in studying its costs, and provides the justification for the proposed adjustments.

As discussed below, central to the Office's mission is ensuring that our fees do not impose undue barriers to access copyright services. While the fees proposed here fall far short of covering the Office's actual costs, we recognize that some of the increases are substantial and may impact some copyright stakeholders more than others. The Office is exploring ways to minimize this impact so that all stakeholders are able to use our services. Among other things, the Office will issue a Notice of Inquiry (''NOI'') on possible future alternative fee structures.[2] As discussed below, at least some such alternative fee structures are expected to be technically feasible within the Enterprise Copyright System (''ECS'') registration system now in development. The responses to the NOI will assist in determining which ones may be appropriate and desirable once ECS is fully operational.

I. Statutory Framework

The Copyright Act requires the Office to collect fees to apply toward the costs of providing certain services. The Act allows the Office to periodically adjust those fees, including for the following services enumerated in section 708:

(1) On filing an application under section 408 for registration of a copyright claim or for a supplementary registration, including the issuance of a certificate of registration if registration is made;

(2) On filing each application for registration of a claim for renewal of a subsisting copyright under section 304(a), including the issuance of a certificate of registration if registration is made;

(3) For the issuance of a receipt for a deposit under section 407;

(4) For the recordation, as provided by section 205, of a transfer of copyright ownership or other document;

(5) For the filing, under section 115(b), of a notice of intention to obtain a compulsory license;

(6) For the recordation, under section 302(c), of a statement revealing the identity of an author of an anonymous or pseudonymous work, or for the recordation, under section 302(d), of a statement relating to the death of an author;

(7) For the issuance, under section 706, of an additional certificate of registration;

(8) For the issuance of any other certification;

(9) For the making and reporting of a search as provided by section 705, and for any related services;

(10) On filing a statement of account based on secondary transmissions of primary transmissions pursuant to section 119 or 122; and

(11) On filing a statement of account based on secondary transmissions of primary transmissions pursuant to section 111.[3]

Fees for the services described in paragraphs (1) through (9) above are established in accordance with a statutorily mandated process. The Register must first ''conduct a study of the costs incurred by the Copyright Office for the registration of claims, the recordation of documents, and the provision of services.'' [4] The study is to ''consider the timing of any adjustment in fees and the authority to use such fees consistent with the budget.'' [5] On the basis of the study, the Register may ''adjust fees'' by regulation ''to not more than that necessary to cover the reasonable costs incurred by the Copyright Office for'' its services ''plus a reasonable inflation adjustment to account for any estimated increase in costs.'' [6] The Register must then prepare a proposed fee schedule and submit it with the accompanying economic analysis to Congress.[7] The proposed schedule may be instituted after the end of 120 days after submission unless, within that 120-day period, Congress enacts a law stating in substance that it does not approve it.[8]

Section 708 requires that fees under section 708(a)(1)–(9) ''be fair and equitable and give due consideration to the objectives of the copyright system.'' [9] Accordingly, the Copyright Office must consider not only the reasonable costs of services provided, but also the public interest.

The Copyright Act also authorizes the Register of Copyrights to establish fees for services other than those listed in paragraphs (1) through (9) of section 708(a). Though not subject to the procedural requirements of section 708(b), these fees are generally evaluated and adjusted as part of the fee study mandated by section 708(b) (as is the case here). First, paragraphs (10) and (11) of section 708(a) provide that the Copyright Office's Licensing Section may charge filing fees for the statements of account that cable and satellite companies must submit under the statutory licenses in sections 111, 119, and 122 for the secondary transmissions of primary broadcast television transmissions.[10] Such filing fees must ''be reasonable and may not exceed one-half of the cost necessary to cover reasonable expenses incurred by the Copyright Office for the collection and administration of the statements of account and any royalty fees deposited with such statements.'' [11] Second, section 708 authorizes the Register to set fees for any ''other services,'' such as ''preparing copies of Copyright Office records,'' and states that these fees must be ''based on the cost of providing the service.'' [12] Various other provisions of the Copyright Act outside section 708 authorize the establishment of fees for specific services and require fees to be set based on costs.[13]

The Register has ''wide discretion to adjust Copyright Office fees by regulation.'' [14] In 1997, Congress amended section 708 specifically to grant the Register broad discretion and permanent authority to set fees for the Office.[15] The statute generally instructs the Register to set fees at a level that

[1] 85 FR 9374 (Feb. 19, 2020) (effective Mar. 20, 2020); Booz Allen Hamilton, *2017 Fee Study Report* (2017), *https://www.copyright.gov/rulemaking/feestudy2018/fee_study_report.pdf.*

[2] *See infra* Part III.A.1.iii.

[3] 17 U.S.C. 708(a).

[4] *Id.* at 708(b)(1).

[5] *Id.*

[6] *Id.* at 708(b)(2).

[7] *Id.* at 708(b)(5).

[8] *Id.*

[9] *Id.* at 708(b)(4).

[10] *Id.* at 708(a)(10), (11).

[11] *Id.* at 708(a).

[12] *Id.*

[13] *See, e.g., id.* at 104A(e)(1)(C) (''The Register of Copyrights is authorized to fix reasonable fees based on the costs of receipt, processing, recording, and publication of notices of intent to enforce a restored copyright and corrections thereto.''); *id.* at 512(c)(2) (requiring the Register to ''maintain a current directory of agents'' designated to receive notifications of claimed infringement, and authorizing the ''payment of a fee by service providers to cover the costs of maintaining the directory'').

[14] 2 Melville B. Nimmer & David Nimmer, Nimmer on Copyright sec. 7.24 (2013).

[15] *See* Act of Nov. 13, 1997, Public Law 105–80, 111 Stat. 1529, 1532 (1997); H.R. Rep. No. 105–25, at 16 (1997).

covers the Office's overall costs.[16] In doing so, she may set fees that account for the indirect costs of providing services, and use fee revenue from some services to offset losses from others in order to encourage the public to utilize them.[17]

II. Cost Study

Since Congress first gave the Register the authority to set and adjust fees, the Office has adjusted its fees approximately every three to five years. The last such adjustment went into effect in March 2020.

In August 2023, the Office initiated a new cost study by contracting with the Library of Congress's Federal Research Division (''FRD''), with oversight from the Office's Assistant Register and Director of Operations and the Chief Economist. Based on information gathered in its study, FRD ''conducted a comprehensive review of the full costs required [for the Office] to operate . . . and provide fee-based services, including current costs and future projected costs.'' [18] In addition to studying the Office's costs, FRD built a cost and revenue projection model.

A. Cost Study Methodology and Findings

FRD employed a mixed quantitative and qualitative methodology to assess the Office's costs.[19] To collect data, it began by building an instrument to measure the time employees spent processing fee-based services (''time-use data'') over a four-week period.[20] FRD deployed an additional survey to collect time-use data for conducting work on second appeals for registration claims.[21] For further quantitative analysis, it reviewed personnel cost records, non-personnel financial records, licensing fiduciary statements, annual report data, and transaction costs for receiving and shipping materials.[22] It conducted qualitative interviews to confirm or qualify the time-use data, gather additional context, and collect estimates for services where time-use data was not available.[23]

Using this data, FRD developed an original model for estimating the costs of the Office's fee-based services according to government-identified best practices.[24] The model incorporates both the direct and indirect costs of providing each service. Direct costs vary depending on service volume and are largely attributed to the paid time of the primary employee providing the service, calculated using 2025 General Schedule salary rates.[25] Indirect costs are fixed personnel and non-personnel costs that are required to operate the Office and support providing the service but are not directly attributable to the service.[26] Non-personnel indirect costs include the costs of IT infrastructure and modernization, office equipment, travel, and contract services.[27] Personnel indirect costs can include employees' paid time when not directly providing the service (*e.g.,* training, meetings, or leave) and the paid time of employees who support or oversee the fee-based service.[28] Indirect costs are allocated proportionally based on service volume and time spent providing the service.[29] To measure annual service volume, FRD calculated the average volume between fiscal years 2020 and 2024, when available.[30]

Across the Office, FRD estimated $15.6 million in annual direct costs and $81.8 million in annual indirect costs for its fee-based services.[31] This estimate accounts for $14,052,125 in direct costs and $16,565,171 in indirect costs for registration services; $1,316,863 in direct costs and $6,242,077 in indirect costs for copyright records services; $201,078 in direct costs and $943,583 in indirect costs for the Licensing Section's record request and filing services; and $48,097,279 in overhead operating expenses.[32]

In addition to estimating the costs of the Office's fee-based services, FRD determined that the median Consumer Price Index (''CPI''), a statistical measure of core inflation based on the median price change of goods and services, has increased approximately 23% since fees were last updated (between the years 2020 and 2025).[33] FRD further provided a conservative estimate of the projected year-over-year inflation at 3% for 2026 through 2030.

B. Further Methodology and Adjustments

The Office's fees are set to recoup a reasonable portion of costs while encouraging participation in the copyright system and maintaining a robust and accurate system of copyright records. When considering adjustments to the fee structure, in addition to cost considerations and inflation adjustments,[34] the Office must give ''due consideration to the objectives of the copyright system,'' [35] which include ''encourag[ing] the production of original literary, artistic, and musical expression for the good of the public.'' [36] Thus, setting fees involves considering at least two factors.

First, the Office's services help maintain the value and vitality of the copyright system. Copyright transactions are a substantial and economically significant portion of the nation's gross domestic product.[37]

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[16] *See* 17 U.S.C. 708(b)(1), (2) (providing that the Register ''may . . . adjust fees to not more than that necessary to cover the reasonable costs incurred by the Copyright Office'' for ''the registration of claims, the recordation of documents, and the provision of services''). In some limited circumstances, the statute specifies that the fees for a specific service may not exceed the cost of providing that service. For instance, the statute specifies that the statement of account filing fees under paragraphs (10) and (11) of section 708(a) ''may not exceed one-half of the cost necessary to cover reasonable expenses incurred by the Copyright Office for the collection and administration of the statements of account.'' *Id.* at 708(a).

[17] H.R. Rep. No. 105–25, at 16 (1997).

[18] Federal Research Division, *U.S. Copyright Office FY2024 Fee Study: Cost Assessment Report* 3 (2025) (''FRD Report''), *http://copyright.gov/rulemaking/feestudy2026.*

[19] A full description of FRD's cost assessment methodology is available in Appendix II of the FRD Report. *See id.* app. II.

[20] FRD distributed this data collection instrument to employees in the Office of Registration Policy and Practice (''RPP''), the Office of Copyright Records (''CR''), and the Licensing Section (''LS'').

[21] FRD distributed this additional survey to employees in the Office of the General Counsel and the Office of Policy and International Affairs.

[22] FRD Report app. II at 36–37.

[23] *Id.* at 41.

[24] *Id.* at 8 (noting guidance from the Federal Accounting Standards Advisory Board, the U.S. Government Accountability Office, and the Office of Management and Budget).

[25] *Id.* at 6, 12. Where applicable, direct costs also include the cost of receiving and sending physical materials related to registration and recordation services. *Id.* at 9.

[26] *Id.* at 7–8.

[27] *Id.* at 8–9, 16. IT modernization costs are allocated only to RPP and CR services. FRD did not allocate additional IT modernization costs to LS because the section spends its own separate budget for those costs. *Id.* at 16.

[28] *Id.* at 9, 14. The model incorporates three pools of indirect costs for RPP, CR, and LS and one overarching pool of indirect costs representing general overhead. *Id.* at 9.

[29] *Id.* at 7.

[30] *Id.* app. II at 39.

[31] *Id.* at 1.

[32] *Id.* at 32.

[33] *See id.* app. II at 39; *CPI Inflation Calculator,* U.S. Bureau of Lab. Statistics, *https://www.bls.gov/data/inflation_calculator.htm* (last visited Mar. 6, 2026).

[34] 17 U.S.C. 708(b)(1)–(2).

[35] *Id.* at 708(b)(4).

[36] *Fogerty* v. *Fantasy, Inc.,* 510 U.S. 517, 524 (1994); *see also* U.S. Copyright Office, *2022–2026 Strategic Plan: Fostering Creativity and Enriching Culture* (2022) (''Strategic Plan 2022''), *https://www.copyright.gov/reports/strategic-plan/USCO-strategic2022-2026.pdf* (''The Office's core services of registration, recordation, and statutory licensing play an important role in expanding culture and knowledge, supporting the ability to protect and exploit creative works while facilitating their dissemination through licensing and other lawful uses, here and abroad.'').

[37] According to one report, in 2023, core copyright industries added more than $2 trillion to the U.S. gross domestic product, or 7.66% of the U.S. economy. Int'l Intell. Prop. All., *Copyright Industries in the U.S. Economy: The 2024 Report* 1

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Participation in the voluntary copyright registration and recordation systems furthers important national objectives.[38] While registration is voluntary, it is often indispensable for authors who wish to protect their rights in the works they create. A registration certificate made before or within five years of publication constitutes ''prima facie evidence of the validity of the copyright and of the facts stated in the certificate.'' [39] A certificate or a refusal of registration is required for a copyright owner of a U.S. work to bring an infringement lawsuit in federal court.[40] Moreover, registration must be made in a timely manner to allow a copyright owner to seek statutory damages or attorneys' fees.[41] Enabling authors and their assignees to efficiently register their works is therefore vital to meaningful judicial remedies and securing the value of copyrights.

In addition, the Office's maintenance of a public database of copyright ownership serves the general public—users of copyrighted materials as well as copyright owners. A robust public record of copyright ownership and copyright status facilitates efficient marketplace transactions (and the corresponding dissemination of copyrighted works) and encourages development of innovative business models that rely on accurate information about the legal status of copyrighted works.

Copyright registration also provides significant benefits to the Library of Congress, which maintains an unparalleled collection of materials for the use of Congress and the American public. Through the copyright system, the Library receives books, motion pictures, sound recordings, and other works that build its collection.[42] In fiscal year 2024 alone, the value of the materials that the Office provided to the Library was estimated at approximately $57.3 million.[43] Copyright thus plays a pivotal role in fostering and preserving knowledge, ideas, and cultural identity for future generations.

Second, the Office is guided by the statutory goal of cost recovery, and seeks to optimize its revenue without lessening participation in the national copyright system. Use of the Office's primary services—including copyright registration and recordation—is mostly voluntary; if fees were set at the significantly higher levels needed for total cost recovery, that could result in a substantial decrease in the use of those services to the detriment of the public. Demand for the services varies depending on prices—if fees are set too high, potential users (including many non-profit or non-corporate users) may reduce their participation.

At the same time, the Office must bring in sufficient revenues to cover its expenses. From at least 2009 to 2018, the Office recovered approximately 60% of its actual expenses from fees,[44] and Congress appropriated the remainder. In recent years, however, the percentage of actual costs recovered from fees has decreased sharply; in fiscal year 2024, the Office recovered only 41% of its actual expenses from fees. In addition to inflation, several factors contribute to this precipitous decline. While budget activities, like labor and modernization, are generally appropriated by Congress, their costs often end up exceeding the appropriated amounts. In recent budget years, there have been significant gaps between the funding provided for salaries via continuing resolution and the amounts needed to implement mandatory federal pay raises. Thus, the Office must absorb these costs within its preexisting budget. Moreover, since 2019, with the support of Congress, the Office has dedicated substantial resources to modernizing its information technology. Congress has directed the Office to spend ''not less than'' certain appropriated amounts on ''modernization initiatives,'' [45] but we must supplement those amounts to keep pace with our timeline for ECS planning and development and to account for the increased costs of IT services as well as inflation.

In addition to overseeing the national copyright registration and recordation systems, the Office continues to perform its statutory functions by advising Congress on copyright policy and legislation; working with the courts, the Department of Justice, and other federal agencies on copyright litigation and international matters; conducting administrative and regulatory activity as required to administer the Copyright Act; educating the public about copyright; and improving its public-facing applications and enhanced services. The Office does so with the support of a modest budget,[46] and if we do not continue to recover a sufficient portion of our actual expenses through fees, will have no choice but to request additional appropriations from Congress.

III. The Office's Schedule of Proposed Fees

After evaluating FRD's cost study and considering the objectives of the Copyright Act,[47] policy goals, and overall fairness, as well as general guidance from the Government Accountability Office [48] and the Office of Management and Budget,[49] the Office proposes adjustments to our fee schedule. The Office analyzed potential changes to fees under section 708(a)(1)–(9) to ensure they remain ''fair and equitable and give due consideration to the objectives of the copyright system,'' as required by the statute. The proposed fee schedule ensures that the Office continues to be a prudent fiduciary of public funds while supporting the

(2024), *https://www.iipa.org/files/uploads/2025/02/IIPA-Copyright-Industries-in-the-U.S.-Economy-Report-2024_ONLINE_FINAL.pdf*. Core copyright industries also employed almost 11.6 million workers, who were paid an average of 50% more than the average U.S. annual wage. *Id.* According to statistics released by the Bureau of Economic Analysis, the digital economy is estimated to have accounted for 10% of the U.S. gross domestic product, or $2.6 trillion, in 2022. U.S. Bureau of Econ. Analysis, *Measuring the Digital Economy* (Dec. 6, 2023), *https://apps.bea.gov/scb/infographics/2024/0224-scb-infographic-digital-economy.pdf.*

[38] *See generally* Letter from Karyn A. Temple, Register of Copyrights & Dir., U.S. Copyright Office, to Thom Tillis, Chairman, S. Comm. on the Judiciary, Subcomm. on Intell. Prop., and Christopher A. Coons, Ranking Member, S. Comm. on the Judiciary, Subcomm. on Intell. Prop., Explanation of U.S. Copyright Office Registration Processes and Challenges, at 3–6 (May 31, 2019) (noting that registration, augmented by recordation, provides the public with authoritative information about millions of vetted copyright claims, promotes judicial efficiency in infringement actions, and assists the Library of Congress in growing its collections).

[39] 17 U.S.C. 410(c).

[40] *Id.* at 411(a). A purported copyright owner can still bring suit in federal court if the Copyright Office refuses registration, but the refusal must be issued before the claim is filed. *See Fourth Estate Pub. Ben. Corp.* v. *Wall-Street.com, LLC,* 586 U.S. 296, 308 (2019).

[41] 17 U.S.C. 412.

[42] Through copyright registration and the mandatory deposit provision of the copyright law, the Copyright Office acquires published copyrighted works that the Library of Congress can select for its collections. *See id.* at 407–408.

[43] U.S. Copyright Office, *Fiscal 2024 Annual Report* 5 (2025), *https://copyright.gov/reports/annual/2024/ar2024.pdf.*

[44] In the study of the Office's costs for the last fee adjustment, the external consultant likewise recommended that the Office target a 60% cost recovery from fees. Booz Allen Hamilton, *2017 Fee Study Report 2* (2017), *https://www.copyright.gov/rulemaking/feestudy2018/fee_study_report.pdf.*

[45] *See* Continuing Appropriations, Agriculture, Legislative Branch, Military Construction and Veterans Affairs, and Extensions Act, 2026, Public Law 119–37, 139 Stat. 578 (2025).

[46] *See generally* Continuing Appropriations, Agriculture, Legislative Branch, Military Construction and Veterans Affairs, and Extensions Act, 2026, Public Law 119–37, 139 Stat. 578 (2025).

[47] *See* 17 U.S.C. 708(b)(4) (requiring that fees for services specified in paragraphs (1)–(9) of subsection (a) ''be fair and equitable and give due consideration to the objectives of the copyright system'').

[48] *See* U.S. Gov't Accountability Office, *Federal User Fees: A Design Guide* (May 2008), *http://www.gao.gov/assets/210/203357.pdf.*

[49] Office of Mgmt. and Budget, *Circular No. A–25* (2017), *https://www.whitehouse.gov/wp-content/uploads/2017/11/Circular-025.pdf.*

policy goals of promoting creativity and enabling the effective exercise of rights.

Overall, the Office has determined that fees should be raised an average of 43% to account for increases in the cost of providing services. This reflects both historic inflation since the last fee study and anticipated inflation over the next three years. When looking at the cost data on which the last fee adjustment was based—dating back to as early as fiscal year 2016—the median CPI increased approximately 33%.[50] Going forward, year-over-year inflation is projected at 3% for 2026 through 2030, approximating 10% over the next three years.[51]

In preparing this proposal, the Office first considered inflation, and adjusted each fee ''to account for any estimated increase in costs.'' [52] We then determined the appropriate portion of costs to recover through each fee, based on its expected impact to the copyright system. For example, we generally apportioned more cost recovery to services that are primarily used by corporate organizations, and less to services used by individual creators.[53] Next, the Office categorized analogous services together (*e.g.,* group registration options) and set the same fee for each of them, where appropriate. For some services, amounts were further adjusted to incentivize or disincentivize their use. Finally, we reviewed each adjustment to assess its impact on projected revenue. Where significant cost-based increases would not result in additional projected revenue due to low service volume, we proposed only slight increases.

The Office estimates that revenues generated by these proposed fees would be roughly $51 million per year over the next five years (compared to the current schedule's projected $41 million per year), and would achieve approximately 53% projected cost recovery during the first year of implementation. While the proposed increase in fees may reduce service volume, at least temporarily, the decrease should be offset by a more consistent long-term level of cost recovery.

The Office seeks public comments on the proposed fee changes and will consider these comments as we finalize the fee schedule for submission to Congress.

A. Registration, Recordation, and Related Services

1. Basic and Group Registrations

i. Basic Registrations

Section 708(a)(1) requires the payment of fees ''on filing each application under section 408 for registration of a copyright claim or for a supplementary registration, including the issuance of a certificate of registration if registration is made.'' [54] While basic registration applications produce the highest volume of all the Office's fee-generating services, processing these claims also represents our largest cost center, accounting for approximately 30% of total expenditures.[55] Currently, the average cost recovery for Single and Standard applications stands at approximately 37% and 47%, respectively. These figures are well below the Office's historical cost recovery of 60% for most services.

The Office proposes increasing fees for Standard Applications and those submitted on paper, to begin to narrow the gap between their costs and fees. As to Standard Applications, we propose raising the fee primarily to account for the rising cost of goods and services due to inflation. The Office is currently recovering only 47% of its cost in processing claims submitted on the Standard Application.[56] We are proposing to increase this fee from $65 to $85—below the historical and projected inflation rate (43%) set forth above—to increase the cost recovery from 47% to an average 62% in the first year of the new fee term. The cost recovery for each subsequent year will be lower to the extent that the Office's costs continue to rise.

As to paper applications, the Office charges higher fees than for electronic applications, given the substantially higher costs of processing paper applications, and to incentivize use of the electronic system. We now propose to raise the fee for paper applications from $125 to $185, which is slightly above historical and projected inflation rate, but approximates the actual cost of this service. The Office has concluded that these proposed fees are ''fair and equitable, and give due consideration to the objectives of the copyright system.'' [57]

The Office also proposes eliminating the Single Application registration option.[58] Established via interim rule in 2013, the Single Application was introduced in response to a prior fee study.[59] It was intended to provide a lower cost option for registering simple claims involving one work by a single author who is the sole owner of all rights in the work. It cannot be used for claims involving multiple authors, different copyright owners, or complex forms of authorship.[60]

While the Single Application was intended to be a streamlined option, it has proven to be inefficient for both applicants and the Office. The Single Application results in the highest percentage of refusals among all types of registration applications,[61] as applicants routinely use it to submit works that do not fit its criteria.[62] The bulk of these refusals are on procedural grounds, regardless of whether the works themselves are copyrightable. Applicants seeking to remedy this type of error may resubmit their claims using a different registration application type, but in doing so they will incur additional fees.[63] The prevalence of

[50] *CPI Inflation Calculator,* U.S. Bureau of Lab. Statistics, *https://www.bls.gov/data/inflation_calculator.htm* (last visited Mar. 6, 2026). As noted earlier, the median CPI increased approximately 23% since the fee adjustment based on those costs went into effect in 2020. *Id.*

[51] *Id.*

[52] 17 U.S.C. 708(b)(2).

[53] In the tables below, the Office provides the actual costs associated with each fee.

[54] 17 U.S.C. 708(a)(1).

[55] FRD Report at 1–2.

[56] At the time of the last adjustment in 2020, the Office estimated a 69% cost recovery for the fee set for the Standard Application. U.S. Copyright Office, *Proposed Schedule and Analysis of Copyright Fees to Go into Effect in Spring 2020* at 24 (2019), *https://www.copyright.gov/rulemaking/feestudy2018/proposed-fee-schedule.*

[57] 17 U.S.C. 708(b)(4).

[58] If implemented, the Office would retire Circular 11 and remove the relevant sections of the *Compendium* that discuss the Single Application. Any draft Single Application that was previously created and saved in the electronic registration system would be permanently discarded.

[59] In 2012 the Office proposed to increase the fee for submitting an application through the electronic registration system—the first such increase since the system was introduced. 77 FR 3506 (Jan. 24, 2012); 77 FR 18743 (Mar. 28, 2012) (proposing to increase the fee for filing an electronic registration application from $35 to $65). The Office also proposed to create a new application with a lower filing fee which could be used to register one work by a single author. The Single Application was made available to the public in June 2013, and the filing fee for this service was set at $35.78 FR 38843, 38845 (June 28, 2013); 79 FR 15910 (Mar. 24, 2014).

[60] For example, the Single Application cannot be used to register works made for hire or works that contain material that was not created by the author named in the application. 37 CFR 202.3(b)(2)(i)(B)(1), (3).

[61] This issue has persisted despite efforts to refine the application and clarify the eligibility requirements. *See* 83 FR 5227 (Feb. 6, 2018) (detailing past effort to enhance Single Application in 2017 and proposing additional enhancements); 83 FR 66627 (Dec. 27, 2018) (final rule implementing proposed enhancements).

[62] In a few cases, the Office did not discover these defects until after the claim was approved, and as a result, the registration was cancelled. *See, e.g.,* VA0002207506, VA0002207503, VA0002207504 (cancelled because works made for hire cannot be registered with the Single Application).

[63] For instance, an applicant that initially submits a Single Application but, after refusal, resubmits the

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unqualified submissions results in an examination process that is not simpler than the Standard Application, but more cost- and resource-intensive. The average cost recovery for the Single Application is approximately 10% less than the average cost recovery for the Standard Application, representing a significant subsidy.

Over time, the Office has seen a consistent decrease in the use of the Single Application. It accounted for only 6% of the basic claims received between 2021 and 2024, and the number received has decreased year-over-year by about 24%.[64] At the same time, the Office has created more cost-effective options to benefit individual creators and small businesses, permitting the registration of groups of works for a single filing fee. We currently offer options to register most classifications of groups of unpublished and published works; and, as discussed below, we are taking steps to explore other alternative fee structures. Eliminating the Single Application will allow us to more efficiently process the more widely-used registration options.

Based on these considerations, the Office proposes the following increases to the fees for basic registration applications, to be codified in 37 CFR 201.3(c).

Basic registrations	Current fees ($)	Proposed fees ($)	Calculated cost of service ($)
Registration of a claim in an original work of authorship:			
Standard Application (electronic only)	65	85	Varied.[65]
Single Application (electronic only)	45	Eliminate	Varied.[66]
Paper Application	125	185	Varied.[67]

ii. Group Registrations

Each basic registration application is limited to a single work of authorship, with some exceptions. Under the Copyright Act, however, the Register of Copyrights may allow groups of related works to be registered with one application and one filing fee—a procedure known as ''group registration.'' [68] These fees are also authorized by 17 U.S.C. 708(a)(1).

In response to stakeholder interest, the Office has expanded the availability of group registration options. As the data above suggests, however, processing group registrations is often costly due to the amount of time required for examination of between 10 and 750 works of various classes and categories. The Office's current cost recovery for most categories of group applications remains modest, in one category as low as approximately 5%. The effect of the high processing cost is compounded by the fact that group registrations are the second highest volume of services provided by the Office. Thus, to achieve a better cost recovery, we propose raising the fee for group registration options from $85 to $130,[69] with the exceptions described below.

First, the Office proposes more substantial fee increases for the group options to register photographic and non-photographic databases, and updates to news websites. Because these options primarily serve corporate applicants, we are allocating a greater portion of costs to these fees. Due to the relative inelasticity of the demand, the Office anticipates that the additional revenue from these fees can subsidize group registrations used primarily by individuals, for which greater cost recovery is impracticable. This is consistent with the Register's discretionary authority to use fee revenue to offset lower fees for other services to further ''the objectives of the copyright system,'' [70] as discussed above.

Second, the Office proposes more modest fee increases for registering groups of published and unpublished photographs. Photographers typically produce a large number of works [71] and have cited cost as an obstacle to registering them.[72] In recognition of these challenges, the group registration options for photographers are currently heavily subsidized to result in a fee as little as $0.07 per photograph if the applicant registers the maximum number of photographs (*i.e.,* 750).[73] The Office proposes raising the fee for these services from $55 to $85, which would be the same as the proposed fee for registering one work with the Standard Application. This works out to as little as $0.11 per photograph if the applicant submits the maximum number of photographs permitted [74] and is only slightly above the historical and projected inflation rate. These fees would achieve greater cost recovery while maintaining low levels on a per-work basis.

The Office proposes the following schedule of fees, to be codified in 37 CFR 201.3(c).

same claim on the Standard Application would pay a total of $110 under the current fee schedule: $45 for erroneously submitting the work on the Single Application plus $65 to resubmit the work on the Standard Application.

[64] By contrast, the number of basic claims submitted on the Standard Application remained stable.

[65] Average cost with physical deposit is $151.76. Average cost with electronic deposit is $124.38.

[66] Average cost with physical deposit is $139.04. Average cost with electronic deposit is $111.59.

[67] Average cost with physical deposit is $182.93.

[68] *See* 17 U.S.C. 408(c)(1).

[69] Though this increase is slightly above the historical and projected inflation rate described above, the cost recovery for most options would remain under 60%.

[70] 17 U.S.C. 708(b)(4).

[71] U.S. Copyright Office, *Copyright and Visual Works: The Legal Landscape of Opportunities and Challenges* 3 (2019), *https://www.copyright.gov/policy/visualworks/senate-letter.pdf* (noting that ''photographers might take over one thousand photographs in a single session'').

[72] *See* Coalition of Visual Artists, Comments Submitted in Response to U.S. Copyright Office's Dec. 10, 2021, Deferred Registration Examination Study NOI at 6, 10 (Jan. 24, 2022); Copyright Alliance, Comments Submitted in Response to U.S. Copyright Office's Dec. 10, 2021, Deferred Registration Examination Study NOI at 31–32 (Jan. 24, 2022); Shaftel & Schmelzer, Comments Submitted in Response to U.S. Copyright Office's Dec. 10, 2021, Deferred Registration Examination Study NOI at 12–13 (Jan. 22, 2022).

[73] This fee has not changed since 2014. 79 FR 15910 (Mar. 24, 2014).

[74] As discussed above, applicants are currently able to submit up to 750 photos with each group registration application. The Office intends to increase this limit substantially when the new ECS registration system is made available to the public. *See* Copyright Public Modernization Committee Meeting (Oct. 10, 2024) (statement of Robert Kasunic, Dir., Office of Registration Policy & Practice (explaining that the new system is capable of receiving ''between 1500 and 2000 files'' and confirming that the Office ''definitely . . . anticipate[s] raising the number [of photos permitted on a group registration application], which would effectively lower the cost'')).

Group registrations	Current fees ($)	Proposed fees ($)	Calculated cost of service ($) [75]
Group registration of contributions to periodicals (published within a 12-month period)	85	130	1,821.29.
Group registration of updates and revisions to non-photographic databases (published within three calendar months within the same year).	500	700	506.58.
Group registration of unpublished photographs (up to 750 unpublished photographs)	55	85	150.77.[76]
Group registration of published photographs (up to 750 published photographs)	55	85	105.52.[77]
Group registration of updates and revisions to photographic databases (published within three calendar months within the same year).	250	700	577.65.
Group registration of serials, per issue, with a minimum of 2 issues (published within three calendar months within the same year).	35	50	65.84.
Group registration of newspapers/newsletters (published within the same calendar month).	95	130	Varied.[78]
Group registration of works on an album (up to 20 musical works or up to 20 sound recordings).	65	130	Varied.[79]
Group registration of two-dimensional artwork (up to 20 published works)	85	130	N/A.
Group registration of unpublished works (up to 10 unpublished works)	85	130	201.89.
Group registration of short online literary works (up to 50 works published with three calendar months).	65	130	654.37
Group registration of updates to a news website (published within the same calendar month).	95	350	516.94

iii. Separate Subject of Inquiry: Alternative Fee Structures for Registration

Over the years, some stakeholders have urged the Office to adopt a number of alternative fee structures.[80] These could include, for instance, tiered fees (with a base fee for registering an individual work and an incrementally higher fee for each additional work) or a flat rate that would allow creators to register a specific number of works over a designated period of time.

The Office is committed to ensuring that our fee structures do not impose undue barriers to access our services, but consideration of these alternatives depends on both economic and technological feasibility. The current eCO system cannot practically be adapted to alternative fee structures, even if such alternatives are otherwise determined to be viable. But the Office is far along in a multi-year modernization initiative, the ECS, which will include a ''redesigned and easier to use registration system.'' [81] The ECS registration component will be considerably more flexible technologically and able to accommodate more alternatives.

To inform and prepare for the consideration of alternative fee structures, the Office will be issuing a separate notice of inquiry to obtain public comment on their potential operation and economic viability, including whether and how they could minimize or eliminate barriers to wider participation in the registration system. Stakeholders are encouraged to submit their comments regarding alternative fee structures in response to the notice of inquiry in that separate proceeding.

2. Other Registration Services

The Office provides other less commonly used registration and related services, as authorized by various provisions of the Copyright Act.

Several of these are low-volume services with a high cost per transaction, reflecting their time-consuming nature. The Office proposes raising such fees above the historical and projected inflation rates to achieve a higher cost recovery. For example, the cost per transaction for preregistration of certain unpublished works is about $794, and we propose increasing the fee for this service from $200 to $320. We propose relatively small fee increases for renewal and restored copyright registration services, from $125 to $165 and $100 to $165 respectively.

The Office also proposes increases to recover more than the estimated cost per transaction for certain services for which demand is relatively inelastic because they are either compulsory or in strong demand among certain customer segments, and typically serve corporate organizations. For example, the costs per transaction for vessel design and mask work registrations are about $261 and $217 respectively, and the Office proposes increasing each fee to $650. Unlike copyright registration, which is voluntary, registration is a mandatory condition for securing legal protection in a vessel design or a mask work.[82] Similarly, the cost per transaction for the special handling surcharge,[83] which expedites the examination of claims in circumstances such as pending litigation, is about $659. The Office proposes increasing this fee from $800 to $1,100. Although special handling is optional, the demand for expedited examination is relatively inelastic when a certificate is needed for federal litigation. Collecting these higher fees would allow for greater overall cost recovery and help offset the cost of other registration services used by small organizations or individual creators for which full cost recovery is impracticable.

[75] For costs marked ''N/A,'' there was insufficient volume to calculate costs. To determine proposed adjustment, the Office studied analogous service costs.

[76] This is the average cost with an electronic deposit. The average cost with physical deposit is $177.84.

[77] This is the average cost with an electronic deposit. The average cost with physical deposit is $132.59.

[78] Total cost for group registration of newspapers is $691.56. Total cost for group registration of newsletters is $653.65.

[79] Total cost with physical deposit is $245.97. Total cost with electronic deposit is $218.90.

[80] For stakeholders' public comments in response to past notices of inquiry and proposed rulemakings, *see, e.g.,* Coalition of Visual Artists, Comments Submitted in Response to U.S. Copyright Office's Dec. 10, 2021, Deferred Registration Examination Study NOI at 21 (Jan. 24, 2022); Shaftel & Schmelzer, Comments Submitted in Response to U.S. Copyright Office's Dec. 10, 2021, Deferred Registration Examination Study NOI at 21–23; Shaftel & Schmelzer, Comments Submitted in Response to U.S. Copyright Office's Oct. 17, 2018, Registration Modernization NOI at 8 (Jan. 11, 2019); Coalition of Visual Artists, Comments in Response to U.S. Copyright Office's Dec. 1, 2016, Group Registration of Photographs NPRM at 17 (Jan. 30, 2017); Graphic Artists Guild, Comments in Response to U.S. Copyright Office's Apr. 24, 2015, Copyright Protection for Certain Visual Works NOI at 9 (July 20, 2015); Graphic Artists Guild, Comments in Response U.S. Copyright Office's Mar. 28, 2012, 2014 Fee Study NPRM at 5 (May 14, 2012).

[81] *See* Strategic Plan 2022 at 7.

[82] 17 U.S.C. 1310(a).

[83] Special handling fees are charged in addition to the otherwise applicable processing fees.

The Office proposes setting the fees for supplementary applications at the same level as the fee for basic applications. Specifically, we propose decreasing the fee from $100 to $85 for most supplementary registrations, to match the proposed fee for the Standard Application. Likewise, we propose increasing the paper supplementary registration form fee to $185, to match the fee proposed for the paper application for basic registration. These changes are intended to disincentivize applicants from submitting a duplicate registration application to correct or amplify the information on a prior registration. In such cases, submitting a supplementary registration is advisable (rather than seeking a new basic registration) because the supplementary will be cross-referenced in the basic registration and vice versa.

Finally, the Office proposes increasing the fees for registration appeals. Applicants have two opportunities to appeal the denial of a registration claim within the Copyright Office. At both stages, the intensive legal analysis necessary to process these requests is considerably more costly than current fees reflect. Costs associated with review of a first appeal by the attorneys in the Office of Registration Policy and Practice are $3,244. To offset a portion of this cost, we propose raising the fee for this service from $350 to $535 per claim. The second request for an appeal involves substantial work by senior attorneys, including the Register of Copyrights, the General Counsel and Associate Register of Copyrights, or their respective designees, resulting in a cost to the Office of $9,471 per appeal.[84] We propose raising the fee for a second appeal from $700 to $1,200 per claim—still a small percentage of the actual cost.

The Office proposes the following schedule of fees for such services, to be codified in 37 CFR 201.3(c) and (d).

Other registration services	Current fees ($)	Proposed fees ($)	Calculated cost of service ($)[85]
Renewal registration:			
Form RE	125	165	1,537.49
Addendum to Form RE	100	135	1,163.24
Registration of a claim in a restored copyright (Form GATT)	100	165	520.14
Preregistration of certain unpublished works	200	320	793.60
Correction or Amplification:			
Supplementary registration.			
Electronic filing	100	85	402.77
Paper filing (Form CA)	150	185	384.39
Correction of design registration (Form DC)	100	185	332.72
Registration of mask work (Form MW)	150	650	217.45
Registration of vessel designs (Form D–VH)	500	650	260.57
Provision of an additional certificate of registration	55	80	N/A

Special services	Current fees ($)	Proposed fees ($)	Calculated cost of service ($)[86]
Request for reconsideration (per claim):			
First appeal	350	535	3,244.13
Second appeal	700	1,200	9,471.04
Secure test examination fee (per staff member, per hour)	250	375	84.55
Special handling surcharge for registration:			
Expedited processing of application	800	1,100	658.74
Fee for each non-expedited claim using the same deposit	50	60	N/A
Small claims expedited registration fee per registration application request	50	55	N/A
Full term retention of published registration deposit:			
Physical deposit	540	640	N/A
Electronic deposit	220	320	N/A
Voluntary cancellation of registration	150	320	323.61
Matching unidentified deposit to deposit ticket claim (per half hour)	40	50	N/A

[84] *See* 37 CFR 202.5(f).

[85] For costs marked ''N/A,'' there was insufficient volume to calculate costs. To determine proposed adjustment, the Office studied analogous service costs.

[86] For costs marked ''N/A,'' there was insufficient volume to calculate costs. To determine proposed adjustment, the Office studied analogous service costs.

3. Recordation

Recordation is another major service for which the Office collects fees.[87] The Office records three primary types of documents: transfers of copyright ownership, notices of termination, and other documents pertaining to a copyright. Recordation creates a public record of copyright ownership.

Approximately 90% of all recordations are now received electronically through the Office's online recordation system. Some recordation types cannot yet be handled electronically, however, including notices of termination and documents related to pre-1972 sound recordings.[88] Online recordation, where available, has shortened processing times, but the cost of processing both paper and electronic submissions still greatly outpaces the associated fees. Staff review documents for completeness and accuracy, index documents into the Office's public records, and may also correspond with a remitter to clarify any inconsistencies. Costs include the processing of incoming paper submissions by the Materials Control and Analysis Division, as well as sending recordation certificates to remitters. To achieve greater cost recovery, and in recognition that these services are largely used by corporate entities, the Office recommends raising the base recordation fee (for one work identified by one title or registration number) above the historical and projected inflation rate, from $95 to $215 for electronic submissions, and from $125 to $320 for paper submissions. We propose a parallel increase from $95 to $215 to the per-transfer fee for additional transfers, charged when a single document involves multiple transfers or other transactions.

When recording a document, the Office must index information about each of the copyrighted works to which the document pertains.[89] When the works associated with the document are submitted in paper form, they must be manually typed into our database to be indexed, which involves higher processing costs. The Office charges fees beyond the base fee for works in a document beyond the first one (referred to as ''additional works and alternate identifiers'') to cover these processing costs. We propose increasing the fees for additional works submitted by paper from $60 to $215 per group of 10 or fewer additional works and alternate identifiers.

The Office also accepts electronic title lists for recordation through a tiered pricing structure based on the number of works being recorded. For the first four tiers, we propose increasing the fee from $60 to $215 for 1 to 50 additional works and alternate identifiers; from $225 to $300 for 51 to 500 additional works and alternate identifiers; from $390 to $520 for 501 to 1,000 additional works and alternate identifiers; and from $555 to $745 for 1,001 to 10,000 additional works and alternate identifiers. The proposed increases for the three tiers covering 51 to 10,000 additional works remain below historical and projected inflation.

For the fifth tier, the Office currently charges $5,500 for more than 10,000 additional works and alternate identifiers. We propose adjusting the fee structure for this fifth tier to $745 per group of 10,000 additional works and alternate identifiers. For this tier, only remitters who submit more than 80,000 works will see their costs increase; those who submit between 10,000 and 80,000 works will see a cost reduction. This reduction for those who submit between 10,000 and 80,000 titles lightens the burden for this set of remitters, further encouraging voluntary use of the online recordation system, while better aligning fees to remitters with substantially larger numbers of works. The increase for submissions of more than 80,000 works will offset the additional storage and system costs of that high volume of additional works.

The recordation program also administers services related to title II of the Music Modernization Act for recording schedules of sound recordings fixed before February 15, 1972.[90] These services have high provision costs but are generally low volume. To achieve a better cost recovery, the Office proposes increasing the fee for the filing and removal of schedules listing pre-1972 sound recordings from $75 to $160 for a single sound recording, with an increase from $10 to $80 for schedules for additional sound recordings per group of 1 to 100 sound recordings. The current cost recovery for this service is approximately 7.3%; the proposed new fee of $160 would increase the cost recovery to 15.6%.[91] For submitting a notice of noncommercial use or a notice opting out of a proposed noncommercial use, we propose raising the fee from $50 to $160.

The recordation program also administers services related to the Digital Millennium Copyright Act.[92] To qualify for some of the Act's safe harbors, service providers must designate an agent to receive notices of claimed copyright infringement. The cost of providing this service ($741.02) is largely attributable to the amount of time needed to review service providers' requests to make available a post office box address in lieu of a street address. Although the cost far outweighs the current fee, the Office proposes only a slight fee increase from $6 to $25, to maintain accessibility for service providers of all sizes.

The Office proposes raising the special handling fee for the expedited recordation of documents from $550 to $1,100.[93] This increase would make the fee consistent with the special handling fees the Office proposes to charge for other expedited services. Given the striking decrease in processing times in the online system, the Office also expects a decrease in demand for expedited recordation.

Finally, the Office proposes increasing the fee for correcting online public catalog data due to erroneous electronic title submission from $7 to $10 per title, which reflects an inflationary increase.

The Office proposes the following fees for recordation services, to be codified in 37 CFR 201.3(c) and (d).

[87] *See* 17 U.S.C. 708(a)(4), (6).

[88] The Office uses an online system for designating an agent under 17 U.S.C. 512(c)(2) that is separate from the online recordation system. *DMCA Designated Agent Directory*, U.S. Copyright Office, *https://www.copyright.gov/dmca-directory/* (last visited Mar. 6, 2026).

[89] *See, e.g.,* 17 U.S.C. 205(c).

[90] *See* 17 U.S.C. 1401.

[91] FRD Report at 29.

[92] *See* 17 U.S.C. 512.

[93] As noted above, special handling fees are charged in addition to the otherwise applicable processing fees.

Recordation and related services	Current fees ($)	Proposed fees ($)	Calculated cost of service ($) [94]
Recordation of a document, including a notice of termination and a notice of intention to enforce a restored copyright:			
Base fee (includes 1 work identified by 1 title and/or registration number)	.....	.....	Varied.[95]
Paper	125	320	
Electronic	95	215	
Additional transfer (per transfer) (for documents recorded under 17 U.S.C. 205).	95	215	Varied.[96]
Additional works and alternate identifiers:	.....	.....	
Paper (per group of 10 or fewer additional works and alternate identifiers).	60	215	244.83.
Electronic:	.....	.....	Varied.[97]
1 to 50 additional works and alternate identifiers	60	215	
51 to 500 additional works and alternate identifiers	225	300	
501 to 1,000 additional works and alternate identifiers	390	520	
1,001 to 10,000 additional works and alternate identifiers	555	745	
>10,000 additional works and alternate identifiers	[98] 5,500	745 per additional group of 10,000.	
Correction of online Public Catalog data due to erroneous electronic title submission (per title).	7	10	N/A.
Designation of agent under 17 U.S.C. 512(c)(2) to receive notification of claimed infringement, or amendment or resubmission of designation.	6	25	741.02
Schedule of pre-1972 sound recordings, or supplemental schedule of pre-1972 sound recordings (single sound recording).	75	160	1,027.22
Additional sound recordings (per group of 1 to 100 sound recordings)	10	80	454.23
Removal of pre-1972 sound recording from Office's database of indexed schedules (single sound recording).	75	160	N/A
Notice of noncommercial use of pre-1972 sound recording	50	160	741.02
Opt-out notice of noncommercial use of pre-1972 sound recording	50	160	741.02

Special services	Current fees ($)	Proposed fees ($)	Calculated cost of service ($)
Special handling fee for recordation of a document	550	1,100	Varied [99]

B. Record Retrieval, Search, and Certification Services

The Office's Records Research and Certification Division (''RRC'') provides copies of completed and in-process registration and recordation records, search reports, and registration deposit materials.

The costs of providing RRC's services vary, depending on the complexity of the request. Search and retrieval services can be time-consuming and require specialized knowledge. The proposed fee schedule reflects an increase slightly above historical and projected inflation, while modestly addressing the cost-recovery shortfall. For instance, the Office proposes raising the per-hour fee for certifying records, preparing a search report, and retrieving records from $200 to $300. Certification costs $1,166.49 to provide, and search and retrieval activities cost $655.14.[100] We also propose raising the fee for creating a search or retrieval estimate from $200 to $300, to be credited against the final search and retrieval fee. The creation of an estimate itself is generally costly ($826.18), as it requires staff to conduct a preliminary search of the Office's records.

For copying records, the Office proposes reverting to charging a variable fee based on the type of media being copied.[101] Currently, the fee is approximately $12 for all media, while the cost to provide this service is $485.41. The Office previously shifted to the current media-neutral fee to simplify the fees for both the Office and the public.[102] Reverting to a media-dependent fee will better account for the varying complexity of copying different media types. We propose charging $20 for photocopies, $105 for copies of audiocassettes and videocassettes, and $55 for copies of CDs, DVDs, and flash drives. Service requests to copy formats unsupported by the Office and other copying of materials by outside providers would be assessed the actual cost of the provider.

The Office also proposes raising the fee for litigation statements from $100 to $320. Litigation statements are used to request copies of copyright deposits for actual or prospective litigation, and the demand for the service is relatively inelastic. The proposed increase would help offset the cost of other services for which greater cost recovery is unattainable. Finally, we propose raising the hourly fee for the expedited processing of records retrieval, search, and certification services from $500 to $1,100, which is consistent with the special handling fees proposed for other expedited services.

[94] For costs marked ''N/A,'' there was insufficient volume to calculate costs. To determine proposed adjustment, the Office studied analogous service costs.

[95] According to FRD, ''[t]he total costs of recording these documents, incorporating direct and indirect costs, range from $245.89 to $1,131.50.'' FRD Report at 28.

[96] Average cost with electronic submission is $403.63. Average cost with paper form is $432.58.

[97] To allow simple comparison between titles provided on electronic or paper title lists, FRD calculated the cost of processing groups of ten additional titles. The total cost per group of ten titles provided electronically is $88.31.

[98] Under the current fee schedule, this tier covers 10,001 or more additional works and alternate identifiers.

[99] Average cost with electronic submission is $4,121.08. Average cost with paper form is $4,150.03.

[100] The FRD Report does not separately distinguish retrieval costs, instead assessing the cost of ''other search and retrieval activities'' at $655.14.

[101] *See* 79 FR 15910, 15917 (Mar. 24, 2014).

[102] 85 FR 9374, 9384 (Feb. 19, 2020).

The Office proposes the following fee schedule for records retrieval, search, and certification services, to be codified at 37 CFR 201.3(c) and (d).[103]

Record retrieval, search, and certification services	Current fees ($)	Proposed fees ($)	Calculated cost of service ($) [104]
Certification of other Copyright Office records, including search reports (per hour)	200	300	1,166.49
Search report prepared from official records other than Licensing Section records (per hour, 2 hour minimum)	200	300	655.14
Estimate of retrieval or search fee (credited to retrieval or search fee)	200	300	826.18
Retrieval of in-process or completed Copyright Office records or other Copyright Office materials:			
Retrieval of paper records (per hour, 1 hour minimum)	200	300	N/A
Retrieval of digital records (per hour, half hour minimum, quarter hour increments)	200	300	N/A

Record retrieval, search, and certification services	Current fees ($)	Proposed fees ($)	Calculated cost of service ($) [105]
Copying of Copyright Office records by staff	[106] 12		485.41
Photocopy		20	
Audiocassette		105	
Videocassette		105	
CD or DVD		55	
Flash drive		55	
Unsupported formats and other copying of materials by outside providers, at cost of provider		Varied	
Special handling fee for records retrieval, search, and certification services (per hour, 1 hour minimum)	500	1,100	N/A
Litigation statement (Form LS)	100	320	161.80

C. Miscellaneous Fees

The Office administers several miscellaneous fees for the removal of certain personally identifiable information (''PII'') from the Office's online public catalog, services related to financial accounting, and other peripheral services.

For the following fees, the Office had insufficient volume to compute a transaction cost, and therefore recommends only small increases: administration and processing service charges for deposit account overdraft, dishonored deposit account replenishment check, and uncollectible or non-collectible negotiable payment; and the recordation of notices to libraries and archives under 17 U.S.C. 108(h). These increases are well below the historical and projected inflation rate set forth above.

Considering labor and costs, the Office estimates that it costs from $10 to $105 to deliver documents by fax and by Federal Express mailing, respectively. Thus, we have proposed increases to provide those services at cost and require payment in advance. Payments that are greater than the service provider costs would be reimbursed to the customer.

Finally, the Office proposes raising the fee for the reconsideration of a denied request to remove certain PII from our online public catalog. The proposed fee better reflects, but remains well below, the cost of providing that service.

The Office proposes the following miscellaneous fees, as authorized by 17 U.S.C. 708 and other provisions of the Copyright Act, to be codified at 37 CFR 201.3(c) and (d).

Related services	Current fees ($)	Proposed fees ($)	Calculated cost of service ($)
Request to remove PII from online catalog:			
Initial request	100	100	784.83
Reconsideration of denied request	60	135	2,696.67

[103] The fees for retrieval, copying, and certification services specific to the Copyright Claims Board are codified separately and are not affected by this proposed fee schedule. *See* 37 CFR 201.3(g).

[104] For costs marked ''N/A,'' there was insufficient volume to calculate costs. To determine proposed adjustment, the Office studied analogous service costs.

[105] For costs marked ''N/A,'' there was insufficient volume to calculate costs. To determine proposed adjustment, the Office studied analogous service costs.

[106] This fee covers copying for all media types.

Special services	Current fees ($)	Proposed fees ($)	Calculated cost of service ($) [107]
Overdraft of deposit account	285	305	N/A
Dishonored replenishment check for deposit account	500	535	N/A
Uncollectable or nonnegotiable payment	115	125	N/A
Notice to libraries and archives (17 U.S.C. 108(h))	50	55	N/A
Each additional title	20	20	N/A
Service charge for Federal Express mailing	45	105	N/A
Service charge for delivery of documents via fax	1	10	N/A

D. Licensing Section Fees

The Licensing Section administers certain statutory licenses and related provisions and also provides services to the Copyright Royalty Board, which oversees rate determinations and distributions for certain statutory licenses.[108]

The Licensing Section collects fees for the filing of cable and satellite statements of account, to recover some of the costs of administering the cable and satellite licenses. It deducts its operating costs from the royalty fees it collects, and invests any remaining balance in interest-bearing securities with the U.S. Treasury for later disbursement to copyright owners. Unlike other fees collected by the Copyright Office, the revenue from filing fees under sections 111, 119, and 122 by statute may not exceed 50% of certain costs associated with the administration of the relevant statutory licenses.[109]

For all Licensing Section fees, the Office proposes small increases to account for inflation. The proposed fees associated with section 111, 119, and 122 licenses will still remain, in the aggregate over the next five-year period, below 50% of the Office's reasonable expenses in administering them. Some degree of uncertainty is inherent in these estimates, as the costs are calculated based on when the fees are identified, not when the statements of account are submitted. Additionally, the Office expects the volume of cable statements of account to decrease over the course of the new fee term, as they have done for a number of years.[110] We have therefore proposed fees for cable and satellite statements of account in a conservative manner, to ensure that, over the five-year period, revenues remain within the 50% threshold established by statute.

The Office proposes the following Licensing Section fees to be codified at 37 CFR 201.3(e).

Licensing Section services	Current fees ($)	Proposed fees ($)	Calculated cost of service ($) [111]
Recordation of a notice of intention to make and distribute phonorecords (17 U.S.C. 115)	75	100	443.91
Additional titles (per group of 1 to 10 titles) (paper filing)	20	25	N/A
Additional titles (per group of 1 to 100 titles) (electronic filing)	10	15	N/A
Statement of account amendment for cable systems, satellite systems, and digital audio recording device distributors	50	70	414.10
Recordation of certain contracts by cable television stations located outside the 48 contiguous states	50	70	710.26
Initial or amended notice of use of sound recordings (17 U.S.C. 112 and 114)	50	70	502.88
Statement of account for cable systems (17 U.S.C. 111):			
Form SA1	15	20	275.87
Form SA2	20	25	275.87
Form SA3	725	960	406.51
Statement of account for satellite systems (17 U.S.C. 119 or 122)	725	960	252.59
Search report prepared from Licensing Section records (per hour, 2 hour minimum)	200	300	710.26

E. Freedom of Information Act Requests

The Freedom of Information Act (''FOIA''), section 552 of title 5 of the United States Code, provides a statutory right of access to federal agency records. FOIA establishes procedures by which a member of the public may request records from a federal agency and the parameters by which an agency must operate when responding. In addition to requiring agencies to promulgate regulations addressing the requirements for making requests and appeals, FOIA tasks them with establishing the fees they may charge.[112]

Unless a waiver or reduction of fees has been granted, these rules permit the Office to charge an hourly rate for the search and review of requested records by administrative or professional

[107] For costs marked ''N/A,'' there was insufficient volume to calculate costs. To determine proposed adjustment, the Office studied analogous service costs.

[108] The Licensing Section administers aspects of statutory licenses for secondary transmissions by cable systems (section 111), and ephemeral recordings (section 112), as well as statutory licenses for the public performance of sound recordings by means of a digital audio transmission (section 114), making and distributing phonorecords of nondramatic musical works (section 115), secondary transmissions for satellite carriers (section 119), secondary transmissions by satellite carriers for local retransmissions (section 122), and the distribution of digital audio recording devices and media (section 1003).

[109] *See* 17 U.S.C. 708(a).

[110] Cable system filings decreased by approximately 11% between fiscal years 2023 and 2024; and satellite filings remain low, with only six received from two filers in fiscal year 2024.

[111] For costs marked ''N/A,'' there was insufficient volume to calculate costs. To determine proposed adjustment, the Office studied analogous service costs.

[112] All fees collected in the course of providing FOIA services are to be deposited into the Treasury of the United States. The Freedom of Information Reform Act of 1986; Uniform Freedom of Information Act Fee Schedule and Guidelines, 52 FR 10012, 10017 (Mar. 27, 1987) (directing that funds collected for providing FOIA services must be deposited into general revenues of United States and not into agency accounts).

staff.[113] Current regulations require requesters to pay fees by check or money order. As part of broader efforts to make its services digitized, interconnected, and easier to navigate, the Office seeks to simplify this process by requiring requesters to make their payments via the methods prescribed in 37 CFR 201.6(a), including through *Pay.gov.* This will ensure consistency in payment methods across the Office's services.

F. Technical Amendments

The Office will adopt technical amendments as needed to conform existing regulations to any changes to the fee schedule.

List of Subjects in 37 CFR Parts 201, 202, and 203

Copyright, General provisions, Freedom of Information Act, Policies and Procedures

Proposed Regulations

For the reasons set forth in the preamble, the Copyright Office proposes amending 37 CFR parts 201, 202, and 203 as follows:

PART 201—GENERAL PROVISIONS

■ 1. The authority citation for part 201 continues to read as follows:

Authority: 17 U.S.C. 702.

■ 2. In § 201.3, revise paragraphs (c), (d), and (e) to read as follows:

§ 201.3 Fees for registration, recordation, and related services, special services, and services performed by the Licensing Division.

* * * * *

(c) *Registration, recordation, and related service fees.* The Copyright Office has established fees for these services. To calculate the fee specified by paragraph (c)(23) of this section, for each work identified in a document: The first title and/or first registration number provided for that particular work constitutes a work; and each additional title and registration number provided for that particular work beyond the first constitutes an alternate identifier. The fees are as follows:

TABLE 1 TO PARAGRAPH (c)

Registration, recordation, and related services	Fees ($)
(1) Registration of a claim in an original work of authorship:	
(i) Electronic filing	85
(ii) Paper Filing (Forms PA, SR, TX, VA, SE, SR)	185
(2) Registration of a claim in a group of contributions to periodicals	130
(3) Registration of updates or revisions to a database that predominantly consists of non-photographic works	700
(4) Registration of a claim in a group of published photographs or a claim in a group of unpublished photographs	85
(5) Registration for a database that predominantly consists of photographs and updates thereto:	
(i) Electronic filing	700
(ii) Paper filing	700
(6) Registration of a renewal claim (Form RE):	
(i) Claim without addendum	165
(ii) Addendum (in addition to the fee for the claim)	135
(7) Registration of a claim in a group of serials (per issue, minimum two issues)	50
(8) Registration of a claim in a group of newspapers or a group of newsletters	130
(9) Registration of a group of works on an album	130
(10) Registration of a claim in a group of unpublished works or a claim in a group of two-dimensional artwork	130
(11) Registration of a claim in a group of unpublished works	130
(12) Registration of a claim in a group of short online literary works	130
(13) Registration of a group of updates to a news website	350
(14) Registration of a claim in a restored copyright (Form GATT)	165
(15) Preregistration of certain unpublished works	320
(16) Registration of a correction or amplification to a claim:	
(i) Supplementary registration:	
(A) Electronic filing	85
(B) Paper Filing for correction or amplification of renewal registrations, GATT registrations, and group registrations for non-photographic databases (Form CA)	185
(ii) Correction of a design registration: Form DC	185
(17) Registration of a claim in a mask work (Form MW)	650
(18) Registration of a claim in a vessel design (Form D/VH)	650
(19) Provision of an additional certificate of registration	80
(20) Certification of other Copyright Office records, including search reports (per hour)	300
(21) Search report prepared from official records other than Licensing Section records (per hour, 2 hour minimum)	300
(22) Estimate of retrieval or search fee (credited to retrieval or search fee)	300
(23) Retrieval of in-process or completed Copyright Office records or other Copyright Office materials:	
(i) Retrieval of paper records (per hour, 1 hour minimum)	300
(ii) Retrieval of digital records (per hour, half hour minimum, quarter hour increments)	300
(24) Recordation of a document, including a notice of termination and a notice of intention to enforce a restored copyright:	
(i) Base fee (includes 1 work identified by 1 title and/or registration number):	
(A) Paper	320
(B) Electronic	215
(ii) Additional transfer (per transfer) (for documents recorded under 17 U.S.C. 205)	215
(iii) Additional works and alternate identifiers:	
(A) Paper (per group of 10 or fewer additional works and alternate identifiers)	215
(B) Electronic:	
(1) 1 to 50 additional works and alternate identifiers	215
(2) 51 to 500 additional works and alternate identifiers	300
(3) 501 to 1,000 additional works and alternate identifiers	520

[113] 37 CFR 203.11(a)(1).

TABLE 1 TO PARAGRAPH (c)—Continued

Registration, recordation, and related services	Fees ($)
(4) 1,001 to 10,000 additional works and alternate identifiers	745
(5) Per group of 10,000 above 10,000 additional works and alternate identifiers	745
(iv) Correction of online Public Catalog data due to erroneous electronic title submission (per title)	10
(25) Designation of agent under 17 U.S.C. 512(c)(2) to receive notification of claimed infringement, or amendment or resubmission of designation	25
(26)(i) Schedule of pre-1972 sound recordings, or supplemental schedule of pre-1972 sound recordings (single sound recording)	160
(ii) Additional sound recordings (per group of 1 to 100 sound recordings)	80
(27) Removal of pre-1972 sound recording from Office's database of indexed schedules (single sound recording)	160
(28) Notice of noncommercial use of pre-1972 sound recording	160
(29) Opt-out notice of noncommercial use of pre-1972 sound recording	160
(30) Issuance of a receipt for a section 407 deposit	30
(31) Removal of PII from Registration Records:	
(i) Initial request, per registration record	100
(ii) Reconsideration of denied requests, flat fee	135

(d) *Special service fees.* The Copyright Office has established the following fees for special services of the Office:

TABLE 1 TO PARAGRAPH (d)

Special services	Fees ($)
(1) Service charge for deposit account overdraft	305
(2) Service charge for dishonored deposit account replenishment check	535
(3) Service charge for an uncollectible or non-negotiable payment	125
(4) Appeals:	
(i) First appeal (per claim)	535
(ii) Second appeal (per claim)	1,200
(5) Secure test examining fee (per staff member per hour)	375
(6) Copying of Copyright Office records by staff:	
Photocopy	20
Audiocassette	105
Videocassette	105
CD or DVD	55
Flash drive	55
Unsupported formats and other copying of materials by outside providers, at cost of provider	Varied
(7)(i) Special handling fee for a claim	1,100
(ii) Handling fee for each non-special handling claim using the same deposit	60
(8) Small claims expedited registration fee per registration application request	55
(9) Special handling fee for recordation of a document	1,100
(10) Handling fee for extra deposit copy for certification	55
(11) Full-term retention of a published deposit:	
(i) Physical deposit	640
(ii) Electronic deposit	320
(12) Voluntary cancellation of registration	320
(13) Matching unidentified deposit to deposit ticket claim (per hour, one hour minimum)	50
(14) Special handling fee for records retrieval, search, and certification services (per hour, 1 hour minimum)	1,100
(15) Litigation statement (Form LS)	320
(16)(i) Notice to libraries and archives	55
(ii) Each additional title	20
(17) Service charge for Federal Express mailing	105
(18) Service charge for delivery of documents via facsimile (per page, 7 page maximum)	10

(e) *Licensing Section service fees.* The Copyright Office has established the following fees for specific services of the Licensing Section:

TABLE 1 TO PARAGRAPH (e)

Licensing Section services	Fees ($)
(1)(i) Recordation of a notice of intention to make and distribute phonorecords (17 U.S.C. 115)	100
(ii) Additional titles (per group of 1 to 10 titles) (paper filing)	25
(iii) Additional titles (per group of 1 to 100 titles) (online filing)	15

TABLE 1 TO PARAGRAPH (e)—Continued

Licensing Section services	Fees ($)
(2) Statement of account amendment (cable television systems and satellite carriers, 17 U.S.C. 111 and 119; digital audio recording devices or media, 17 U.S.C. 1003)	70
(3) Recordation of certain contracts by cable TV systems located outside the 48 contiguous states	70
(4) Initial or amended notice of digital transmission of sound recording (17 U.S.C. 112, 114)	70
(5) Processing of a statement of account based on secondary transmissions of primary transmissions pursuant to 17 U.S.C. 111:	
(i) Form SA1	20
(ii) Form SA2	25
(iii) Form SA3	960
(6) Processing of a statement of account based on secondary transmissions of primary transmissions pursuant to 17 U.S.C. 119 or 122	960
(7) Search report prepared from Licensing Section records (per hour, 2 hour minimum)	300

* * * * *

PART 202—PREREGISTRATION AND REGISTRATION OF CLAIMS TO COPYRIGHT

■ 3. The authority citation for part 202 continues to read as follows:

Authority: 17 U.S.C. 408(f), 702.

§ 202.3 [Amended]

■ 4. Amend 202.3 as follows:
■ a. In paragraph (b)(2)(i) remove the phrase ‘‘, the Single Application,’’.
■ b. Redesignate paragraph (b)(2)(C) as paragraph (b)(2)(B).
■ c. Remove paragraphs (b)(2)(B)(1) through (3), and paragraph (b)(2)(C).
■ d. In paragraph (c)(1), remove the phrase ‘‘As a general rule, an’’ and add in its place the word ‘‘An’’ and remove the second sentence.
■ e. In paragraph (c)(3)(i), remove the phrase ‘‘As a general rule, the’’ and add in its place the word ‘‘The’’ and remove the second sentence.
* * * * *

PART 203—FREEDOM OF INFORMATION ACT: POLICIES AND PROCEDURES

■ 5. The authority citation for part 203 continues to read as follows:

Authority: 5 U.S.C. 552.

■ 6. In § 203.11, amend paragraph (a)(2) by removing ‘‘Requesters must pay fees by check or money order made payable to the United States Copyright Office’’ and adding in its place ‘‘Payment of the applicable fees under this paragraph shall be made by the methods established under § 201.6(a) of this chapter’’.
* * * * *

Dated: March 18, 2026.

Emily L. Chapuis,

General Counsel and Associate Register of Copyrights.

[FR Doc. 2026–05529 Filed 3–19–26; 8:45 am]

BILLING CODE 1410–30–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60 and 62

[EPA–HQ–OAR–2025–0068; FRL–12906–03–OAR]

RIN 2060–AW92

Standards for Air Curtain Incinerators That Only Burn Wood Wastes, Yard Wastes and Clean Lumber; Provision for Commercial and Industrial Solid Waste Incineration Units: Temporary Use Incinerators and Air Curtain Incinerators Used in Disaster Recovery

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; request for comment.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is proposing two separate and distinct actions under Clean Air Act (CAA) section 129. In the first action, the EPA proposes to consolidate the existing provisions governing air curtain incinerators (ACI) that only burn wood wastes, yard wastes, and clean lumber into one new rule subpart. Specifically, we are proposing to consolidate the opacity limitations and associated monitoring, recordkeeping, and reporting requirements that currently exist across various subparts for CAA section 129 source categories: large municipal waste combustors (LMWC), small municipal waste combustors (SMWC), commercial and industrial solid waste incinerators (CISWI), and other solid waste incinerators (OSWI). We are also proposing to remove the permitting requirement for this type of ACI that are not located at major sources or subject to federal permitting requirements for other reasons. The proposed removal would not cover ACI that are currently subject to OSWI or LMWC rules which have already been amended to remove such permitting requirements. In the second action, the EPA proposes to include in the CISWI rule subparts provisions for the temporary use of CISWI units to combust debris from a qualifying disaster or emergency on a temporary basis without complying with (CAA) section 129 requirements that would otherwise apply to CISWI units for the combustion of commercial and industrial waste during normal operations. These additional provisions would bring the CISWI rule subparts into alignment with existing OSWI provisions that allow such temporary use of OSWI units to combust debris from a disaster or emergency.

DATES: Comments must be received on or before May 4, 2026. Under the Paperwork Reduction Act, comments on the information collection provisions are best assured of consideration if the Office of Management and Budget (OMB) receives a copy of your comments on or before April 20, 2026.

Public hearing: If anyone contacts us requesting a public hearing on or before Wednesday, March 25, 2026, we will hold a virtual public hearing. See **SUPPLEMENTARY INFORMATION** for information on requesting and registering for a public hearing.

ADDRESSES: You may send comments, identified by Docket ID No. EPA–HQ–OAR–2025–0068, by any of the following methods:

- *Federal eRulemaking Portal: www.regulations.gov* (our preferred method). Follow the online instructions for submitting comments.
- *Email: a-and-r-docket@epa.gov.* Include Docket ID No. EPA–HQ–OAR–2025–0068 in the subject line of the message.
- *Mail:* U.S. Environmental Protection Agency, EPA Docket Center, Docket ID No. EPA–HQ–OAR–2025–0068, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460.
- *Hand/Courier Delivery:* EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue NW,

Washington, DC 20004. The Docket Center's hours of operation are 8:30 a.m.–4:30 p.m., Monday–Friday (except Federal holidays).

Instructions: All submissions received must include the Docket ID No. for this rulemaking. Comments received may be posted without change to *www.regulations.gov,* including any personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: For questions about this proposed rule, contact Tianzhen Nie, Natural Resources Division (E243–05), Office of Clean Air Programs, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711; telephone number: (919) 541–1815 and email address: *nie.tianzhen@epa.gov.*

SUPPLEMENTARY INFORMATION:

Participation in virtual public hearing. To request a virtual public hearing, contact the public hearing team at (888) 627–7764 or by email at *NRDpublichearing@epa.gov.* If requested, the hearing will be held via virtual platform on April 6, 2026. The EPA may close a session 15 minutes after the last pre-registered speaker has testified if there are no additional speakers. The EPA will announce further details at *https://www.epa.gov/stationary-sources-air-pollution/air-curtain-incinerators-only-burn-wood-wastes-yard-wastes-and.*

The EPA will begin pre-registering speakers for the hearing no later than one business day after a request has been received. To register to speak at the virtual hearing, please use the online registration form available at *https://www.epa.gov/stationary-sources-air-pollution/air-curtain-incinerators-only-burn-wood-wastes-yard-wastes-and* or contact the public hearing team at (888) 627–7764 or by email at *NRDpublichearing@epa.gov.* The last day to pre-register to speak at the hearing will be Wednesday, April 1, 2026. Prior to the hearing, the EPA will post a general agenda that will list pre-registered speakers at: *https://www.epa.gov/stationary-sources-air-pollution/air-curtain-incinerators-only-burn-wood-wastes-yard-wastes-and.*

The EPA will make every effort to follow the schedule as closely as possible on the day of the hearing; however, please plan for the hearing to run either ahead of schedule or behind schedule.

Each commenter will have four minutes to provide oral testimony. The EPA encourages commenters to submit the text of your oral testimony as written comments to the rulemaking docket.

The EPA may ask clarifying questions during the oral presentations but will not respond to the presentations at that time. Written statements and supporting information submitted during the comment period will be considered with the same weight as oral testimony and supporting information presented at the public hearing.

Please note that any updates made to any aspect of the hearing will be posted online at *https://www.epa.gov/stationary-sources-air-pollution/air-curtain-incinerators-only-burn-wood-wastes-yard-wastes-and.* While the EPA expects the hearing to be conducted as set forth earlier, please monitor our website or contact the public hearing team at 888–627–7764 or by email at *NRDpublichearing@epa.gov* to determine if there are any updates. The EPA does not intend to publish a document in the **Federal Register** announcing updates. If you require the services of a translator or special accommodation such as audio description, please pre-register for the hearing with the public hearing team and describe your needs by Friday, March 27, 2026. The EPA may not be able to arrange accommodations without advanced notice.

Docket. The EPA has established a docket for this rulemaking under Docket ID No. EPA–HQ–OAR–2025–0068. All documents in the docket are listed at *www.regulations.gov.* Although listed, some information is not publicly available, *e.g.,* Confidential Business Information (CBI) 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. With the exception of such material, publicly available docket materials are available electronically at *www.regulations.gov.*

Instructions. Direct your comments to Docket ID No. EPA–HQ–OAR–2025–0068. The EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be CBI, Proprietary Business Information (PBI), or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI, PBI, or otherwise protected through *www.regulations.gov* or email. This type of information should be submitted as discussed below.

The EPA may publish any comment received to its public docket. 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, PBI, or multimedia submissions, and general guidance on making effective comments, please visit *www.epa.gov/dockets/commenting-epa-dockets.*

The *www.regulations.gov* website allows you to submit your comment anonymously, which means the EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to the EPA without going through *www.regulations.gov,* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the internet. If you submit an electronic comment, the EPA recommends that you include your name and other contact information in the body of your comment and with any digital storage media you submit. If the EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, the EPA may not be able to consider your comment. Electronic files should not include special characters or any form of encryption and should be free of any defects or viruses. For additional information about the EPA's public docket, visit the EPA Docket Center homepage at *www.epa.gov/dockets.*

The EPA is soliciting comments on numerous aspects in this document. The EPA has indexed each comment solicitation with a unique identifier (*e.g.,* ''ACI–1,'' ''ACI–2,'' ''OSWI–1'' . . .) to provide a consistent framework for effective and efficient provision of comments. Requests for comment solicitation are organized by category, and can be found in sections V, VI, and XI of this preamble. Accordingly, we ask that commenters include the corresponding identifier when providing comments relevant to that comment solicitation. We ask that commenters include the identifier either in a heading or within the text of each comment, to make clear which comment

solicitation is being addressed. We emphasize that we are not limiting comments to these identified areas and encourage provision of any other comments relevant to this proposed action.

Submitting CBI. Do not submit information containing CBI to the EPA through *www.regulations.gov* or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information on any digital storage media that you mail to the EPA, mark the outside of the digital storage media as CBI and then identify electronically within the digital storage media the specific information that is claimed as CBI. In addition to one complete version of the comments that includes information claimed as CBI, you must submit a copy of the comments that does not contain the information claimed as CBI directly to the public docket through the procedures outlined in the *Instructions* section above. If you include other information whose disclosure is restricted by statute in your comment, clearly mark your submission as including that information. If you submit any digital storage media that does not contain CBI, mark the outside of the digital storage media clearly that it does not contain CBI and note the docket ID. Information not marked as CBI will be included in the public docket and the EPA's electronic public docket without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 Code of Federal Regulations (CFR) part 2. Information whose disclosure is otherwise restricted by statute will be processed by the EPA Docket Center in accordance with the applicable statute.

Our preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol (FTP), or other online file sharing services (*e.g.,* Dropbox, OneDrive, Google Drive). Electronic submissions must be transmitted directly to the Office of Clean Air Programs CBI Office at the email address *oaqps_cbi@epa.gov,* and as described above, should include clear CBI markings and note the docket ID. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email *oaqps_cbi@epa.gov* to request a file transfer link. If sending CBI information through the postal service, please send it to the following address: OCAP Document Control Officer (C404–02), OCAP, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711, Attention Docket ID No. EPA–HQ–OAR–2025–0068. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope. Note that written comments containing CBI and submitted by mail may be delayed and no hand deliveries will be accepted.

Preamble acronyms and abbreviations. Throughout this preamble the use of ''we,'' ''us,'' or ''our'' is intended to refer to the EPA. We use multiple acronyms and terms in this preamble. While this list may not be exhaustive, to ease the reading of this document and for reference purposes, the EPA defines the following terms and acronyms here:

ACI Air Curtain Incinerator
ANSI American National Standards Institute
CAA Clean Air Act
CBI Confidential Business Information
CFR Code of Federal Regulations
CISWI Commercial and Industrial Solid Waste Incinerator
DCOT Digital Camera Opacity Technique
EG Emission Guidelines
EPA Environmental Protection Agency
FR Federal Register
ICR Information Collection Request
LMWC Large Municipal Waste Combustor
MSW Municipal Solid Waste
NSPS New Source Performance Standards
NTTAA National Technology Transfer and Advancement Act
OMB Office of Management and Budget
OSWI Other Solid Waste Incinerator
PBI Proprietary Business Information
PRA Paperwork Reduction Act
RFA Regulatory Flexibility Act
SMWC Small Municipal Waste Combustor
TPD Tons Per Day
UMRA Unfunded Mandates Reform Act
VCS Voluntary Consensus Standard

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I. General Information for ACI That Only Burn Wood Wastes, Yard Wastes, and Clean Lumber

A. Executive Summary

The EPA is proposing to consolidate the existing provisions governing Air Curtain Incinerators (ACI) and placing them in one new rule subpart. Pursuant to Clean Air Act (CAA) section 129(g)(1)(C), the EPA has previously established in various CAA section 129 regulations opacity limitations and associated monitoring and recordkeeping requirements for ACI that

only burn wood wastes, yard wastes, clean lumber, or any mixture of these three materials. In this rulemaking, the EPA is proposing to consolidate the opacity limitations and associated monitoring, recordkeeping, and reporting requirements that currently exist across CAA section 129 regulations for four different solid waste incineration unit source categories: large municipal waste combustors (LMWC), small municipal waste combustors (SMWC), commercial and industrial solid waste incinerators (CISWI), and other solid waste incinerators (OSWI). The EPA is also proposing to remove the CAA title V permitting requirement for this type of ACI that is subject to title V under current CAA section 129 regulations and are not located at title V major sources or subject to title V for other reasons. In addition to the proposed actions for ACI that only burn wood wastes, yard wastes, and clean lumber, or any mixture of these three materials, the EPA is soliciting comment on the definition of ''municipal waste combustion unit'' in the OSWI rules. The EPA anticipates that this rule will have cost savings due to the removal of title V permit requirements for ACI that only burn wood wastes, yard wastes, and clean lumber. The EPA is proposing this action to provide relief regarding the overly burdensome permit process for States as they work to utilize ACI for natural disasters clean up and to mitigate wildfires. This proposal would make it easier for the EPA's regulatory partners to understand and comply with the regulations under CAA section 129 and speed up the permitting process across the country, while still meeting all statutory requirements under the CAA.

B. Does this proposed action apply to me?

Sources potentially affected by this proposed rulemaking are ACI that only burn wood wastes, yard wastes, clean lumber, or any mixture of these three materials.

Wood waste refers to untreated wood and untreated wood products, including tree stumps (whole or chipped), trees, tree limbs (whole or chipped), bark, sawdust, chips, scraps, slabs, millings, and shavings. Wood waste does not include yard waste (defined later in this paragraph); construction, renovation, and demolition wastes; clean lumber (defined later in this paragraph); treated wood or treated wood products such as wood products that have been painted, pigment-stained, or pressure treated by compounds such as chromate copper arsenate, pentachlorophenol, or creosote; or manufactured wood products that contain adhesives or resins (*e.g.,* plywood, particle board, flake board, and oriented strand board).[1] Yard waste refers to grass, grass clippings, bushes, shrubs, and bush and shrub clippings from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands. Yard waste does not include construction, renovation, demolition wastes; and clean lumber, which is exempt from the definition of municipal solid waste (MSW) in this section. Clean lumber refers to wood or wood products that have been cut or shaped and includes wet, air-dried, and kiln-dried wood products. Clean lumber does include treated wood and treated wood products.[2]

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

C. Where can I get a copy of this document and other related information?

In addition to being available in the docket, an electronic copy of this document is available on the internet. Following signature by the Administrator, the EPA also will post a copy of this document to *www.epa.gov/stationary-sources-air-pollution/air-curtain-incinerators-only-burn-wood-wastes-yard-wastes-and.*

A memorandum for ACI that only burn wood wastes, yard wastes, and clean lumber showing the rule edits that would be necessary to incorporate the changes to 40 CFR parts 60 and 62 is available in the docket for this action (Docket ID No. EPA–HQ–OAR–2025–0068). Following signature by the EPA Administrator, the EPA also will post a copy of this document to *www.epa.gov/stationary-sources-air-pollution/air-curtain-incinerators-only-burn-wood-wastes-yard-wastes-and.*

II. Background for ACI That Only Burn Wood Wastes, Yard Wastes, and Clean Lumber

A. What is the Agency's statutory authority for taking this action?

Section 129 of the CAA requires the EPA to establish standards for solid waste incineration units. Such standards include emission limitations for new sources and guidelines for existing sources pursuant to CAA section 129 and 111.[3] CAA section 129(g)(1) defines a ''solid waste incineration unit'' as ''a distinct operating unit of any facility which combusts any material from commercial or industrial establishments or the general public (including single and multiple residences, hotels, and motels)''; however, ''solid waste incineration units'' do not include ''air curtain incinerators provided that such incinerators only burn wood wastes, yard wastes and clean lumber and that such air curtain incinerators comply with opacity limitations to be established by the Administrator by rule.'' [4] Because ACI that only burn these materials and comply with the opacity limitations established by the EPA under CAA section 129(g)(1)(C) are not solid waste incineration units, they are not subject to standards for solid waste incineration units established under CAA sections 129(a) and (b), and the only provisions in the existing section 129 regulations that apply to these ACI are the opacity limitations and the associated requirements established under CAA section 129(g)(1)(C).

Pursuant to CAA section 129(g)(1)(C), the EPA has previously established in various CAA section 129 regulations the opacity limitations and associated monitoring and recordkeeping requirements for ACI that only burn wood wastes, yard wastes, clean lumber, or any mixture of these three materials. In this rulemaking, the EPA is proposing to consolidate these requirements by removing them from existing CAA section 129 regulations and placing them in a new rule subpart specific to this type of ACI (40 CFR part 60 subpart Ca).

The EPA is also proposing to remove the CAA title V permitting requirement for such ACI to the extent they that are currently subject to title V under existing CAA section 129 regulations but are not located at title V major sources or subject to title V for other reasons.[5] In 2024 the EPA amended existing Other Solid Waste Incinerator (OSWI) CAA section 129 regulations to remove the title V permitting requirement for such ACI,[6] and in 2026 we finalized new LMWC New Source Performance Standards (NSPS) and did the same.[7] The remaining section 129 regulations that still subject such ACI to the title V permitting requirement include CISWI and SMWC rules as well

[1] *See, e.g.,* 40 CFR 60.2977.

[2] *See, e.g.,* 40 CFR 60.2977.

[3] 42 U.S.C. 7429(a)(1)(A) (citing 42 U.S.C. 7411).

[4] *Id.* 7429(g)(1), (g)(1)(C).

[5] The proposed removal would not cover ACI for which such removal was finalized in the 2026 LMWC new source performance standards and emissions. 91 FR 11802 (Mar. 10, 2026).

[6] 89 FR 27392 (Apr. 17, 2024), as amended November 04, 2024.

[7] 91 FR 11802 (Mar. 10, 2026).

as the LWMC Federal Plan. The EPA is proposing to remove this requirement from these existing regulations and clarify in the proposed new subpart Ca that title V permits are not required for any such ACI provided that it is not a major source or subject to title V for other reasons. Unless provided otherwise by law, an agency may change existing positions (*e.g.,* reconsider, revise, or rescind prior actions) so long as it acknowledges the change in position, provides a reasoned explanation for the change, and takes any serious reliance interests into account.[8] The EPA explains below in this section and in more detail in section III.B of this document why it had previously required title V permitting for ACI that only burn wood wastes, yard wastes, and clean lumber and why it is proposing to remove this requirement for such ACI. The EPA is not aware of any serious reliance interest engendered by the current title V permitting requirement for these ACI and is soliciting comment on whether there is any such interest that the EPA must consider in removing this requirement (ACI–0).

Section 129(e) of the CAA requires that ''solid waste incineration units'' operate pursuant to a title V permit.[9] Section 502(a) of the CAA also requires title V permits for sources subject to regulation under CAA section 111,[10] and the EPA's regulation at 40 CFR 70.3(a) clarifies that title V permitting is required for ''[a]ny source, including an area source, subject to a standard, limitation, or other requirement under [CAA] section 111.'' As explained in section III.B of this document, the title V requirements for ''solid waste incineration units'' under CAA section 129(e) do not apply to ACI that only burn wood wastes, yard wastes, clean lumber, or any mixture of these three materials because these ACI are not ''solid waste incineration units'' as defined in CAA section 129(g)(1). The EPA also did not invoke CAA section 129(e) as the basis for requiring title V permitting for such ACI in the existing section 129 regulations.[11] Rather, the EPA explained that the opacity limitations for such ACI were established pursuant to CAA sections 111 and 129, and because these ACI are sources subject to regulation under CAA section 111, they must operate with title V permits as required by CAA section 502(a).[12] For the reasons explained in section III.B of this document, the EPA now believes that the opacity limitations established for these ACI are not CAA section 111 standards within the scope of section 502(a) and 40 CFR 70.3(a). Moreover, CAA section 502(a) authorizes the Administrator to exempt nonmajor source categories from title V through rulemaking.[13] The EPA also finds, in the alternative, that title V permitting is unnecessarily burdensome for these ACI and proposes to exempt them by rule from title V requirements on that basis.

A. What is the regulatory history for this action?

As mentioned above, ACI that only burn wood wastes, yard wastes, clean lumber, or any mixture of these materials, are currently addressed in separate CAA section 129 regulations for four different solid waste incineration unit source categories: LMWC, SMWC, CISWI, and OSWI. These CAA section 129 regulations are as follows:

- 40 CFR part 60 subpart Cb—Emission Guidelines (EG) and Compliance Times for Large Municipal Waste Combustors That are Constructed on or Before September 20, 1994;
- 40 CFR part 60 subpart Eb—Standards of Performance for Large Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994, or for Which Modification or Reconstruction is Commenced After June 16, 1996;
- 40 CFR part 60 subpart VVVV—Standards of Performance for Large Municipal Waste Combustors;
- 40 CFR part 60 subpart WWWW—Emission Guidelines and Compliance Times for Large Municipal Waste Combustors Constructed on or Before January 23, 2024;
- 40 CFR part 60 subpart AAAA—Standards of Performance for Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999, or for Which Modification or Reconstruction is Commenced After June 6, 2001;
- 40 CFR part 60 subpart BBBB—Emission Guidelines and Compliance Times for Small Municipal Waste Combustors Constructed on or Before August 30, 1999;
- 40 CFR part 60 subpart CCCC—Standards of Performance for Commercial and Industrial Solid Waste Incineration Units;
- 40 CFR part 60 subpart DDDD—Emission Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units;
- 40 CFR part 60 subpart EEEE—Standards of Performance for Other Solid Waste Incineration Units;
- 40 CFR part 60 subpart FFFF—Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units;
- 40 CFR part 62 subpart FFF—Federal Plan Requirements for Large Municipal Waste Combustors Constructed on or Before September 20, 1994;
- 40 CFR part 62 subpart III—Federal Plan Requirements for Commercial and Industrial Solid Waste Incineration Units That Commenced Construction on or Before November 30, 1999;
- 40 CFR part 62 IIIa—Federal Plan Requirements for Commercial and Industrial Solid Waste Incineration Units That Commenced Construction on or Before June 4, 2010, and Have Not been Modified or Reconstructed Since August 7, 2013; and
- 40 CFR part 62 subpart JJJ—Federal Plan Requirements for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999.

The provisions governing ACI that only burn wood wastes, yard waste, clean lumber, or any mixture of these materials, are, for the most part, the same or substantially similar across these regulations except for minor differences in definitions of an ACI and averaging times for determining compliance with applicable emissions limits. These differences are discussed further in section III.A of this document. Table 1 provides a summary of ACI definitions, applicability and exemption language, and opacity limits and averaging times across these rules.

[8] *See, e.g., FDA* v. *Wages & White Lion Invs., L.L.C.,* 145 S. Ct. 898, 917 (2025); *Encino Motorcars* v. *Navarro,* 579 U.S. 211, 221 (2016); *FCC* v. *Fox Television Stations, Inc.,* 556 U.S. 502, 515 (2009).

[9] 42 U.S.C. 7429(e).

[10] 42 U.S.C. 7661a(a).

[11] *See e.g.,* 76 FR 15741 (Mar. 21, 2011).

[12] *Id.*

[13] 42 U.S.C. 7661a(a).

TABLE 1—CURRENT ACI UNIT DEFINITIONS, APPLICABILITY/EXEMPTIONS, AND OPACITY LIMITS ACROSS DIFFERENT CAA SECTION 129 RULE PROVISIONS

Category	Definition of ACI unit	Applicability	Opacity limits and averaging times
LMWC	Incinerator that operates by forcefully projecting a curtain of air across an open chamber or pit in which burning occurs. Incineration of this type can be constructed above or below ground and with or without refractory walls and floor.	ACI located at a plant that meets the capacity specifications (greater than 250 tons per day (tpd) municipal solid waste) and combusts 100 percent yard waste are exempt from all provisions except opacity limit, testing procedures, and reporting and recordkeeping.	10 percent opacity limit (6-minute average). 35 percent opacity limit (6-minute average) during 30-minute startup period. Limit applies at all times except during malfunction. Malfunction periods are limited to 3 hours per occurrence.
SMWC	Incinerator that operates by forcefully projecting a curtain of air across as open chamber or open pit in which combustion occurs. Incinerators of that type can be constructed above or below ground with or without refractory walls and floor.	ACI that combust 100 percent yard waste and meet capacity specifications for SMWC (at least 35 tpd municipal solid waste and no more than 250 tpd municipal solid waste) are only required to meet opacity limits, testing procedures, and recordkeeping and reporting requirements.	10 percent opacity limit (6-minute average). 35 percent opacity limit (6-minute average) during 30-minute startup period. Malfunctions exempted, but not to exceed 3 hours.
CISWI	Incinerator that operates by forcefully projecting a curtain of air across an open chamber or open pit in which combustion occurs. Incinerators of this type can be constructed above or below ground with or without refractory walls and floor.	ACI located at commercial and industrial facilities that burn (1) 100 percent wood waste; (2) 100 percent clean lumber; or (3) 100 percent mixture of only wood waste, clean lumber, and/or yard waste are only required to meet opacity limits, testing procedures, and recordkeeping and reporting requirements.	10 percent opacity limit (average of three 1-hour blocks consisting of ten 6-minute average opacity values). 35 percent opacity limit (average of three 1-hour blocks consisting of ten 6-minute average opacity values) during 30-minute startup period. Periods of malfunction are not exempt.
OSWI	Incinerator that operates by forcefully projecting a curtain of air across an open, integrated combustion chamber (fire box) or open pit or trench (trench burner) in which combustion occurs.	(A) *Very small MWC subcategories:* ACI that burn less than 35 tpd of only (1) 100 percent wood waste; (2) 100 percent clean lumber; (3) 100 percent yard waste; and (4) 100 percent mixture of only wood waste, clean lumber, and/or yard waste collected from the general public and from residential, commercial, institutional, and industrial sources. (B) *Institutional Waste Incineration Unit subcategories:* ACI located at institutional facilities that only burn (1) 100 percent wood waste; (2) 100 percent clean lumber; (3) 100 percent yard waste; and (4) 100 percent mixture of only wood, clean lumber, and/or yard waste generated at that facility. ACI as described in (A) and (B) above are only required to meet opacity limits, testing procedures, and recordkeeping and reporting requirements.	10 percent opacity limit (6-minute average). 35 percent opacity limit (6-minute average) during 30-minute startup period. Limits apply at all times except during malfunction.

There are also differences among the current title V permitting requirements for this type of ACI across CAA section 129 rule subparts. For example, the OSWI rules do not require a title V permit for ACI that only burn wood wastes, yard wastes, and clean lumber if they ''are not otherwise required to obtain a title V permit.'' [14] Similarly, the EPA removed the title V permit requirement for ACI that only burn wood wastes, yard wastes, and clean lumber and are not located at a major source or subject to title V for other reasons in the 2026 LMWC final rule.[15] However, similar ACI, such as those subject to the CISWI or SMWC rules and LMWC Federal Plan, must obtain a title V permit under current regulations.[16]

In this rulemaking, the EPA is proposing to consolidate regulatory provisions governing ACI that only burn wood wastes, yard wastes, clean lumber, or any mixture of these materials, by removing them from existing CAA section 129 regulations and placing them in a new rule subpart specific to this type of ACI. (40 CFR part 60 subpart Ca). Also, because these ACI are materially indistinguishable regardless of which CAA section 129 source category they are currently regulated under and therefore need to be treated in a consistent manner, the EPA is proposing to remove the title V permitting requirement for these ACI that are currently regulated under the CAA section 129 regulations for CISWI, SMWC, and the LMWC Federal Plan. This is consistent with the EPA's 2024 final rule that removed title V permitting for these ACI in the existing CAA section 129 OSWI regulations [17] and its 2026 amendments to the LMWC NSPS and EG.[18] For the new subpart Ca, the EPA is proposing that title V permits are not required provided that the ACI is not a major source or subject to title V for other reasons.

Please note that the proposed new subpart Ca does not directly apply to existing sources subject to state plans that implement CAA section 129 EGs. However, if finalized, States that currently require title V permitting in their state plans would be able to revise their plans to remove the title V permitting requirement for this type of ACI.

III. Proposed Actions for ACI That Only Burn Wood Wastes, Yard Wastes, and Clean Lumber

A. Proposed Consolidation of the Existing Opacity Limits for ACIs That Only Burn Wood Wastes, Yard Wastes, and Clean Lumber

The EPA is proposing to consolidate requirements for ACI that only burn wood wastes, yard wastes, clean lumber, or any mixture of these materials, by removing them from existing CAA section 129 regulations and placing them in a new rule subpart specific to

[14] 40 CFR 60.2966(b); *see also* 40 CFR 70.3(a)(1) (requiring title V permitting for any ''major source''); 40 CFR 70.2 (defining a ''major source'' under title V).

[15] *See* 91 FR 11802 (Mar. 10, 2026).

[16] *See, e.g.,* 40 CFR 60.2242, 62.15020(k).

[17] 89 FR 27392 (Apr. 17, 2024).

[18] *See* 91 FR 11802 (Mar. 10, 2026).

this type of ACI, 40 CFR part 60 subpart Ca. The proposed subpart Ca includes certain consolidated changes as described below.

The EPA is proposing a single definition for any ACI that burns only wood wastes, yard wastes, clean lumber, or any mixture of these materials. In the CAA section 129 rules governing LMWC, SMWC, and CISWI, an ACI is defined as an ''incinerator that operates by forcefully projecting a curtain of air across an open chamber or pit in which burning occurs. Incineration of this type can be constructed above or below ground and with or without refractory walls and floor.'' [19] The OSWI rules define ACI slightly differently as an ''incinerator that operates by forcefully projecting a curtain of air across an open, integrated combustion chamber (fire box) or open pit or trench (trench burner) in which combustion occurs.'' [20]

We are proposing to adopt the OSWI regulation definition in the new subpart Ca for the following reasons. First, this definition specifically includes fire box and trench burner unit types that are commonly used for cleanup and disposal of wood wastes, yard wastes, and clean lumber while not excluding other potential types of units. Second, the part of the ACI definition in the CISWI, LMWC, and SMWC rules that the unit ''can be constructed above or below ground and with or without refractory walls and floor'' appears redundant (*e.g.,* construction can only be above or below ground—there is no third choice); without this phrase, ACI can still be constructed either above or below ground. Please note that the proposed definition is independent of unit design capacity and type of facility that owns or operates the unit, and so the choice of definition is not intended to and should not result in material differences in applicability or requirements imposed. We solicit comment on the proposed definition of ACI (ACI–1).

The proposed new subpart Ca would consolidate existing opacity limitations during periods of regular operation for this type of ACI and during the startup period of the unit. The opacity limits in the new subpart Ca would be the same as those across all existing CAA section 129 regulations (*i.e.,* 10 percent opacity during regular operation and 35 percent opacity during startup).[21] This proposal merely consolidates these longstanding opacity limitations for clarity and administrability and does not reopen them for comment.

The EPA also proposes to create a single set of opacity measurement averaging time requirements that are clear and consistent with the methodologies of EPA Method 9, a compliance determination method for opacity that is required in the LMWC, SMWC, OSWI, and CISWI rules.[22] We are proposing that compliance with the opacity limit will be based on 6-minute averages, as provided in the 40 CFR part 60 *General Provisions* at 40 CFR 60.11(b). This is the current requirement in all CAA section 129 rules except the CISWI rules, which require that the determination be based on ''three 1-hour blocks consisting of ten 6-minute average opacity values.'' [23] Under 40 CFR 60.11(b), ''the minimum total time of observations shall be 3 hours'' and the 3 hours are comprised of 30 6-minute averages. While the minimum observation period under the CISWI rules is also 3 hours, CISWI requires averaging the ten values for each 1-hour block and then averaging the three 1-hour block values, making the final value less representative of the individual 6-minute average values and in turn providing less confidence in determining whether there is an opacity concern, which would be indicative of a combustion issue that needs to be addressed. We did not find in the CISWI rule records an explanation for why the EPA chose to depart from 40 CFR 60.11(b) or why the averaging method in CISWI rules differ from other CAA section 129 rules.[24] As mentioned earlier in this preamble, the purpose of this proposed rulemaking is to have one set of requirements for all ACI that only burn wood wastes, yard wastes, clean lumber, or a mixture thereof. Because all the other rules follow 40 CFR 60.l1(b), we are proposing to apply the averaging requirement in 40 CFR 60.11(b) in the proposed consolidated new rule subpart Ca. We solicit comment on these proposed averaging time requirements (ACI–2).

In addition to creating a single set of averaging time requirements, the EPA is proposing to include text clarifying the opacity monitoring requirements. One of these clarifications describes how compliance is demonstrated when conducting opacity measurements; this clarification is consistent with our discussion on averaging times above. This clarification is especially needed for periods of startup, as the startup period is only 30 minutes. The EPA has previously received questions on how owners and operators are supposed to comply with 40 CFR 60.8 during the startup period, as 40 CFR 60.8 requires three test runs. The additional regulatory text would clarify that owners and operators only need to make observations for 30 minutes to demonstrate compliance during startup. We also propose to add a cross-reference to 40 CFR 60.11 for performance tests, as this section of the *General Provisions* provides instructions for conducting opacity measurements.

Currently, the LMWC, CISWI, and OSWI rules require an annual performance test, which must be conducted within 12 months following the date of the previous test.[25] However, the SMWC rule's required annual performance test must be conducted ''no more than 13 months following the date of the previous test.'' [26] To maintain consistency across ACI within the new subpart, we are proposing to require that the annual performance tests must be conducted within 12 months of the date of the previous test. We solicit comment on the proposed timeframe for these annual performance tests (ACI–3).

Currently, the OSWI rules state: ''If the air curtain incinerator has been out of operation for more than 12 months following the date of the previous test, then the owner or operator must conduct a test for opacity upon startup of the unit.'' [27] However, this language does not appear in the CISWI, LMWC, or SMWC rules. Therefore, the EPA is proposing to include in the new subpart Ca a provision similar to that in the OSWI rules but with further clarification. Specifically, the EPA is proposing that any ACI that is not in operation at the time the annual test is due (12 months from the previous test) is not required to conduct a test for opacity at that time. Without this language, owners and operators could assume that they must start up their unit to conduct annual testing, which would be an unnecessary burden for the owner or operator and would tend to increase, rather than control, emissions at a non-operating unit—a counterintuitive result with no environmental benefit. Therefore, we are proposing to delay testing until the next startup for any ACI that is not operating at the time of scheduled testing. Specifically, the proposed new subpart Ca would state:

[19] 40 CFR 60.51b, 60.1940, 60.2875; Table 1 of this document.

[20] 40 CFR 60.2977, 60.3078; *see also* Table 1 of this document.

[21] *See, e.g.,* 40 CFR 60.1920, 60.2860, 60.56b, 60.3066; Table 1 of this document.

[22] *See, e.g.,* 65 FR 76355 (Dec. 6, 2000); 60 FR 65419 (Dec. 19, 1995); 84 FR 15853 (Apr. 16, 2019), 70 FR 74892 (Dec. 16, 2005).

[23] *See, e.g.,* NSPS CCCC (40 CFR 60.2125(i)).

[24] *See* Docket ID No. EPA–HQ–OAR–2003–0119.

[25] *See* NSPS Eb (40 CFR 60.58b(l)(3)), NSPS CCCC (40 CFR 60.2255(c)), and NSPS EEEE (40 CFR 60.2972(c)).

[26] *See* NSPS AAAA (40 CFR 60.1445(a)).

[27] *See* NSPS EEEE (40 CFR 60.2972(d)).

''If the air curtain incinerator is not operating at the time that the annual test would be required under paragraph (c) of this section, you may delay the annual test until the next day you operate the unit.'' We solicit comment on this proposed requirement (ACI–4).

The EPA is also proposing to require the completion of an initial performance test within 60 days of the initial startup. Currently, the timeline for conducting the initial performance test in all the different CAA section 129 regulations is within 60 days after reaching the operational charge rate but no later than 180 days after initial startup.[28] Since the performance test is used to demonstrate compliance, allowing up to 180 days of startup for performance testing seems unreasonably long in this case. The ''up to 180 days'' is a default maximum timeframe provided in the *General Provisions,* which may be necessary for complicated sources with multiple air pollution control devices that may need time to fully begin operations and work through issues that can occur during initial startup. This is often referred to as a shakedown period. During the shakedown period, sources generally ramp up operations over time to protect the unit against operational problems like thermal stress, overheating, and leaks. We do not expect ACI that only burn wood wastes, yard wastes, and clean lumber, or mixtures of these materials, and are subject only to opacity limits, to require a long shakedown period. Such ACI are less complicated than other sources that are required to conduct performance testing, and as such, we would expect that these units can reach their operational charge rate not long after startup; therefore, we expect that these units should be able to conduct initial performance tests within 60 days of startup.

This proposed rulemaking also includes initial notification requirements. These would require the submission of an initial notification of startup of this type of ACI, location of the ACI unit, initial startup date, and types of materials burned in the ACI. Previous notification requirements for this type of ACI did not include the location of the ACI unit. We are proposing this requirement because we believe it would be helpful for the EPA, State, and local authorities to maintain an inventory of where these units are located, particularly given the proposed removal of title V permit requirements detailed in section III.B of this document. We solicit comment on these proposed initial notification requirements (ACI–5).

This rulemaking also proposes recordkeeping and reporting requirements for initial and annual opacity tests for this type of ACI. For such ACI currently regulated under the OSWI rules, owners and operators must keep records of these opacity tests in either a paper copy or computer-readable (*e.g.,* electronic) format for at least 5 years.[29] These records must be kept on site for at least 2 years but then may be kept off site for the remaining 3 years. These test results must be submitted to the Administrator (as paper or electronic copy). For initial opacity tests, results must be submitted within 60 days of the test. For annual opacity tests, results must be submitted within 12 months following the previous report. The recordkeeping and reporting requirements for this type of ACI regulated under the CISWI rules are identical to those in the OSWI rules, with the exception of requiring records of these opacity tests be kept on site for the entire 5-year recordkeeping period.[30] Like units regulated under CISWI, this type of ACI regulated under the LMWC and SMWC rules are required to keep records (paper or electronic copy) of these opacity tests on site for 5 years.[31] However, opacity test results are to be submitted to the Administrator by February 1 of the following year, rather than 60 days from the initial test for initial reports, or 12 months from submittal of the previous test for annual reports. In this case, the degree of flexibility afforded to owners and operators of these ACI for compliance with this reporting requirement could vary greatly depending on when during the calendar year an initial opacity test is performed. For this proposed rulemaking, we are basing the recordkeeping and reporting requirements on those in the OSWI rules, as we believe the language provides the greatest degree of specificity for these respective requirements. We solicit comment on the proposed recordkeeping and reporting requirements for these ACI (ACI–6).

B. Proposed Removal of Existing Title V Requirements for ACI That Only Burn Wood Wastes, Yard Wastes, and Clean Lumber

We are proposing to remove the title V permitting requirements for ACI that only burn wood wastes, yard wastes, clean lumber, or any mixture of these materials, that were previously covered by CAA section 129 CISWI and SMWC regulations as well as the LWMC Federal Plan, provided they are not otherwise subject to title V.[32] The EPA made the same amendments in the revised OSWI rule in 2024 [33] and the LMWC rule in 2026.[34]

The EPA is proposing to remove the title V permitting requirement for this type of ACI for the following reasons. First, CAA section 129(e) and the EPA's title V regulation at 40 CFR 70.3(b)(1), which require that each solid waste incineration unit operate with a title V permit, do not by their terms apply to ACI that only burn wood wastes, yard wastes, or clean lumber and that are subject to opacity limitations established by the EPA. These ACI are not ''solid waste incineration units'' as defined in CAA section 129(g)(1)(C) and are therefore not subject to title V permitting under CAA section 129(e) or 40 CFR 70.3(b)(1).

Second, while CAA section 502(a) and the EPA's title V regulations at 40 CFR 70.3(a)(2) require that sources subject to CAA section 111 standards operate with a title V permit, the opacity limits for ACI that only burn wood wastes, yard wastes, clean lumber, or any mixture of these materials, are not section 111 standards. As mentioned earlier, the EPA had previously claimed that the opacity limits for these ACI ''were established pursuant to CAA sections 111 and 129'' and thereby triggered CAA section 502 requirement that sources subject to regulation under CAA section 111 must operate with title V permits.[35] However, the EPA now believes that prior assertion to be inaccurate for the following reasons. First, the opacity limitations and related requirements for these ACI were established under CAA section 129(g)(1)(C), which does not require the EPA to establish such opacity limitations under CAA section 111. Second, while certain section 129

[28] *See* NSPS Eb (40 CFR 60.58b(l)(2)), NSPS CCCC (40 CFR 60.2255(b)), and NSPS EEEE (40 CFR 60.2972(b)), which reference 40 CFR 60.8 for conducting the initial performance test and NSPS AAAA, which states the same timeframe in 40 CFR 60.1445(a).

[29] *See* 40 CFR 60.3068.

[30] *See* 40 CFR 60.2870.

[31] *See* 40 CFR 60.59b(e) and 60.1930, respectively.

[32] CAA section 502(a) provides that the EPA cannot exempt major sources from title V by rule. *See* 42 U.S.C. 7661a(a); 40 CFR 70.3(b)(1). This proposed rule also would not affect title V applicability to any ACI currently subject to title V for other reasons, as provided in CAA section 502(a) and 40 CFR 70.3(a).

[33] *See* 89 FR 27392 (Apr. 17, 2024).

[34] *See* 91 FR 11802 (Mar. 10, 2026).

[35] *See* 76 FR 15741 (Mar. 21, 2011).

provisions require that standards be established pursuant to CAA sections 111 and 129, it does not appear that the opacity limitations for these ACI were established pursuant to any such section. For example, CAA section 129(a) requires the EPA to establish standards ''pursuant to section [111] of this title and this section for each category of solid waste incineration units.'' As noted above, because these ACI are not solid waste incineration units, section 129(a) does not apply to such ACI. Similarly, CAA section 129(a)(2) requires that ''standards applicable to solid waste incineration units'' promulgated under section [111 and 129] shall reflect the maximum degree of reduction in emissions of air pollutants listed under section (a)(4) that the Administrator, taking into consideration the cost of achieving such emission reduction, and any non-air quality health and environmental impacts and energy requirements, determines is achievable for new or existing units in each category.'' CAA section 129(a)(4), in turn, provides that standards promulgated under sections 111 and 129 and ''applicable to solid waste incineration units shall'' include opacity limits ''as appropriate.'' However, as noted above, ACI burning only wood wastes, yard wastes, clean lumber, or mixtures thereof are not solid waste incineration units under CAA section 129(g)(1)(C). Therefore, the EPA is not required by CAA section 129(a)(2) and (4) to establish opacity limits for such ACI units pursuant to sections 111 and 129. Nor is there any record showing that the opacity limits for this type of ACI were established pursuant to sections 111 and 129 in accordance with CAA section 129(a)(4). The EPA first established the opacity limits for ACI that only burn yard wastes in 1995.[36] The EPA explained at the time that it was directed by CAA section 129 to establish such opacity limits [37] and that the limits ''are based on levels achieved by well-designed and operated air curtain incinerators.'' [38] The EPA subsequently promulgated the same opacity limits for ACI that only burn wood wastes and clean lumber.[39] In neither rulemaking did the EPA explain how the standards were established pursuant to CAA sections 111.

For the reasons stated above, we do not believe that the opacity limitations established under CAA section 129(g)(1)(C) for ACI that only burn wood wastes, yard wastes, clean lumber, or any mixture thereof are CAA section 111 standards; therefore, these opacity limitations do not trigger the title V permitting requirement for this type of ACI.

Third, CAA section 502(a) authorizes the Administrator to promulgate regulations to exempt non-major sources from the title V permitting requirement if the Administrator finds, in his discretion, that compliance with such requirement is impracticable, infeasible, or unnecessarily burdensome. Such an exemption is not required in this case because, as proposed above, the statute does not require title V permitting for ACI that only burn wood wastes, yard wastes, clean lumber, or any mixture thereof. Nevertheless, the EPA finds, in the alternative, that compliance with title V permitting is unnecessarily burdensome for this type of ACI. Under this alternative, even if it were determined that such ACI are CAA section 111 standards subject to title V permitting requirements under CAA section 502(a) and the EPA's regulation at 40 CFR 70.3(a)(2), we would nevertheless exempt such sources from title V requirements on that basis. During the prior CISWI rulemakings, the EPA had acknowledged that it could exempt nonmajor sources from title V permitting by making the necessary finding under CAA section 502 but had declined to do so for these ACI because the EPA had not made such finding for these ACI in other CAA section 129 rules and believed that it was important to treat these ACI in the same manner.[40] As mentioned earlier, in 2024 the EPA amended existing OSWI section 129 regulations to remove the title V permitting requirement for such ACI.[41] [42] The EPA is treating these ACI in the same manner by proposing to remove the title V permitting requirement for units regulated under the remaining section 129 regulations that currently require title V permitting for these ACI.

The EPA has previously developed a four-factor balancing test in determining under CAA section 502(a) whether compliance with title V is ''unnecessarily burdensome.'' These four factors are: (1) whether title V permitting would result in significant improvements in compliance with emission standards; (2) whether title V permitting would impose significant burdens on the area source category; (3) whether the costs are justified, taking into account potential gains; and (4) whether there are existing enforcement programs in place sufficient to ensure compliance.[43] The EPA has historically also considered whether such an exemption would adversely affect public health, welfare, or the environment.[44] In exercising the discretion conferred by statute, the Administrator considers these factors in combination, and not every factor must point in the same direction to support an exemption. As explained below, the EPA considers and balances these same factors in this action.

With respect to the first factor, the EPA does not believe that title V permitting would result in significant improvements in compliance with emission standards. One of the primary benefits of the title V program is to compile and clarify, in a single document, the various and complex regulations that apply to a facility in order to improve compliance and thereby ''enable the source, states, EPA, and the public to understand better the requirements to which the source is subject, and whether the source is meeting those requirements.'' [45] However, this benefit is not realized with respect to ACI that only burn wood wastes, yard wastes, clean lumber, or mixtures thereof; these ACI are subject only to opacity limitations and associated monitoring recordkeeping and reporting requirements established under CAA section 129(g)(1)(C), and we are not aware that they are subject to any other requirement under the CAA. Another way title V can improve compliance is its requirement that ''*[e]ach permit* . . . shall set forth . . . monitoring . . . requirements to assure compliance with the permit terms and conditions.'' [46] This rulemaking, however, would adopt and consolidate the monitoring, recordkeeping and reporting requirements for these ACI in the current CAA section 129 rules with some minor variations as detailed previously in section III.A. of this document. Specifically, opacity would be monitored according to EPA Method 9, a long established and common practice for determining compliance with opacity limits. The owners and operators of these sources would perform an initial opacity test no later than 60 days after initial startup, and annual opacity tests no later than 12 calendar months following the date of

[36] *See* 60 FR 65387, 65425 (Dec. 19, 1995).

[37] *See* 59 FR 48198, 48211 (Sept. 20, 1994).

[38] *See id.* at 48223.

[39] 65 FR 75338 (Dec. 1, 2000).

[40] 76 FR 15704, 15741 (Mar. 21, 2011); 84 FR 15846, 15851 (Apr. 16, 2019).

[41] 89 FR 27392 (Apr. 17, 2024); *see also* 89 FR 89928 (Nov. 14, 2024) (technical correction).

[42] 89 FR 4243 (Jan. 23, 2024).

[43] 70 FR 75320, 75323 (Dec. 19, 2005); *see U.S. Sugar Corp.* v. *EPA,* 830 F.3d 579, 647 (D.C. Cir. 2016).

[44] *See, e.g.,* 70 FR 75323 (Dec.19, 2005).

[45] *See* 57 FR 32250, 32251 (July 21, 1992).

[46] 42 U.S.C. 7661c(c); *see also* 40 CFR 70.6(c)(1).

the previous test, unless the ACI is not operating at the time that the annual test would be required. Owners and operators would submit the results of each opacity test to the Administrator no later than 60 calendar days after the date of completing the test. Records of these opacity tests would be kept in either paper copy or electronic format for at least 5 years; they would be kept on site for at least 2 years, then could be kept off site for the remaining 3 years. These requirements have been adequate to ensure compliance with the ACI opacity limits currently in the existing CAA section 129 regulations for various source categories. Although title V requires submitting reports of any required monitoring at least every 6 months, per 40 CFR 70.6(a)(3)(iii)(A), we do not think more frequent reporting is necessary for purposes of ensuring compliance with one single opacity limit. In light of the above, we believe that the proposed monitoring, recordkeeping, and reporting requirements of this proposed rulemaking would be sufficient to ensure compliance, and that title V would not significantly improve compliance.

Regarding the second factor, we believe that title V permitting would impose significant burdens on the owners and operators of these sources. Costs associated with initial application and annual fees for a title V permit can vary depending on state permitting policies.[47] The permitting process, which includes preparing and submitting the permit applications, meeting with the permitting authorities and subjecting their operations and permit application to public comment, takes time and could potentially delay operations. Considering the above, we believe that title V requirements would impose a significant additional burden without corresponding health or environmental benefit.[48]

Regarding the third factor, we believe the title V permitting costs and other burdens are not justified as we believe there would be little, if any, potential gain in compliance from subjecting this type of ACI to title V. It is likely that many ACI that burn exclusively wood wastes, yard wastes, clean lumber, or mixtures thereof are commonly located at facilities that would not otherwise require a title V operating permit, such as land clearing operations in public or private land and fuels treatment for wildfire prevention.[49] State and industry stakeholders have commented that the title V requirements for these units are overly burdensome and costly, particularly in light of the dependence on ACI units to mitigate natural disaster debris, such as massive amounts of clean wood and vegetative waste for wildfire mitigation and forest management, burning of storm-generated wood and vegetative debris, and burning of land clearing debris. Several States have commented that these ACI should not be required to obtain title V permits because they are low-emitting and because permitting these ACI is unnecessarily burdensome and expensive. Further, ACI that burn exclusively wood wastes, yard wastes, clean lumber, or any mixtures thereof are often used temporarily at the location of a natural disaster or disaster prevention, not at facilities that are subject to title V. As mentioned earlier in this preamble, the only requirements for these ACI are opacity limitations and associated monitoring, recordkeeping, and reporting requirements that we believe are adequate to assure compliance. In light of the above, we conclude that the cost of title V permitting is not justified as we do not anticipate any potential gain in health and environmental outcomes from compliance by these ACI with additional title V requirements.

Regarding the fourth factor, we believe there are existing enforcement programs in place sufficient to ensure compliance with opacity limits for these ACI. State and local authorities can monitor compliance with these opacity limits and related requirements with delegated authorities for implementing and enforcing CAA section 129 regulations; the EPA is aware of no indication that these section 129 delegated authorities are insufficient to assure compliance with these requirements, which as mentioned above have been in place for a long time and are common practices. Therefore, enforcement of these opacity limits and related requirements through title V permitting is not necessary.

Lastly, requiring title V permitting for these ACI could adversely affect public health, welfare, or the environment by diverting resources toward permitting activities unlikely to generate additional health or environmental benefits. Since compliance with the opacity limitations for these ACI can be adequately assured without title V, as explained above, title V permitting would unnecessarily shift State resources away from assuring compliance for major sources and potentially reducing overall air program effectiveness. We therefore find title V permitting to be unnecessarily burdensome for ACI that only burn wood wastes, yard wastes, clean lumber, or any mixture thereof, and that are not major sources or subject to title V permitting requirements for another reason.

In sum, the title V requirements for ''solid waste incineration units'' and sources subject to CAA section 111 standards do not apply to ACI that only burn wood wastes, yard wastes, clean lumber, or any combination thereof, because these ACI are not ''solid waste incineration units'' under CAA section 129(g)(1) and the opacity limitations established for these ACI are not CAA section 111 standards. We also find, in the alternative, that title V requirements would be unnecessarily burdensome for this type of ACI. For the reasons stated above, we propose to remove from CAA section 129 regulations any existing title V permitting requirements for ACI that only burn wood wastes, yard wastes, and clean lumber, and state in the new subpart for this type of ACI that these ACI are not required to obtain a title V operating permit, provided that they are not otherwise required to obtain a title V operating permit.

IV. Summary of Cost, Environmental, and Economic Impacts for ACI That Only Burn Wood Wastes, Yard Wastes, and Clean Lumber

This proposed rulemaking would consolidate the opacity limits and associated monitoring, recordkeeping and reporting requirements that currently exist across the OSWI, CISWI, LMWC, and SMWC rules for ACI that only burn wood wastes, yard wastes, clean lumber, or any mixture of these materials. The only additional cost that we anticipate is the cost of the initial notification requirement for ACI that only burn wood wastes, yard wastes, clean lumber, or any mixture of these materials. However, consistent with the current OSWI and LMWC rulemakings, we are proposing to remove title V requirements for ACI that only burn wood wastes, yard wastes, clean lumber, or any mixture of these materials. We anticipate that the removal of the title V requirements would result in cost savings for such ACI that are not co-located at facilities with CISWI and

[47] *See, e.g.,* South Carolina title V fees: *https://des.sc.gov/programs/bureau-air-quality/annual-fees-title-v-sources;* Virginia title V fees; *https://www.deq.virginia.gov/laws-regulations/air/fees-under-the-air-pollution-control-law;* Florida title V fees: *https://floridadep.gov/air/permitting-compliance/content/title-v-fees;* Oregon title V fees: *https://www.oregon.gov/deq/aq/aqpermits/pages/tvrule.aspx.*

[48] Also, as explained in the 2024 final rule removing title V permitting requirement from OSWI section 129 regulations, ''the EPA has received feedback from several States indicating that the title V permits are unnecessarily burdensome and expensive for States to maintain for these ACIs.'' 89 FR 27394 (Apr. 17, 2024).

[49] *See, e.g.,* 89 FR 27392, 27394 (Apr. 17, 2024).

SMWC units currently required to obtain a title V permit for these types of ACI. We do not anticipate any changes to emissions because no new emission standards are being set. With the removal of title V permitting requirements and the likelihood of associated net cost savings and the associated reduced overall cost of operation, there could be an increase in ACI use. This potential increase in ACI use could generate increased emissions. We are unable to quantify emissions changes of this nature for this proposed rulemaking but anticipate that they would be small, particularly given the retention of existing opacity limits for these units. We anticipate net savings because the cost of removing the title V requirements will outweigh any costs associated with the initial notification requirement. Hence, we anticipate that there will not be adverse economic impacts for those entities that use these types of ACI.

V. Request for Comments on Proposed Rule for ACI That Only Burn Wood Wastes, Yard Wastes, and Clean Lumber

We solicit comment on all aspects of this proposed action described above. In addition to general comments on this proposed action, we are soliciting comments on the following topics. A comment reference indicator for each specific topic is provided (*e.g.,* ACI–1, ACI–2, etc.).

- Whether the existing title V permitting requirement for ACI that only burn wood wastes, yard wastes, and clean lumber, of any mixture thereof, has engendered any serious reliance interest that the EPA must consider in removing this permitting requirement. (ACI–0).
- The definition of ACI as an ''incinerator that operates by forcefully projecting a curtain of air across an open, integrated combustion chamber (fire box) or open pit or trench (trench burner) in which combustion occurs'' as discussed in section III.A of this document. (ACI–1).
- The averaging time requirement that compliance for opacity is based on 6-minute averages, as provided in the 40 CFR part 60 *General Provisions* at 40 CFR 60.11(b), as discussed in section III.A of this document. (ACI–2).
- The timeframe that annual performance tests be conducted within 12 months of the date of the previous test as discussed in section III.A of this document. (ACI–3).
- The ability to delay an annual performance test until the next startup of the unit if the ACI is not operating at the time that the annual test is required as described in section III.A of this document. (ACI–4).
- The initial notification requirement for this type of ACI as described in section III.A of this document. (ACI–5).
- Recordkeeping and reporting requirements as described in section III.A of this document. (ACI–6).

VI. Request for Comment on Revising the Definition of ''Municipal Waste Combustion Unit'' in OSWI NSPS and EG

In addition to the proposed action on ACI that only burn wood wastes, yard wastes, and clean lumber, or any mixture of these materials, the EPA is soliciting comment on revising the definition of ''municipal waste combustion unit'' in the OSWI NSPS and EG to remove the reference to ''pyrolysis/combustion units.'' In the preamble to the 2005 OSWI final rule, the EPA stated that ''pyrolysis/combustion units (two chamber incinerators with a starved air primary chamber followed by an afterburner to complete combustion)'' are considered OSWI units but did not further elaborate.[50] The EPA proposed in 2020 to modify the definition of ''municipal waste combustion unit'' in the OSWI rules to remove the reference to pyrolysis/combustion units. The EPA published an advanced notice of proposed rulemaking on September 8, 2021 (86 FR 50296), to gather more details on pyrolysis/combustion units, including how they are used, the inputs and products of the processes, and emissions from these processes. In 2023, the EPA proposed to withdraw the 2020 proposed definition change.[51] To assist with the resolution of this longstanding issue, we are soliciting comment on whether removing the reference to ''pyrolysis/combustion units'' from the definition of ''municipal waste combustion unit'' in the OSWI rules is appropriate or not, along with supporting legal, policy, and factual arguments for the commenter's recommended position. (OSWI–1).

VII. General Information for Temporary Use of CISWI Units in Disaster Recovery

A. Executive Summary

The EPA is proposing to allow the temporary use of incineration units subject to CISWI regulations during disaster recovery without the need to comply with CAA section 129 requirements. In 2005, the EPA promulgated the OSWI NSPS (40 CFR part 60, subpart EEEE) and EG (40 CFR part 60, subpart FFFF).[52] Those regulations established CAA section 129 standards and associated requirements for OSWI units, and authorized OSWI to combust debris from a disaster or emergency on a temporary basis without having to comply with applicable CAA section 129 requirements. In this rulemaking, we are proposing to authorize such temporary use for incinerators (including ACI) subject to CISWI regulations by adding temporary-use provisions similar to those in the OSWI regulations to existing Federal CISWI rule subparts. The EPA does not anticipate any additional capital costs associated with this proposal if finalized, only notification costs. This proposed action works to permanently respond to States' request for more incinerators to be available for disaster clean up. By proposing this action, the EPA is working to streamline responses to natural disasters and emergencies and to advance cooperative federalism.

B. Does this proposed action apply to me?

Categories and entities potentially affected by this proposed rulemaking are those that operate incinerators (including ACI) subject to CISWI NSPS (40 CFR part 60, subpart CCCC), Federal Plan (40 CFR part 62, subpart IIIa), or EG (40 CFR part 60, subpart DDDD) (hereinafter collectively referred to as ''CISWI'' [53]). If you have questions regarding the applicability of this action to a particular entity, consult the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

C. Where can I get a copy of this document and other related information?

The EPA has established a docket for CISWI Temporary Use Incinerator rulemaking under Docket ID No. EPA–HQ–OAR–2003–0119. Following signature by the EPA Administrator, the EPA also will post a copy of this document to *https://www.epa.gov/stationary-sources-air-pollution/commercial-and-industrial-solid-waste-incineration-units-ciswi-new.*

VIII. Background for Temporary Use of CISWI Units in Disaster Recovery

A. What is the statutory authority for taking this action?

Section 129 of the CAA, entitled ''Solid Waste Combustion,'' requires the

[50] 70 FR 74876 and 74877 (Dec. 16, 2005).

[51] 88 FR 36524 (June 5, 2023).

[52] 70 FR 74870 (Dec. 16, 2005).

[53] As used in this notice, the term ''CISWI'' refers to this collection of Federal regulations and not incinerators as defined by the term ''CISWI'' in these regulations, and the term ''CISWI units'' refers to incinerators subject to any one of these regulations.

EPA to develop and adopt NSPS and EG for solid waste incineration units pursuant to CAA section 111.[54] Section 111(b) of the CAA requires the EPA to establish NSPS for new sources, and CAA section 111(d) requires the EPA to establish procedures for States to submit plans for implementing EG for existing sources. The EPA promulgates Federal plans to regulate existing sources where there are no approved state plans.

Section 129(a)(1) of the CAA identifies five categories of solid waste incineration units and requires emissions standards for ''each category of solid waste incineration unit.'' The five categories of solid waste incineration units are as follows:

(1) Units with a capacity of greater than 250 tpd combusting municipal waste;

(2) Units with a capacity equal to or less than 250 tpd combusting municipal waste;

(3) Units combusting hospital, medical and infectious waste;

(4) Units combusting commercial or industrial waste;

(5) ''other categories of solid waste incineration units.''

While the CAA specifically describes four of the five listed categories by the types of wastes burnt, it leaves unspecified the ''other categories of solid waste incineration units.'' As the EPA observed during the development of standards for OSWI, Congress could have unambiguously required OSWI to cover ''every other possible type of incineration unit burning any type of solid waste'' but did not to do so, thereby leaving to the EPA's discretion to delineate those ''other'' categories of solid waste incineration units.[55] Based on that authority, the EPA defined OSWI to include very small municipal combustion units and institutional waste combustion incineration units. The EPA analyzed and excluded various types of incinerators from being subject to CAA section 129 standards; among those excluded are incinerators when they are used on a temporary basis to combust debris during disaster recovery. The EPA determined that some incinerators ''should be handled differently due to unusual circumstances (*e.g.,* unique geographic locations or climatic factors, temporary emergency use)'' that would render compliance with CAA section 129 rules infeasible.[56] Accordingly, the EPA excluded incinerators from complying with CAA section 129 standards and associated requirements when they are used to combust debris during disaster recovery.[57] To qualify for this exclusion, an incinerator ''must burn debris in an area declared a State of Emergency by a local or State government, or the President, under the authority of the Stafford Act, has declared that an emergency or a major disaster exists in the area.'' [58] In addition, owners and operators must follow the notification requirements in the temporary use provisions.[59]

Currently, these temporary use provisions are codified in the Federal OSWI regulations, and the EPA has realized that States need more incinerators for emergency/disaster debris cleanup. Some States have requested the temporary use of CISWI for such purposes;[60] based on the same authority and for the same reasons explained in the 2005 OSWI rule[61] and here in section VIII.B. of this preamble, the EPA is proposing to include similar temporary use provisions for disaster recovery in CISWI regulations, thereby extending such temporary use to incinerators at commercial and industrial facilities upon final promulgation.

The proposed action does not affect the EPA's obligation under CAA section 129(a)(1)(C) to establish standards for ''solid waste incineration units combusting commercial and industrial wastes.'' This action proposes to provide for the temporary use of incinerators that normally burn commercial or industrial wastes to instead burn debris (which is defined in the Webster Dictionary as remains of materials broken or destroyed, in this case by a natural disaster or emergency) during disaster recovery without having to comply with CISWI standards established pursuant to CAA section 129(a)(1)(c); the temporary use provisions do not apply to combustion of commercial and industrial wastes (*i.e.,* wastes generated by commercial and industrial facilities) for which standards are required under CAA section 129(a)(1)(C). The EPA, therefore, concludes that these incinerators that are normally used at commercial and industrial facilities to burn commercial or industrial wastes need not comply with CAA section 129 emission standards and associated requirements for CISWI while they are used to combust debris if they only burn non-hazardous debris and not waste from normal operations at their commercial and industrial facilities during the temporary use period.

Please note that while the EPA is proposing to amend the CISWI EG (40 CFR part 60, subpart DDDD), along with the CISWI NSPS and Federal plan, to include the temporary use provisions, the CISWI EG does not directly apply to existing incinerators covered by that EG. However, if finalized, States may revise their State plans implementing subpart DDDD to add the temporary use provisions that would be in subpart DDDD, thereby allowing their existing incinerators at commercial or industrial facilities to be used temporarily for emergency/disaster debris clean up without complying with their CAA section 129 standards during that period.

B. What is the regulatory history for this action?

In 2005, the EPA promulgated the OSWI NSPS (40 CFR part 60, subpart EEEE) and EG (40 CFR part 60, subpart FFFF).[62] Those regulations established CAA section 129 standards and associated requirements for OSWI units; however, the regulations also allow temporary use of incinerators to burn debris during disaster recovery or other emergencies without complying with such standards. Because these OSWI regulations are currently the only CAA section 129 regulations with such temporary use provisions, only incinerators subject to the OSWI NSPS or State plans implementing the OSWI EG may be used on a temporary basis to combust debris from a disaster or emergency without complying with CAA section 129 requirements during that period.

On January 24, 2025, President Trump issued Executive Order (E.O.) 14181 to expedite cleanup of the catastrophic wildfires in Los Angeles County.[63] The E.O. sparked renewed awareness of regulatory challenges associated with disaster recovery, which have increased in both intensity and costliness in recent years.[64] During disaster cleanup, frequently there is considerable excess organic waste that, if left, would

[54] CAA section 129(a)(1)(A), 42 U.S.C. 7429(a)(1)(A).

[55] 70 FR 74870, 74875 (Dec. 16, 2005).

[56] *Id.* at 74875.

[57] 70 FR 74870 (Dec. 16, 2005).

[58] OSWI NSPS (40 CFR 60.2969) and OSWI EG (40 CFR 60.3061).

[59] *Id.*

[60] Abraczinskas, M. (2024). Request for Relief Concerning Air Curtain Incinerator Use in the State of North Carolina. *https://www.deq.nc.gov/media/46541/download?attachment.*

[61] 70 FR 74875, 74879 (Dec. 16, 2005).

[62] 70 FR 74870 (Dec. 16, 2005).

[63] Executive Order 14181, Emergency Measures to Provide Water Resources in California and Improve Disaster Response in Certain Areas, 90 FR 8747 (Jan. 24, 2025).

[64] Moore, A. Hurricane Helene's Aftermath Fuels Heightened Wildfire Risk in Western North Carolina (2025). *https://cnr.ncsu.edu/staging/2025/11/04/hurricane-helenes-aftermath-fuels-heightened-wildfire-risk-in-western-north-carolina/.*

decompose into more harmful organic air emissions than if combusted or landfilled. Incinerators are useful tools for disaster or emergency cleanup, as they can process large quantities of debris and are considered safer and more environmentally sound than other remediation options.[65] When Hurricane Helene hit in September 2024, States and municipalities expressed concern over smoke impacts from open burning of waste and debris, and increased likelihood of wildfires.[66] To respond to the scale of the disaster and volume of debris generated, the EPA's Regional offices and Office of Enforcement and Compliance Assurance issued No Action Assurances to allow North Carolina and Tennessee to use their CISWI ACI units to combust non-hazardous disaster debris, as ACI can be easily mobilized to reduce waste volume and minimize harmful environmental impacts.[67] This situation highlighted the need for additional available incinerator capacity for States during disasters, beyond those that could be made available under the Federal OSWI regulations. In this action, the EPA is proposing to include temporary use provisions in the Federal CISWI regulations similar to those in the Federal OSWI regulations, increasing the incinerator capacity available to combust non-hazardous disaster debris during disaster or emergency events. These provisions were previously published by the EPA in a final agency action Interim Final Rule (IFR); however, due to the conclusion of the hurricane and wildfire seasons of 2025, the EPA is withdrawing the IFR and proposing those provisions through a notice-and-comment rulemaking action. The provisions propose to exclude incinerators subject to CISWI from CAA section 129 requirements when they are used on a temporary basis to combust debris from a disaster or emergency such as a tornado, hurricane, flood, ice storm, high winds, or act of bioterrorism. Such temporary use provisions are being proposed in the following CAA section 129 regulations:

- 40 CFR part 60, subpart CCCC—Standards of Performance for Commercial and Industrial Solid Waste Incinerations Units;
- 40 CFR part 60, subpart DDDD—Emission Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units;
- 40 CFR part 62, subpart IIIa—Federal Plan Requirements for Commercial and Industrial Solid Waste Incineration Units That Commenced Construction on or Before June 4, 2010, and Have Not been Modified or Reconstructed Since August 7, 2013

As discussed earlier in section VIII.A, the temporary use provisions in the CISWI EG do not directly apply to existing sources. However, following final rule promulgation, States may amend their State plans implementing 40 CFR part 60, subpart DDDD to include these temporary use provisions.

IX. Rationale for Temporary Use of CISWI Units in Disaster Recovery

A. Temporary Use of CISWI During Disaster Recovery

This rule proposes temporary use disaster recovery and emergency provisions for the Federal CISWI regulations similar to those currently in the Federal OSWI regulations. Under this proposal, like OSWI units, CISWI units would not need to comply with their CAA section 129 emission standards and associated requirements while they are used to combust debris as long as they follow the conditions for these temporary use provisions. Specifically, the owners or operators of CISWI units would be allowed to combust debris only in an area declared a State of Emergency by a local or State government or where the President, under the authority of the Stafford Act, has declared that an emergency or a major disaster exists in the area. Under these temporary use provisions, debris that could be combusted would be any non-hazardous material that is the remains of something that is destroyed, broken, or discarded as a result of a disaster or emergency such as a tornado, hurricane, flood, ice storm, high winds, or act of bioterrorism; and during the disaster recovery period, the CISWI unit would not be burning waste from normal operations at their commercial and industrial facilities. Also, owners and/or operators would follow the notification requirements specified in the temporary use provisions.

In addition, under the CISWI temporary use provisions, we are proposing that control devices that have been installed to comply with CISWI NSPS, CISWI Federal plan or a State plan implementing CISWI EG would continue operation during temporary use status unless it is not technically feasible to do so due to conditions in the disaster recovery area;[68] otherwise, these controls are already in place, and they can minimize air pollution during the disaster recovery period even if the CISWI are excluded from CAA section 129 standards and associated requirements during that time. Examples of infeasibility to operate include insufficient electricity to operate a control device, lack of water to operate a wet scrubber or quench, and inability to get replacement supplies such as activated carbon or parts for maintenance.

We believe that during the disaster recovery period, CAA section 129 CISWI standards and associated requirements are not appropriate for incinerators at commercial and industrial facilities that are burning only non-hazardous debris and only long enough to complete the recovery tasks; during the disaster recovery period, these incinerators are not used as regular commercial and industrial waste disposal devices, which Congress intended the CAA section 129 standards to regulate. Also, as the EPA previously explained, ''in emergency situations, quick removal of debris is of utmost importance to maintain public health and safety, and temporary use incinerators may be best suited to dispose of debris.'' [69] Quick removal without complying with CAA Section 129 standards allows for the more expedited incineration of dried debris, which reduces the near-term likelihood of catastrophic wildfires occurring.[70] If units elect to comply with the CISWI standards, they may lose valuable time and bandwidth to incinerate debris as quickly as possible. The EPA, therefore, elected to exclude incinerators from CAA section 129 standards when they are used on a short-term basis to burn debris during disaster recovery, noting that such ''regulation would hinder the recovery effort and this impact would outweigh the benefits from regulation of the units.'' [71] The EPA found that ''this proactive approach, which addresses the terms for use of a temporary-use incinerator during declared emergencies or disasters, is better than an approach

[65] U.S. EPA. No Action Assurance for the Use of Air Curtain Incinerators to Manage Debris Caused By Hurricane Helene in North Carolina (2024), *https://www.deq.nc.gov/media/46792/download?attachment.*

[66] *Id.*

[67] *Id.*

[68] In promulgating the temporary use provisions in the OSWI rules, the EPA recognized that there may be instances where it is not technically feasible to operate a control device through the entire duration of a disaster recovery period. (70 FR 74880; Dec. 16, 2005). Likewise, in this rule, the EPA is requiring that existing controls continue to operate during the temporary use period if technically feasible, thereby acknowledging potential operational issues during such period but minimizing emissions where there are not such issues.

[69] 70 FR 74879, (Dec. 16, 2005).

[70] U.S. EPA. No Action Assurance for the Use of Air Curtain Incinerators to Manage Debris Caused By Hurricane Helene in North Carolina (2024), *https://www.deq.nc.gov/media/46792/download?attachment.*

[71] 70 FR 74879, (Dec. 16, 2005).

that requires the EPA and others to react during or immediately after such an emergency or disaster strikes. This provision allows CISWI operators in a disaster region to quickly shift from existing operations to combusting only non-hazardous disaster debris, without the impediment of complying with the CISWI standards during temporary use. We also point out that States and the Federal government have specific procedures that are followed in declaring an area a State of Emergency or a major disaster area. Their procedures involve extensive involvement by local, State, and Federal officials to conduct a preliminary damage assessment, develop debris removal plans, and coordinate and manage disaster assistance activities.''

B. Temporary Use Period and Notifications

As in the OSWI regulations, we are not proposing to require any notification for temporary use of CISWI units for disaster recovery that lasts eight weeks or less (beginning on the date the unit starts operation in response to a disaster or emergency). This ability to start temporary use without notification during the first eight weeks would ease the burden during or immediately after a disaster or emergency. If the CISWI unit were used for longer than eight weeks, the owner or operator would be required to notify the Administrator in writing and request permission to continue to operate. Submitting such notification would permit temporary use for an additional eight weeks, which is a total of 16 weeks from the date the unit started operation. The notification would have to be submitted in writing by the date eight weeks after the temporary use incinerator starts operation and would include the following information: the date the incinerator started operation within the boundaries of the current emergency or disaster declaration area; identification of the disaster or emergency for which the incinerator is being used; a description of the types of materials being burned in the incinerator; a brief description of the size and design of the unit, including any existing control devices; the reasons the incinerator must be operated for more than eight weeks; the amount of time for which the owner or operator requests permission to operate including the date the unit is expected to cease operation; and, if applicable, a brief description of why the control devices are infeasible to operate due to the disaster. If the request is for longer than 16 weeks, the owner or operator would have to cease operation of the unit or comply with applicable CISWI regulatory requirements at the end of 16 weeks, unless the Administrator approves in writing a request to continue operation. 16 weeks will be the maximum length of time a temporary-use incinerator can operate in a given area declared a State of Emergency or major disaster without specific permission to continue operation from the Administrator. The approval of the request to continue operating must establish a site-specific date to cease operation. Similar to the OSWI exclusion, EPA is proposing this approach, rather than a uniform maximum amount of time, because a case-by-case approval process allows EPA and States to set the appropriate time limits for the specific situation.

If finalized, the proposed temporary use provisions would directly impact incinerators subject to the CISWI NSPS (40 CFR part 60, subpart CCCC) and Federal plan (40 CFR part 62, subpart IIIa) but not those subject to state plans implementing CISWI EG (40 CFR part 60, subpart DDDD). States could then amend their State plans for existing CISWI units to incorporate this temporary use provision.

X. Summary of Cost, Environmental, and Economic Impacts for CISWI Temporary Use Incinerators in Disaster Recovery

We are proposing the temporary use of CISWI units during a disaster or emergency, for the purposes of combusting related debris. Facilities with CISWI units that use the disaster recovery temporary use provisions would not be subject to additional control requirements; they would not need to meet the existing CAA section 129 requirements during this temporary use period. Therefore, we anticipate there would not be any additional capital costs for compliance with this proposal if finalized, only annual notification costs. As cleanup responses are necessary during and following a disaster or emergency, we anticipate that this action would have minimal adverse environmental impacts, as the benefits of using CISWI units will outweigh the alternatives of open burning and/or increased risk of wildfires that would degrade air quality.[72] As we are unable to quantify the number of units that would be affected by this rulemaking, we are unable to quantify the cost savings from this action at this time.

[72] U.S. EPA, No Action Assurance for the Use of Air Curtain Incinerators to Manage Debris Caused by Hurricane Helene in North Carolina (2024). *https://www.deq.nc.gov/media/46792/download?attachment.*

XI. Request for Comment for CISWI Temporary Use Incinerators in Disaster Recovery

The EPA solicits comment on all aspects of this proposed action described above. Comments can be submitted to the CISWI Docket ID No. EPA–HQ–OAR–2003–0119.

In addition to general comments on this proposed action, we are soliciting comments on the following topics. A comment reference indicator for each specific topic is provided (*e.g.,* Emergency-1, Emergency-2, etc.).

- Incidents of insufficient numbers of incinerators for emergency/disaster debris cleanup and the impacts on the affected communities. (Emergency-1).
- Information on the difficulty with complying with CISWI regulations during emergency/disaster debris cleanup. (Emergency-2).
- Information on State and local efforts in minimizing health impact during emergency/disaster debris cleanup. (Emergency-3).

XII. Statutory and Executive Order Reviews

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

A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review

The proposed actions to consolidate the regulations for ACI burning only certain fuels and to allow for temporary use of CISWI units during disasters or emergencies are not considered significant regulatory actions as defined in Executive Order 12866. This proposal was therefore not submitted to the Office of Management and Budget (OMB) for review.

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

This action proposing to consolidate regulations for ACI that only burn wood wastes, yard wastes, clean lumber, or any mixture of those materials is considered an Executive Order 14192 deregulatory action because it would provide burden reduction by simplifying compliance and some permitting requirements. This action to allow for temporary use of CISWI units is considered an Executive Order 14192 deregulatory action because it would reduce burdens for CISWI units during emergency and disaster recovery with the temporary use provisions.

C. Paperwork Reduction Act (PRA)

The information collection activities in this action have been submitted for approval to OMB under the PRA as discussed for each of the relevant subpart discussed in sections XII.C.1, XII.C.2, and XII.C.3.

1. ICR for Consolidated Air Curtain Incinerators: 40 CFR Part 60, Subpart Ca

The Information Collection Request (ICR) document prepared by the EPA has been assigned the EPA ICR number 7813.01. You can find a copy of the ICR in Docket ID No. EPA–HQ–OAR–2025–0068, and it is briefly summarized here.

The proposed rulemaking requires initial notifications and opacity tests by the owners and operators of the affected facilities. Owners and operators would also be required to maintain records of and submit the results of opacity tests. These notifications, reports, and records are essential in determining compliance and are required of all affected facilities subject to the subpart. The EPA notes that most of the burden associated with this ICR is burden being transferred from existing ICRs for the subparts that currently regulate ACI that only burn wood wastes, yard wastes, and clean lumber. The only new burden for this ICR is associated with the initial notification of applicability for existing units.

Respondents/affected entities: New or existing air curtain incinerators that only burn wood wastes, yard wastes, and clean lumber.

Respondent's obligation to respond: Mandatory (40 CFR part 60, subpart Ca).

Estimated number of respondents: 52.

Frequency of response: Once for startup/applicability notification, annually for opacity test, as needed for disaster recovery for the clean ACI.

Total estimated burden: 1,570 hours (per year), of which the EPA estimates approximately 640 burden hours are currently associated with the CISWI rules and 807 burden hours are currently associated with the OSWI rules. Burden is defined at 5 CFR 1320.3(b).

Total estimated cost: $537,000, of which the EPA estimates that approximately $230,000 is currently associated with the CISWI rules and $290,000 is currently associated with the OSWI rules. The annualized capital operation & maintenance costs are $156,000.

2. ICR for CISWI Temporary Use Incinerators NSPS: 40 CFR Part 60, subpart CCCC

The information collection request (ICR) documents that the EPA prepared have been assigned EPA ICR number 1926.10. You can find a copy of the ICR in Docket ID No. EPA–HQ–OAR–2003–0119, and it is briefly summarized here. The information collection requirements are not enforceable until OMB approves them.

This action proposes to amend the current requirements in 40 CFR part 60, subpart CCCC to allow owners and operators to temporarily combust debris associated with disaster recovery. As part of these proposed requirements, owners and operators would submit a notification to the Administrator whenever an incinerator is used to combust this type of debris for more than eight weeks. There would be no other changes to the notification, recordkeeping, and reporting required in these subparts. These notifications, reports, and records are essential in determining compliance with the applicable subpart.

Respondents/affected entities: Owners and operators of new CISWI units.

Respondent's obligation to respond: Mandatory if temporary use exceeds eight weeks (40 CFR part 60, subpart CCCC).

Estimated number of respondents: 16, of which the EPA estimates that approximately 1.6 will be subject to this proposed notification requirement annually.

Frequency of response: As needed for disaster recovery.

Total estimated burden: 2,230 hours per year for 40 CFR part 60, subpart CCCC, of which the EPA estimates approximately 3.7 hours are associated with this notification annually. Burden is defined at 5 CFR 1320.3(b).

Total estimated cost: $1,530,000 (per year) for 40 CFR part 60, subpart CCCC, of which the EPA estimates that approximately $529 is associated with this notification annually.

3. ICR for CISWI Temporary Use Incinerators EG: 40 CFR Part 60, Subpart DDDD and 40 CFR Part 62, Subpart IIIa

This action proposes to amend the current requirements in 40 CFR part 60, subpart DDDD and 40 CFR part 62, subpart IIIa to allow owners and operators to temporarily combust debris associated with disaster recovery. As part of these proposed requirements, owners and operators would submit a notification to the Administrator whenever an incinerator is used to combust this type of debris for more than eight weeks. There would be no other changes to the notification, recordkeeping, and reporting required in these subparts. These notifications, reports, and records are essential in determining compliance with the applicable subpart.

Respondents/affected entities: Owners and operators of existing CISWI units.

Respondent's obligation to respond: Mandatory if temporary use exceeds eight weeks (40 CFR part 60, subpart DDDD, and 40 CFR part 62, subpart IIIa).

Estimated number of respondents: 76 for 40 CFR part 60, subpart DDDD and 40 CFR part 62, subpart IIIa, of which the EPA estimates that approximately 2.7 existing units will be subject to this proposed notification requirement annually.

Frequency of response: As needed for disaster recovery.

Total estimated burden: 8,510 hours per year for 40 CFR part 60, subpart DDDD and 40 CFR part 62, subpart IIIa, of which the EPA estimates approximately 6.2 burden hours are associated with this notification annually. Burden is defined at 5 CFR 1320.3(b).

Total estimated cost: $13,500,000 (per year) for 40 CFR part 60, subpart DDDD and 40 CFR part 62, subpart IIIa, of which the EPA estimates that approximately $893 is associated with this notification annually.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in 40 CFR part 51 are listed in 40 CFR part 9. Submit your comments on the agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden to the EPA using the docket identified at the beginning of this rule. The EPA will respond to any ICR related comments in the final rule. You may also send your ICR-related comments to OMB's Office of Information and Regulatory using the interface at *www.reginfo.gov/public/doPRAMain.* Find this particular information collection by selecting ''Currently under Review-Open for Public Comments'' or by using the search function. OMB must receive comments no later than April 20, 2026.

D. Regulatory Flexibility Act (RFA)

I certify that these proposed actions will not have a significant economic impact on a substantial number of small entities under the RFA. In making this determination, EPA concludes that the impact of concern for this rulemaking is any significant adverse economic impact on small entities, and that the agency is certifying that this rulemaking will not have a significant economic

impact on a substantial number of small entities because the rule relieves regulatory burden on the small entities subject to the rule. This Consolidated ACI proposed action will impose monitoring, recordkeeping and reporting requirements that currently exist in the respective rules for OSWI, CISWI, LMWC and SMWC units. We only anticipate the additional costs of the initial notification requirements. The EPA has a provided a memo in the docket for this action titled, ''Economic Impact and Small Business Analysis for the Consolidated Air Curtain Incinerators (ACI) and Temporary Use of Commercial Industrial Solid Waste Incinerators (CISWI) Proposed Rule.'' For the CISWI Temporary Use Incinerator Actions, there are no additional control requirements and thereby no additional compliance costs. Therefore, we conclude that this action will relieve regulatory burden for all directly regulated small entities.

E. Unfunded Mandates Reform Act (UMRA)

These proposed actions do not contain unfunded mandates of $100 million or more as described in the UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. This action imposes no enforceable duty on any State, local or Tribal governments or the private sector.

F. Executive Order 13132: Federalism

These proposed actions do not have federalism implications. The actions will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government.

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

These proposed do not have Tribal implications. It will neither impose substantial direct compliance costs on federally recognized Tribal governments, nor preempt Tribal law.

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

EPA interprets Executive Order 13045 as applying only to those regulatory actions that concern environmental health or safety risks that EPA has reason to believe may disproportionately affect children, per the definition of ''covered regulatory action'' in section 2–202 of the Executive Order.

The proposed actions are not subject to Executive Order 13045 because it does not concern an environmental health risk or safety risk. Since this action does not concern human health, EPA's Policy on Children's Health also does not apply.

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

These proposed are not ''significant energy actions'' because they are not likely to have a significant adverse effect on the supply, distribution, or use of energy. Further, we have concluded that this action is not likely to have adverse energy effects because it does not involve energy supply, distribution, or use of energy.

J. National Technology Transfer and Advancement Act (NTTAA) and 1 CFR Part 51

This notice of proposed rulemaking involves technical standards for ACI that only burn wood wastes, yard wastes, and clean lumber. Therefore, the EPA conducted searches through the Enhanced National Standards System Network Database managed by the American National Standards Institute (ANSI) to determine if there are voluntary consensus standards (VCS) that are relevant to this action. We conducted searches for EPA Method 9 of 40 CFR part 60, appendix A. During the search, if the title or abstract (if provided) of the VCS described technical sampling and analytical procedures that are similar to the EPA's reference method, the EPA considered it as a potential equivalent method. All potential standards were reviewed to determine the practicality of the VCS for these rules. This review requires significant method validation data which meet the requirements of EPA Method 301 for accepting alternative methods or scientific, engineering and policy equivalence to procedures in the EPA reference methods. The EPA may reconsider determinations of impracticality when additional information is available for particular VCS. ASTM D7520–16, Standard Test Method for Determining the Opacity of a Plume in the Outdoor Ambient Atmosphere, approved April 1, 2016, describes how digital imagery and associated hardware and software is used to determine the opacity of a plume. The EPA will allow the voluntary consensus standard ASTM D7520–16, as an acceptable alternative to EPA Method 9 with the following caveats:

1. During the digital camera opacity technique (DCOT) certification procedure outlined in section 9.2 of ASTM D7520–16, you (the operator of the regulated unit) or the DCOT vendor must present the plumes in front of various backgrounds of color and contrast representing conditions anticipated during field use such as blue sky, trees, and mixed backgrounds (clouds and a sparse tree stand).

2. You must also have standard operating procedures in place including daily or other frequency quality checks to ensure the equipment is within manufacturing specifications as outlined in Section 8.1 of ASTM D7520–16.

3. You must follow the recordkeeping procedures outlined in section 63.10(b)(1) for the DCOT certification, compliance report, data sheets, and all raw unaltered JPEGs used for opacity and certification determination.

4. You or the DCOT vendor must have a minimum of four (4) independent technology users apply the software to determine the visible opacity of the 300 certification plumes. For each set of 25 plumes, the user may not exceed 15 percent opacity of anyone reading and the average error must not exceed 7.5 percent opacity.5. Use of this approved alternative does not provide or imply a certification or validation of any vendor's hardware or software. The onus to maintain and verify the certification and training of the DCOT camera, software and operator in accordance with ASTM D7520–16 and these requirements is on the facility, DCOT operator, and DCOT vendor. This method is available at ASTM International, 1850 M Street NW, Suite 1030, Washington, DC 20036. See *www.astm.org.* The standard is available to everyone at a cost determined by ASTM. The cost of obtaining this method is not a significant financial burden, making the method reasonably available. Additional information for the VCS search and determinations can be found in the memorandum, Voluntary Consensus Standard Results for Consolidation of standards for air curtain incinerators that only burn wood wastes, yard wastes, and clean lumber, which is available in the docket for this action (Docket ID No. EPA–HQ–OAR–2025–0068).

Under 40 CFR 60.8(b) and 60.13(i) of subpart A of the General Provisions, a source may apply to the EPA to use alternative test methods or alternative monitoring requirements in place of any required testing methods, performance

specifications or procedures in the final rule or any amendments.

Lee Zeldin

Administrator.

[FR Doc. 2026–05491 Filed 3–19–26; 8:45 am]

BILLING CODE 6560–50–P

OFFICE OF MANAGEMENT AND BUDGET

Office of Federal Procurement Policy

48 CFR Part 9903

RIN 0348–AB85

Increase of Monetary Thresholds and Other Matters Related to Cost Accounting Standards Program Requirements

AGENCY: Cost Accounting Standards Board, Office of Federal Procurement Policy, Office of Management and Budget.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Office of Federal Procurement Policy (OFPP), Cost Accounting Standards Board (the Board), is publishing this notice of proposed rulemaking (NPRM) to elicit public comments on proposed increases to the Cost Accounting Standards (CAS) thresholds and other matters related to the CAS program requirements.

DATES: Comments must be in writing and must be received by April 20, 2026.

ADDRESSES: Submit comments to the *Federal eRulemaking Portal: https://www.regulations.gov.* by searching for ''CASB 2021–01''. Select the link ''Comment Now'' that corresponds with ''CASB 2021–01''. Follow the instructions provided on the ''Comment Now'' screen. Please include your name, company name (if any), and ''CASB 2021–01'' on your attached document. If your comment cannot be submitted using *https://www.regulations.gov,* call or email the points of contact in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Comments received generally will be posted without change to *https://www.regulations.gov,* including any personal and/or business confidential information provided. Public comments may be submitted as an individual, as an organization, or anonymously (see frequently asked questions at *https://www.regulations.gov/faq*). To confirm receipt of your comment(s), please check *https://www.regulations.gov,* approximately two or three days after submission to verify posting.

Privacy Act Statement: The Board proposes this rule to elicit public views pursuant to 41 U.S.C. 1502. Submission of comments is voluntary. The information will be used to inform sound decision-making. Do not include any information you would not like to be made publicly available. Additionally, the OMB System of Records Notice, OMB Public Input System of Records, OMB/INPUT/01, 88 FR 20913 (available at *www.federalregister.gov/documents/2023/04/07/2023–07452/privacy-act-of-1974-system-of-records*), includes a list of routine uses associated with the collection of this information.

FOR FURTHER INFORMATION CONTACT: John L. McClung, Manager, Cost Accounting Standards Board (telephone: 202–881–9758; email: *john.l.mcclung2@omb.eop.gov*).

SUPPLEMENTARY INFORMATION:

I. Overview

Currently, there are four monetary thresholds that establish the nature and extent of CAS coverage: (i) the basic applicability threshold for CAS coverage, currently tied to the Truthful Cost or Pricing Data statute, which is currently $2.5 million as of October 1, 2025; (ii) the $7.5 million trigger contract threshold, which exempts contracts under this amount until a contractor receives at least one contract in excess of $7.5 million; (iii) the $50 million threshold for full CAS coverage (contracts below this threshold are subject to modified CAS coverage requiring compliance with just four of the current 19 standards); and (iv) the $50 million threshold for requiring a disclosure statement. The first two thresholds are statutory and require legislative action to change, while the latter two are regulatory and were established based on the Board's authority at 41 U.S.C. 1502(b)(2). The Board is proposing to raise the regulatory thresholds (see Section II), and proposing changes to the basic threshold as a result of Section 1806 of the 2026 National Defense Authorization Act (NDAA) (see Section III). The NPRM would also raise the CAS waiver authority threshold for executive agency heads from $15 to $100 million. This increase would implement changes made to 41 U.S.C. 1502 (b)(3) by Section 820 of the 2017 National Defense Authorization Act (see Section IV).

Lastly, the NPRM provides clarifications on applying CAS to indefinite delivery contracts (see Section V) after considering responses to a Staff Discussion Paper (SDP) issued on June 18, 2024 (89 FR 51491) to elicit public views on whether and how to amend its rules to address the application of CAS to indefinite delivery vehicles (IDVs). The SDP included discussion of six possible approaches for addressing CAS coverage to IDVs, and five principles to guide the evaluation of alternatives.

This proposed rule is issued by the Board in accordance with the requirements of 41 U.S.C. 1502.

II. Regulatory Thresholds

In 1977, the Board established two levels of CAS compliance (full and modified) to partially address concerns that CAS creates a barrier to entry and the challenges of applying CAS to smaller government contractors, and to those contractors whose government business represents a small share of their total sales volume. The Board established a $10 million threshold for full CAS coverage based on a single award or cumulative CAS covered awards during the last period. Contractors subject to the newly created modified coverage were also largely exempted from filing disclosure statements.

In 1993, the Board raised the threshold to $25 million to adjust for inflation, and again in 2000 at the direction of Congress to the current thresholds of $50 million for full coverage and for filing disclosure statements. In addition, since 1992, a disclosure statement has not been required from a segment that has CAS covered contracts totaling less than $10 million and representing less than 30 percent of segment sales (CAS 9903–202–1(c)(ii)).

The Advisory Panel on Streamlining Acquisition Regulations established by Section 809 of the 2016 National Defense Authorization Act (809-Panel), recommended raising the thresholds for full CAS coverage and disclosure statement requirements to $100 million. They also recommended eliminating the condition for not requiring a disclosure statement from a segment that has CAS-covered contracts totaling less than $10 million and representing less than 30 percent of segment sales as it would no longer be necessary.

The Board conducted an analysis to assess the likely impact of raising these thresholds in terms of the number of entities and dollar amounts that would be covered at various threshold increases. The Board analyzed Federal Procurement Data System (FPDS) data for the five-year period covering Fiscal Years (FYs) 2020 through 2024. The data included all new definitive awards, and single award indefinite delivery contracts that included the CAS clause and excluded any contract awarded to a

small business (as they already are exempt from CAS), or awarded using commercial procedures (as these generally would also be exempt). The Board has reasoned that the Unique Entity Identifier (UEI) represents a covered segment.

Based on analysis of the FPDS data, the Board estimates that raising the threshold for full coverage to $100 million would maintain nearly 99 percent of the dollars currently subject to full coverage today but remove nearly 30 percent of the entities. This would result in a substantial reduction of burden and lower the barrier to entry with a minimal loss in the total dollars currently subject to full coverage and disclosure statement requirements. Adjusting the $50 million thresholds based solely on inflation since 2000 would raise the threshold to $92 million today.

For these reasons, the Board is proposing to raise the thresholds for full CAS coverage and disclosure statement requirements to $100 million, and also proposing to eliminate the exemption at CAS 9903–202–1(c)(ii) which currently exempts a disclosure statement from a segment if during the most recently completed cost accounting period the segment's CAS-covered awards are less than 30 percent of total segment sales for the period and less than $10 million. As a result of the higher thresholds this exemption is no longer necessary. The Board seeks public comment on this proposal in this NPRM, and is interested in comments related to its assumption that each business segment has its own UEI. Specifically, the Board welcomes feedback on whether there any entities currently subject to disclosure statement requirements that are reporting as a segment without its own UEI, and if so, the specific circumstances that led to this determination and what UEI they use to bid on contracts.

III. Statutory Thresholds

The Board used the same data set discussed in Section II above, and conducted an analysis to assess the likely impact of raising the statutory CAS applicability thresholds in terms of the number of entities and dollar amounts that would be covered at various thresholds. The current threshold for CAS applicability is $2.5 million but with the caveat that the entity has at least one CAS covered contract valued at $7.5 million. The Board's analysis estimates that increasing the threshold to $35 million would reduce the number of CAS-covered business segments by approximately 60 percent, while still maintaining over 90 percent of the current dollars subject to CAS coverage.

OMB used the Board's analysis to develop a legislative proposal to decouple the basic CAS monetary threshold from the Truthful Cost or Pricing Data statute, and raise it to a stated dollar amount of $35 million. The proposal also eliminates the $7.5 million trigger contract threshold as it would no longer be necessary with a higher applicability threshold. The proposal was transmitted to Congress at the end of June for consideration in the 2026 NDAA. Section 1806 of the 2026 NDAA fully codified the OMB legislative proposal, and this rule proposes the changes to 9903.201–1 CAS applicability to implement these changes.

IV. Agency Head Waiver Authority

CAS 9903.201–5 provides that agency heads may waive CAS on their own for contracts valued up to $15 million without seeking approval from the Board but must notify the Board of the waiver. This proposed rule raises the CAS waiver authority threshold for executive agency heads to $100 million. This increase implements changes made to 41 U.S.C. 1502(b)(3) by Section 820 of the 2017 National Defense Authorization Act.

V. Application of CAS to Indefinite Delivery Contracts

A. Overview and Conclusion

Indefinite delivery contracts (IDCs) are contracts where work is awarded through the placement of individual task and delivery orders as requirements arise, with a minimum guaranteed order value and a ceiling amount reflecting the maximum total value of orders that can be placed under the contract. They include the Federal Supply Schedules Program and government-wide acquisition contracts (GWACs), though obligations under the Schedules and GWACs are tracked separately from other task and delivery order contracts in FPDS.

Analysis of FPDS data shows the use of IDCs has continued to increase in both size and as a percentage of overall contract obligations. There have also been increases in the use of other indefinite delivery vehicles (IDVs), including blanket purchase agreements and basic ordering agreements. In FY 2024 obligations for orders against IDCs and other IDVs reached $467 billion which represented 60 percent of the total contract obligations. IDCs are the predominant form of IDVs used for ordering and represented 75 percent ($352 billion) of the $467 billion in obligations for orders against IDVs in FY 2024. Although there is a statutory preference to award IDCs to multiple contractors, they may also be awarded to a single contractor. The prevalence of obligations on orders against IDCs awarded to a single contractor has also increased reaching $262 billion in FY 2024, which represented over one-third of all contract obligations.

In formulating their recommendation, the 809-Panel appeared to focus exclusively on multiple award IDCs and noted some of the inherent challenges in determining CAS applicably at the IDC contract level. As the 809-Panel noted, for multiple award IDCs, the information needed to determine whether CAS applies—such as whether the order is competed and whether certified cost or pricing data is needed—is generally not available until the time a task or order is placed. In addition, the ceiling value for any individual holder of a multiple award IDC is highly speculative. The 809-Panel postulated that

> ''*The FPDS data for IDVs have limited value; although data are collected at the IDV level, the important events occur at the order level. Examining IDVs by dollars is meaningless because the amounts bear no relationship to the value of orders actually placed under IDVs*''.

The Board agrees with the 809-Panel assessment and recommendation in regards to multiple award IDCs, and is proposing to amend its rules to make clear that application of CAS applicability including all exemptions should be determined at the task or order level. CAS would apply only to those individual task or delivery orders whose values met the monetary threshold for CAS coverage and did not qualify for another CAS exemption.

However, the Board believes that the ceiling value is a more appropriate indicator of CAS applicability for single award IDCs than order value because it bears a significant relationship to the value of orders actually placed under the IDC.

The Board analyzed single award IDCs awarded in FY 2020 to compare the value of orders placed over the life or a substantial portion of the life of those IDCs against their ceiling value (base and all options). There were 369 new awards of IDCs to a single entity that included the CAS clause. Of these contracts, over 90 percent received orders above the statutory threshold for CAS of $2 million during the period, and over 75 percent received orders above the current $7.5 million trigger contracts. In addition, most of these IDCs received orders approaching their ceiling with nearly 65 percent reaching

at least 90 percent of the original ceiling value. Because the government has an ongoing relationship with a single vendor for work performed within the scope of the IDC, the ceiling amount is an easy and clear way to determine if the threshold amount has been met. The Board noted that for IDCs valued at $35 million or more (the amount proposed by OMB for increase to the statutory threshold) 75 percent received orders of greater than $35 million.

The Board has also concluded that, unlike multiple award IDCs, the information required to determine CAS exemptions and consistently apply CAS to single award IDCs are available at the time of award of the IDC. For these reasons, the Board is proposing to add coverage on the application of CAS exemptions to IDCs to 9903.201–1 CAS applicability by adding the new paragraph 9903.201(c). The proposed rule is consistent with the criteria the Board identified for evaluating alternatives: it helps each contract party manage risk; it is expected to reduce regulatory burden and promote competition by minimizing complexity and providing guidance that is clear and straightforward. Having a clear and predictable rule will promote consistency in the application of CAS.

B. Summary of Public Comments to SDP

The Board received ten sets of comments from the public in response to the SDP. These comments came from companies, industry and professional associations, and individuals.

All commentors agreed with the need for the Board to provide clarity on applying CAS exemptions to IDCs. Nine of the comments supported the 809-Panel recommendation to determine applicability of CAS for all IDCs order by order, while one supported use of the minimum guaranteed amount for the IDC. None of the comments expressed concern about the criteria set by the Board for evaluating alternatives.

Comment: Commentors largely favored determining applicability based on the size of the order because they generally agreed with the 809–Panel conclusion that the maximum contract value bears little to no relationship to the cumulative value of orders.

Response: The Board's analysis of FPDS data shows that the ceiling value does bear a significant relationship to the value of orders actually placed under single award IDCs. The Board believes the proposed changes to raise the regulatory thresholds mitigates the minimal risk of a single award IDC being subject to full CAS coverage based on the maximum contract value and not receiving orders of a comparable value. The Board also noted that despite the statutory preference for multiple award IDCs, reliance on singe award IDCs has continued to grow. Single award IDCs increase the potential for vendor lock, reducing competition and creating cost risk to the government.

Comment: One commentor believes that the Board should make clear that any new rule on applying CAS exemptions to IDVs should be considered a required change in the implementation of the new regulations for CAS Administration purposes.

Response: The Board does not concur. The proposed rule does not change any standards. It only provides needed clarity on applying the CAS exemptions in 9903.201–1 to IDVs. This clarification does not require a contractor to change their cost accounting practices (9903.302) as the comment would suggest.

VI. Expected Impact of the Proposed Rule

The proposed rule is expected to be deregulatory, reduce compliance cost and simplify CAS administration for existing contractors, and to reduce barriers to entry for nontraditional contractors, including new mid-size entities who no longer qualify for a full exemption from CAS as small businesses.

The proposed rule increases the basic CAS applicability threshold to $35 million to implement codification of OMB's legislative proposal discussed in Section III above. The decoupling of CAS from TIN, elimination of the trigger contract concept and establishment of a $35 million basic CAS applicability threshold simplifies the application of CAS while dramatically lowering barrier to entry for higher contract values. Higher contract values will attract additional private investment into the federal contracting marketplace and increase competition as a result of the increase point of entry without the need to establish more sophisticated compliance regimes required to comply with CAS requirements.

The proposed rule also would increase the thresholds for full CAS coverage and disclosure statement requirements from $50 million to $100 million. This action would significantly reduce compliance burden and lower barriers to entry into the federal marketplace. The Board analyzed FPDS data for the five-year period covering FYs 2020 through 2024 and estimates there have been 773 entities subject to full coverage and disclosure statement requirements with aggregate total contract values during the period of $1.22 trillion. Applying the proposed threshold increase of $100 million to the data set would reduce the number of entities to 564 while maintaining $1.21 trillion of the dollars. This represents a nearly 30 percent reduction in entities that would subject to all 19 of the current standards with a less than one percent loss of dollar coverage. The higher threshold for full coverage will also reduce barriers to entry for non-traditional contractors including contractors that have outgrown their small business size status and no longer qualify for a full exemption from CAS as small businesses as they may be more willing to compete for larger contracts only subject to modified coverage.

The proposed clarifications on when CAS applies to IDCs will avoid unnecessary ambiguity, friction and contract disputes. These changes will also lower barriers to entry into the federal marketplace as potential offerors will have clarity on whether or not they will be subject to CAS and, if covered, whether full or modified.

The changes addressed by this NPRM, both individually and in conjunction with the Board's ongoing broader CAS–GAAP conformance efforts are expected to simplify CAS administration and reduce barriers to entry for non-traditional contractors including new mid-size entities who no longer qualify as small businesses. These actions should increase competition in federal contracting, as envisioned by the Senate Armed Services Committee in promoting CAS–GAAP conformance (S. Rept. 114–25 Section 811), ''The committee is concerned that the current cost accounting standards favor incumbent defense contractors and limit competition by serving as a barrier to participation by non-traditional, small business, and commercial contractors. To level the competitive playing field to access new sources of innovation it is in the government's interest to adopt more commercial ways of contracting, accounting, and oversight.''

The Board is interested in comments on the expected impact of this rule, including any quantified estimates on the cost reductions and savings expected to be achieved by the proposed changes.

VII. Regulatory Flexibility Act

CAS Board rules do not impact small entities within the meaning of the Regulatory Flexibility Act 5 U.S.C. 601–612. Contracts and subcontracts with small business concerns are exempted from all CAS requirements.

VIII. Executive Orders 12866, 13563 and 14192

Executive Orders (E.O.s) 12866 and 13563 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 (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule is not a significant regulatory action under E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is anticipated to be deregulatory action under E.O. 14192 based on the discussion in the ''Expected Impact of the Rule'' section.

IX. Paperwork Reduction Act

The Paperwork Reduction Act, Public Law 96–511, does not apply to this proposed rule, because this rule imposes no paperwork burden on offerors, affected contractors and subcontractors, or members of the public which requires the approval of OMB under 44 U.S U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Part 9903

Cost accounting standards, Government procurement.

Kevin R. Rhodes,

Administrator, Office of Federal Procurement Policy, and Chair Cost Accounting Standards Board.

For the reasons set forth in the preamble, the Office of Federal Procurement Policy proposes to amend chapter 99 of title 48 of the Code of Federal Regulations as set forth below:

PART 9903—CONTRACT COVERAGE

■ 1. The authority citation for part 9903 continues to read as follows:

Authority: Pub. L. 111–350, 124 Stat. 3677, 41 U.S.C. 1502.

§ 9903.201 [Amended]

■ 2. Section 9903.201–1 is amended to add a new paragraph (c) and a revised paragraph (b) to read as follows:

9903.201–1 CAS applicability

* * * * *

(b) The following categories of contracts and subcontracts are exempt from all CAS requirements:

(1) Sealed bid contracts.

(2) Negotiated contracts and subcontracts not in excess of $35 million. For purposes of this paragraph (b)(2), an order issued by one segment to another segment shall be treated as a subcontract.

(3) Contracts and subcontracts with small businesses.

(4) Contracts and subcontracts with foreign governments or their agents or instrumentalities or, insofar as the requirements of CAS other than 9904.401 and 9904.402 are concerned, any contract or subcontract awarded to a foreign concern.

(5) Contracts and subcontracts in which the price is set by law or regulation.

(6) Contracts and subcontracts authorized in 48 CFR 12.207 for the acquisition of commercial items.

(7) Subcontractors under the NATO PHM Ship program to be performed outside the United States by a foreign concern.

(8) Firm-fixed-price contracts or subcontracts awarded on the basis of adequate price competition without submission of certified cost or pricing data.

(c) Application of paragraph (b) exemptions to indefinite delivery contracts shall be determined as follows:

(1) *Multiple award indefinite delivery contracts.* The exemptions listed in paragraph (b) shall be determined at the time of award of any individual task or delivery order, and shall use the base and all option value of the individual task or deliver order to determine if the monetary threshold in (b)(2) has been met.

(2) *Single award indefinite delivery contracts.* The exemptions listed in paragraph (b) shall be determined at the time of award of the indefinite delivery contract, and shall use the base and all option value of the indefinite delivery contract to determine if the monetary threshold in (b)(2) has been met.

§ 9903.201 [Amended]

■ 3. Section 9903.201–2 is amended by removing ''$50 million'', wherever it appears, and add, in its place, the text ''$100 million''.

■ 4. Section 9903.201–3 is amended by removing ''$50 million'', wherever it appears, and add, in its place, the text ''$100 million''.

■ 5. Section 9903.201–4 is amended by removing ''$50 million'', wherever it appears, and add, in its place, the text ''$100 million''.

§ 9903.201 [Amended]

■ 6. Section 9903.201–5 is amended in paragraph (a) is by removing ''$15 million'', and add, in its place, the text ''$100 million''.

§ 9903.202 [Amended]

■ 7. Section 9903.202–1 is amended by removing ''$50 million'', wherever it appears, and add, in its place, the text ''$100 million''.

■ 8. Section 9903.202–1 is amended by removing (c)(i) and (c)(ii) and editing paragraph (c) to read as follows.

§ 9903.202–1 General requirement.

* * * * *

(c) When a Disclosure Statement is required, a separate Disclosure Statement must be submitted for each segment that has costs included in the total price of any CAS-covered contract or subcontract unless it meets one of the exemptions in 9903.201–1(b).

* * * * *

[FR Doc. 2026–05511 Filed 3–19–26; 8:45 am]

BILLING CODE 3110–01–P

OFFICE OF MANAGEMENT AND BUDGET

Office of Federal Procurement Policy

48 CFR Parts 9903 and 9904

RIN 0348–AB91

Conformance of Cost Accounting Standards to Generally Accepted Accounting Principles for CAS 407 Use of Standard Costs for Direct Material and Direct Labor

AGENCY: Cost Accounting Standards Board, Office of Federal Procurement Policy, Office of Management and Budget.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Office of Federal Procurement Policy (OFPP), Cost Accounting Standards Board (the Board), is releasing this notice of proposed rulemaking (NPRM) to elicit public comments on proposed changes to the Cost Accounting Standards (CAS) to conform CAS 407 to Generally Accepted Accounting Principles (GAAP). The Board is performing the work under case number, CASB 2025–02.

DATES: Comments must be in writing and must be received by April 20, 2026.

ADDRESSES: Submit comments to the *Federal eRulemaking Portal: https://www.regulations.gov.* by searching for ''CASB 2025–02''. Select the link ''Comment Now'' that corresponds with ''CASB 2025–02''. Follow the instructions provided on the ''Comment Now'' screen. Please include your name, company name (if any), and ''CASB 2025–02'' on your attached document. If your comment cannot be submitted using *https://www.regulations.gov,* call

or email the points of contact in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Comments received generally will be posted without change to *https://www.regulations.gov,* including any personal and/or business confidential information provided. Public comments may be submitted as an individual, as an organization, or anonymously (see frequently asked questions at *https://www.regulations.gov/faq*). To confirm receipt of your comment(s), please check *https://www.regulations.gov,* approximately two or three days after submission to verify posting.

Privacy Act Statement: The Board proposes this rule to elicit public views pursuant to 41 U.S.C. 1502. Submission of comments is voluntary. The information will be used to inform sound decision-making. Do not include any information you would not like to be made publicly available. Additionally, the OMB System of Records Notice, OMB Public Input System of Records, OMB/INPUT/01, 88 FR 20913 (available at *www.federalregister.gov/documents/2023/04/07/2023-07452/privacy-act-of-1974-system-of-records*), includes a list of routine uses associated with the collection of this information.

FOR FURTHER INFORMATION CONTACT: John L. McClung, Manager, Cost Accounting Standards Board (telephone: 202–881–9758; email: *john.l.mcclung2@omb.eop.gov*).

SUPPLEMENTARY INFORMATION:

I. Background

Section 820 of the 2017 National Defense Authorization Act modified statutory responsibilities of the Board, codified at 41 U.S.C. 1501(c). These changes require the Board to conform CAS to GAAP, and minimize the burden on contractors while protecting the interests of the Government. This proposed rule is part of an ongoing series of Board actions to reduce the regulatory footprint of CAS for standards that are most suitable for potential conformance to GAAP, as identified in the Board's global roadmap published in March 2019 (84 FR 9143), because they focus primarily on cost measurement and assignment of costs to accounting periods, which is also addressed by GAAP. For additional recent discussion by the Board on the evolution of GAAP to address cost measurement and assignment of costs to accounting periods, see (90 FR 43994). This NPRM is issued by the Board in accordance with the requirements of 41 U.S.C. 1502.

II. CAS 407—Use of Standard Costs for Direct Material and Direct Labor

A. Overview and Conclusion

Based on the Board's comparison of CAS 407 with pertinent GAAP content, other CAS Standards, and the Federal Acquisition Regulation (FAR), the Board has concluded that there is significant overlap and equivalent requirements. For the vast majority of requirements in CAS 407, comparable requirements exist in GAAP, CAS 401, CAS 418, the CASB Disclosure Statement, FAR 31.201–1 *Composition of total cost,* FAR 31.202 *Direct costs,* and FAR 31.205–26 *Material costs.* These comparable requirements protect the Government's interests and promote the uniformity and consistency that was the basis for promulgating CAS 407 more than 50 years ago, when comparable GAAP coverage did not exist. The Board has concluded that, for the vast majority of the requirements in CAS 407, the Government's interests are adequately protected by relying on disclosed GAAP practices that are consistently followed and subject to notice of changes and cost recovery pursuant to CAS 401—Consistency in estimating, accumulating, and reporting costs. Specifically, all contractors, whether subject to full or modified CAS coverage, are subject to CAS 401 and will continue to be required to consistently follow their disclosed or actual cost accounting practices. In addition, they will continue to be bound by the 9903.201–4 CAS contract clauses requiring disclosure and consistency in cost accounting practices regardless of whether a specific standard exists. These contract clauses implement the statutory requirements for disclosure of 41 U.S.C. 1502(f)(1), and protections from payment of increased costs as a result of changes to contractors' cost accounting practices provided by 41 U.S.C. 1502(f)(2).

As explained in greater detail below, the Board proposes to retain certain limited requirements (*i.e.,* CAS 407–30(a)(7), CAS 407–40(b), CAS 407–50(a)(4)(i) and (ii), CAS 407–50(d)(1) and (2), CAS 407–50(e), and CAS 407–60(b)). These requirements address standard costs and related variances at the production unit level that are not covered by GAAP. The Board proposes to move these requirements to CAS 418—Allocation of direct and indirect costs.

This proposal would be consistent with the Board's guiding principles for conforming CAS to GAAP because it would eliminate CAS content to minimize the burden on contractors while protecting the interests of the Government. Furthermore, the Board's conclusion to eliminate CAS 407 would align with the guiding principles to rely on coverage in GAAP when it would materially achieve uniformity and consistency in cost accounting without bias or prejudice to either party, rely on other CAS Standards which may protect the Government's interests, and eliminate CAS coverage when no longer necessary.

The Board has not identified any instance where the elimination of CAS 407, as contemplated, would result in a change to a contractor's disclosed cost accounting practices for government contracts. With the noted exceptions, the current CAS requirements are nearly identical to GAAP. The Board expects that contractors would continue to follow their existing practices as they are both compliant with CAS and GAAP. As such, having identified no cost accounting practice changes as a result of this proposed rule any current or future changes related to standard costing of direct material or labor and the treatment of variances would be considered unilateral as defined in 9903.201–6(b)(2).

B. Evolution of CAS and GAAP Coverage on Use of Standard Costs for Direct Material and Direct Labor

CAS 407 was initially published April 1, 1974, at 39 FR 11869. The preamble for the original publication of CAS 407 stated that, ''[w]ork preliminary to the development of this Cost Accounting Standard was initiated as the result of the recognition that practices concerning the use of standard costs for contract costing purposes have not been well defined in Government procurement regulations.'' The preamble identified that, ''. . . this standard provides needed criteria which the Board believes will improve cost measurement and will result in more equitable assignment of contract costs.'' The purpose of CAS 407 is to provide criteria under which standard costs may be used for estimating, accumulating, and reporting costs of direct material and direct labor; and to provide criteria relating to the establishment of standards, accumulation of standard costs, and accumulation and disposition of variances from standard costs.

The CAS 407 standard has remained static since its initial promulgation, with the exception of being incorporated into the FAR (57 FR 14153, April 17, 1992) and having one of the illustrations corrected for a mathematical discrepancy (57 FR 34167, August 3, 1992). By contrast, GAAP has been revised significantly with additional content and changes in

requirements since the original promulgation of CAS 407 in 1974. Additionally, the sophistication of accounting systems to accurately calculate, document, and support the utilization of standard costs has drastically changed since CAS 407 was first promulgated.

C. CAS 407 Compared With GAAP

The Board performed a side-by-side comparison of CAS and GAAP requirements to identify any material differences. The Board assessed unique CAS requirements in order to determine whether they were necessary to protect the Government's interests or whether other existing requirements in CAS Standards or the FAR would adequately protect the interests of the Government.

Fundamental Requirements

The fundamental requirements of CAS 407 allow the use of standard costs for estimating, accumulating, and reporting costs of direct material and direct labor when: standard costs are entered into the books of account; standard costs and related variances are appropriately accounted for at the level of the production unit; and practices with respect to the setting and revising of standards, use of standard costs, and dispositions of variances are stated in writing and are consistently followed. GAAP states that, ''standard costs are acceptable if adjusted at reasonable intervals to reflect current conditions so that at the balance-sheet date standard costs reasonably approximate such costs computed under one of the recognized bases'' (ASC 330–10–30–12). While companies may elect to use a standard costing approach for operations, any variance between actual costs and standard costs would need to be absorbed to result in the reporting of actual costs in inventory, subject to the considerations in ASC 330–10–30–3 through 330–10–30–8. ASC 912–330–50–1 requires that a contractor disclose their accounting policies with respect to costs included in inventory.

In addition to the requirements in GAAP, the Board also evaluated other CAS Standards and FAR regulations. The Board identified that the CASB Disclosure Statement requires the disclosure of setting standards, revising standards, and disposing of variances related to standard costs. FAR 31.201–1(a), *Composition of Total Cost* also requires the adjustment of standard costs for applicable variances. For each of the fundamental requirements in CAS 407, with the exception of accounting for standard costs and variances at the level of the production unit, the Board identified that a comparable requirement exists in GAAP, other CAS Standards, or FAR that would protect the Government's interests and promote uniformity and consistency.

Based on the Board's research it concluded that GAAP does not define production unit. CAS 407–30 defines *Production unit* to mean a grouping of activities which either uses homogeneous inputs of direct material and direct labor or yields homogeneous outputs such that the costs or statistics related to these homogeneous inputs or outputs are appropriate as bases for allocating variances. This was in response to comments received and documented in the preambles:

Use of the term production unit. Many commentators expressed a need for a better understanding of the meaning and significance of the term production unit. As defined in 407.30(a)(7), a production unit is a grouping of activities which either uses homogeneous inputs of direct material and direct labor or yields homogeneous outputs. Where a grouping of activities meets either one of these two criteria, it is the proper level at which to accumulate standard costs of direct material and direct labor and to accumulate variances related thereto. Since variances are allocated on the bases of costs and statistics of each production unit, homogeneity of standard costs of direct material and direct labor would assure that data thus accumulated would be appropriate as bases for allocating variances to cost objectives. The concept of homogeneity embodied in the term production unit, then, would permit contractors a degree of flexibility in setting and revising standards based on individual needs and circumstances and still provide for the proper cost assignment of variances. To further clarify the intended meaning and purpose of a production unit, the Board has added an illustration as 407.60(b).

The Board deliberated and concluded that the existing concept of the production unit in CAS 407 is required and therefore the definition at 407–30(a)(7), the fundamental requirement at 407–40(b), and the illustration at 407–60(b) should be retained.

Techniques for Application

The techniques for application of CAS 407 require the documentation of the criteria for setting and revising standards, details on calculating and allocating standard costs and the associated variances, and memorandum worksheet adjustments. GAAP directly addresses accounting policies with respect to inventory in ASC 912–330–50–1. GAAP requires that the contractor's basis of stating inventories be consistently applied and disclosed as well as disclosure of any change in valuation (ASC 330–10–35–20 and ASC 330–10–50–1). GAAP recognizes that practices vary in determining costs of inventory but ultimately requires consistency and disclosure (ASC 270–10–45–6.d and ASC 330–10–30–12). As discussed above, GAAP does not define production unit and therefore the techniques related to production units in CAS 407–50 do not have comparable GAAP requirements. On this basis, the Board concluded that CAS 407–50(a)(4)(i) and (ii), CAS 407–50(d)(1) and (2), and CAS 407–50(e) should be retained.

In addition to the requirements in GAAP, the Board also evaluated other CAS Standards and FAR regulations. The Board identified that the CASB Disclosure Statement requires disclosure of setting standards, revising standards, and disposing of variances related to standard costs. The CASB Disclosure Statement also includes the level of production unit to accumulate variances. CAS 402–50(e) states, ''Any direct cost of minor dollar amount may be treated as an indirect cost for reasons of practicality where the accounting treatment for such cost is consistently applied to all final cost objectives, provided that such treatment produces results which are substantially the same as the results which would have been obtained if such cost had been treated as a direct cost.'' This addresses the CAS 407 techniques related to immaterial variances and is also consistent with FAR 31.202(b) which states, ''For reasons of practicality, the contractor may treat any direct cost of a minor dollar amount as an indirect cost if the accounting treatment (1) is consistently applied to all final cost objectives; and (2) produces substantially the same results as treating the cost as a direct cost.'' The Board also evaluated the requirements in CAS 418—Allocation of direct and indirect costs and identified coverage in this Standard related to standard costs.

III. Expected Impact of the Rule

The proposed rule is deregulatory in furtherance of 41 U.S.C. 1501(c), which requires the Board ensure that the Cost Accounting Standards used by contractors rely, to the maximum extent practicable, on commercial standards and accounting practices and systems. In addition, 41 U.S.C. 1501(c) requires the Board to conform CAS requirements, where practicable, to GAAP. The proposed rule would eliminate 12 of the 16 individual requirements contained in CAS 407, retaining only the minimal content the Board has identified as needed to protect the Government's interest by moving it to another standard. This will eliminate the need for a separate CAS addressing standard costs for direct material and direct labor.

The proposed rule would result in the removal of over 2,000 words of unnecessary regulatory text currently in place in this standard. Reliance on a contractor's disclosed GAAP practices for CAS purposes significantly reduces the regulatory footprint associated with CAS and places reliance on commercial accounting practices under GAAP consistent with 41 U.S.C. 1501(c). These changes, if finalized as proposed, are expected to reduce burden for contractors, external auditors, government auditors, and oversight functions by reducing duplicative compliance requirements.

These changes individually and in conjunction with the Board's ongoing broader CAS–GAAP conformance efforts and modernization of the CAS programmatic requirements are expected to simplify CAS administration and reduce barriers to entry for non-traditional contractors including new mid-size entities who no longer qualify as small businesses. These actions should increase competition in federal contracting, as envisioned by the Senate Armed Services Committee in promoting CAS–GAAP conformance (S. Rept. 114–25 Section 811), ''The committee is concerned that the current cost accounting standards favor incumbent defense contractors and limit competition by serving as a barrier to participation by non-traditional, small business, and commercial contractors. To level the competitive playing field to access new sources of innovation it is in the government's interest to adopt more commercial ways of contracting, accounting, and oversight.''

The Board is interested in comments on the expected impact of this rule, including any quantified estimates on the cost reductions and savings expected to be achieved by the proposed elimination of CAS 407.

IV. Regulatory Flexibility Act

CAS Board rules do not impact small entities within the meaning of the Regulatory Flexibility Act 5 U.S.C. 601–612. Contracts and subcontracts with small business concerns are exempted from all CAS requirements.

V. Executive Orders 12866, 13563, and 14192

Executive Orders (E.O.s) 12866 and 13563 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 (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is a significant regulatory action under section 3(f) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is anticipated to be a deregulatory action under E.O. 14192 based on the discussion in the ''Expected Impact of the Rule'' section.

VI. Paperwork Reduction Act

The Paperwork Reduction Act, Public Law 96–511, does not apply to this proposed rule because this rule imposes no paperwork burden on offerors, affected contractors and subcontractors, or members of the public that requires the approval of OMB under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Parts 9903 and 9904

Cost accounting standards, Government procurement.

Kevin R. Rhodes,

Administrator, Office of Federal Procurement Policy, and Chair, Cost Accounting Standards Board.

For the reasons set forth in the preamble, the Office of Federal Procurement Policy proposes to amend chapter 99 of title 48 of the Code of Federal Regulations as set forth below:

PART 9903—CONTRACT COVERAGE

■ 1. The authority citation for part 9903 continues to read as follows:

Authority: Public Law 100–679, 102 Stat. 4056, 41 U.S.C. 422.

Subpart 9903.301—[Amended]

■ 2. In § 9903.301(a), edit the following definitions to read as follows:

Actual cost. See 9904.401–30.

Production unit. See 9904–418–30.

■ 3. In § 9903.301(a), remove the following definitions:

Labor cost at standard.
Labor-rate standard.
Labor-time standard.
Material cost at standard.
Material-price standard.
Material-quantity standard.
Standard cost.
Variance.

PART 9904—COST ACCOUNTING STANDARDS

■ 4. The authority citation for part 9904 continues to read as follows:

Authority: Public Law 100–679, 102 Stat. 4056, 41 U.S.C. 422.

Subpart 9904.407—[Removed and Reserved]

■ 5. Remove and reserve subpart 9904.407.

Subpart 9904.418[Amended]

■ 6. In § 9904.418–30, add subparagraph (a)(5) to read as follows:

§ 9904.418–30 Definitions.

* * * * *

(a)(5) *Production unit* means a grouping of activities which either uses homogeneous inputs of direct material and direct labor or yields homogeneous outputs such that the costs or statistics related to these homogeneous inputs or outputs are appropriate as bases for allocating variances.

Subpart 9904.418 [Amended]

■ 7. In § 9904.418–50, edit paragraph (a)(2)(i) to read as follows:

§ 9904.418–50 Techniques for application.

* * * * *

(i) Standard costs may be used for estimating, accumulating, and reporting costs of direct material and direct labor only when standard costs and related variances are appropriately accounted for at the level of the production unit and paragraph (h) of this subsection; or

Subpart 9904.418 [Amended]

■ 8. In § 9904.418–50, add paragraph (h) to read as follows:

§ 9904.418–50 Techniques for application.

* * * * *

(h) *Standard costing.*

(1) A labor-rate standard may be set to cover a group of direct labor workers who perform disparate functions only under either one of the following conditions:

(i) Where that group of workers all work in a single production unit yielding homogeneous outputs (in this case, the same labor-rate standard shall be applied to each worker in that group).

(ii) Where that group of workers, in the performance of their respective functions, forms an integral team (in this case, a labor-rate standard shall be set for each integral team).

(2) A contractor's established practice with respect to the disposition of variances accumulated by production unit shall be in accordance with one of the following subparagraphs:

(i) Variances are allocated to cost objectives (including ending in-process inventory) at least annually. Where a variance related to material is allocated, the allocation shall be on the basis of

the material cost at standard, or, where outputs are homogeneous, on the basis of units of output. Similarly, where a variance related to labor is allocated, the allocation shall be on the basis of the labor cost at standard or labor hours at standard or, where outputs are homogeneous, on the basis of units of output; or

(ii) Variances which are immaterial may be included in appropriate indirect cost pools for allocation to applicable cost objectives.

(3) Where variances applicable to covered contracts are allocated by memorandum worksheet adjustments rather than in the books of account, the bases used for adjustment shall be in accordance with those stated in paragraph (h) of this subsection.

Subpart 9904.418 [Amended]

■ 9. In § 9904.418–60, add paragraph (j) to read as follows:

§ 9904.418–60 Illustrations.

* * * * *

(j) Contractor J accumulates, in one account, labor cost at standard for a department in which several categories of direct labor of disparate functions, in different combinations, are used in the manufacture of various dissimilar outputs of the department. Contractor J's department is not a production unit as defined in 9904.418–30(a)(5) of this Cost Accounting Standard. Modifying its practice so as to comply with the definition of production unit in 9904.418–30(a)(5), it could accumulate the standard costs and variances separately,

(1) For each of the several categories of direct labor, or

(2) For each of several subdepartments, with homogeneous output for each of the subdepartments.

[FR Doc. 2026–05512 Filed 3–19–26; 8:45 am]

BILLING CODE 3110–01–P

Notices

Federal Register
Vol. 91, No. 54
Friday, March 20, 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

Food Safety and Inspection Service

[Docket No. FSIS–2025–0343]

Notice of Request To Renew an Approved Information Collection: Procedures for the Notification of New Technology and Requests for Waivers

AGENCY: Food Safety and Inspection Service (FSIS), U.S. Department of Agriculture (USDA).

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 and Office of Management and Budget (OMB) regulations, FSIS is announcing its intention to request renewal of the approved information collection regarding the procedures for notifying the Agency about new technology and requests for waivers. There are no changes to the existing information collection. The approval for this information collection will expire on July 31, 2026.

DATES: Submit comments on or before May 19, 2026.

ADDRESSES: FSIS invites interested persons to submit comments on this **Federal Register** notice. Comments may be submitted by one of the following methods:

- *Federal eRulemaking Portal:* This website provides commenters the ability to type short comments directly into the comment field on the web page or to attach a file for lengthier comments. Go to *https://www.regulations.gov*. Follow the on-line instructions at that site for submitting comments.
- *Mail:* Send to Docket Clerk, U.S. Department of Agriculture, Food Safety and Inspection Service, 1400 Independence Avenue SW, Mailstop 3758, Washington, DC 20250–3700.
- *Hand- or courier-delivered submittals:* Deliver to 1400 Independence Avenue SW, Jamie L. Whitten Building, Room 350–E, Washington, DC 20250–3700.

Instructions: All items submitted by mail or electronic mail must include the Agency name and docket number FSIS–2025–0343. Comments received in response to this docket will be made available for public inspection and posted without change, including any personal information, to *https://www.regulations.gov*.

Docket: For access to background documents or comments received, call (202) 286–2255 to schedule a time to visit the FSIS Docket Room at 1400 Independence Avenue SW, Washington, DC 20250–3700.

FOR FURTHER INFORMATION CONTACT: Gina Kouba, Office of Policy and Program Development, Food Safety and Inspection Service, USDA, 1400 Independence Avenue SW, Mailstop 3758, South Building, Washington, DC 20250–3700; 202–720–5046.

SUPPLEMENTARY INFORMATION:

Title: Procedures for the Notification of New Technology and Requests for Waivers.

OMB Number: 0583–0127.

Type of Request: Renewal of an approved information collection.

Abstract: FSIS has been delegated the authority to exercise the functions of the Secretary (7 CFR 2.18 and 2.53), as specified in the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601, *et seq.*), the Poultry Products Inspection Act (PPIA) (21 U.S.C. 451, *et seq.*), and the Egg Products Inspection Act (EPIA) (21 U.S.C. 1031, *et seq.*). These statutes mandate that FSIS protect the public by verifying that meat, poultry, and egg products are safe, wholesome, and properly labeled.

FSIS is announcing its intention to request renewal of the approved information collection regarding the procedures for notifying the Agency about new technology and requests for waivers. There are no changes to the existing information collection. The approval for this information collection will expire on July 31, 2026.

FSIS has procedures for official meat, poultry, and egg products establishments to request temporary waivers from regulatory requirements in the event of a public health emergency or to permit experimentation (see 9 CFR 303.1 (h), 381.3 (b), and 590.10). FSIS also has procedures for official establishments and companies that manufacture and sell technology to official establishments, to notify the Agency of any new technology intended for use in official establishments, so that the Agency has an opportunity to decide whether the new technology requires a pre-use review. (68 FR 6873). To follow the procedures, official establishments and firms that manufacture and sell technology to official establishments must notify the Agency by submitting documents describing the operation and purpose of the new technology or, in the case of a waiver, the specific regulatory requirement for which the waiver is requested.

The submission must explain why the new technology or waiver request will not (1) adversely affect the safety of the product, (2) jeopardize the safety of Federal inspection personnel, or (3) interfere with inspection procedures. These requirements apply to both new technology notifications and waiver requests. For waivers, the submission must identify the regulation and provide justification for why a waiver and alternative procedures are appropriate (9 CFR 303.1(h), 381.3(b), and 590.10). If the Agency needs data to perform a more informed review of the new technology, an in-plant trial may be necessary. If an in-plant trial is necessary, FSIS will request that the firm submit a protocol that is designed to collect relevant data to support the use of the new technology.

FSIS has made the following estimates based upon an information collection assessment:

Estimate of Burden: FSIS estimates that it will take respondents an average of 8 hours to complete a notification of intent to use new technology if no in-plant trial is necessary. If an in-plant trial is necessary, FSIS estimates that it will take an average of 80 hours to develop a protocol and an average of 80 additional hours to collect data and keep records during the in-plant trial. FSIS estimates it will take respondents an average of 120 hours to collect data and conduct recordkeeping under a waiver.

Respondents: Official meat and poultry establishments and egg product plants; firms that manufacture or sell technology to official establishments and plants.

Estimated Number of Respondents: 75 respondents will submit notifications of

intent to use new technology. 50 respondents will develop a protocol for and conduct an in-plant trial. 50 respondents will collect data and conduct recordkeeping for the duration of the in-plant trial. 35 respondents will collect data and conduct recordkeeping under the waiver.

Estimated Number of Annual Responses per Respondent: 1.

Estimated Total Annual Burden on Respondents: 12,800 hours. 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. Copies of this information collection assessment can be obtained from Gina Kouba, Office of Policy and Program Development, Food Safety and Inspection Service, USDA, 1400 Independence Avenue SW, Mailstop 3758, South Building, Washington, DC 20250–3700; 202–720–5046.

Comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of FSIS' functions, including whether the information will have practical utility; (b) the accuracy of FSIS' estimate of the burden of the proposed collection of information, including the validity of the method and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques, or other forms of information technology. Comments may be sent to both FSIS, at the addresses provided above, and the Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC 20253.

Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, FSIS will announce this **Federal Register** publication on-line through the FSIS web page located at: *https://www.fsis.usda.gov/federal-register.*

FSIS will also announce and provide a link to this **Federal Register** publication through the FSIS *Constituent Update,* which is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, and other types of information that could affect or would be of interest to our constituents and stakeholders. The *Constituent Update* is available on the FSIS web page. Through the web page, FSIS can provide information to a much broader, more diverse audience. In addition, FSIS offers an email subscription service that provides automatic and customized access to selected food safety news and information. This service is available at: *https://www.fsis.usda.gov/subscribe.* The available information ranges from recalls to export information, regulations, directives, and notices. Customers can add or delete subscriptions themselves and have the option to password protect their accounts.

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Justin Ransom,

Administrator.

[FR Doc. 2026–05509 Filed 3–19–26; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–223]

Truck Bed Covers From the People's Republic of China: Initiation of a Less-Than-Fair-Value Investigation

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

DATES: Applicable March 17, 2026.

FOR FURTHER INFORMATION CONTACT: David Crespo at (202) 482–3693 or Sofia Pedrelli at (202) 482–4310, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

The Petition

On February 25, 2026 the U.S. Department of Commerce (Commerce) received an antidumping duty (AD) petition concerning imports of truck bed covers from the People's Republic of China (China) filed in proper form on behalf of RealTruck (the petitioner),[1] a domestic producer of truck bed covers.[2] The AD Petition was accompanied by a countervailing duty (CVD) Petition concerning imports of truck bed covers from China.[3]

Between March 3 and 11, 2026, Commerce requested supplemental information pertaining to certain aspects of the Petition in supplemental questionnaires.[4] Between March 6, and 12, 2026, the petitioner filed timely

[1] The petitioner is RealTruck, Inc., Laurmark Enterprises, Inc. (d/b/a BAK Industries), Undercover, Inc., Retrax Holdings, LLC, Truxedo, Inc., Extang Corporation, A.R.E. Accessories LLC, and Roll-N-Lock Corporation (collectively, RealTruck).

[2] *See* Petitioner's Letter, ''Antidumping and Countervailing Duty Petitions,'' dated February 25, 2026 (Petition).

[3] *Id.*

[4] *See* Commerce's Letters, ''Supplemental Questions,'' dated March 3, 2026 (First General Issues Questionnaire); ''Supplemental Questions,'' dated March 3, 2026 (First China AD Supplemental Questionnaire); ''Supplemental Questions,'' dated March 10, 2026 (Second General Issues Questionnaire); and ''Supplemental Questions,'' dated March 11, 2026 (Second China AD Supplemental Questionnaire).

responses to these requests for additional information.[5]

In accordance with section 732(b) of the Tariff Act of 1930, as amended (the Act), the petitioner alleges that imports of truck bed covers from China 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 truck bed covers industry in the United States. Consistent with section 732(b)(1) of the Act, 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 support for the initiation of the requested LTFV investigation.[6]

Period of Investigation

Because the Petition was filed on February 25, 2026, and because China is a non-market economy (NME) country, pursuant to 19 CFR 351.204(b)(1), the period of investigation (POI) is July 1, 2025 through December 31, 2025.

Scope of the Investigation

The products covered by this investigation are truck bed covers from China. For a full description of the scope of this investigation, *see* the appendix to this notice.

Comments on the Scope of the Investigation

On March 3 and 10, 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.[7] On March 6 and 12, 2026, the petitioner provided clarifications and revised the scope.[8] The description of merchandise covered by these 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).[9] 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 determinations. If scope comments include factual information,[10] all such factual information should be limited to public information. 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 April 6, 2026, which is 20 calendar days from the signature date of this notice. 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 April 16, 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.[11] 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 truck bed covers 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 factors of production (FOP) 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. 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 April 6, 2026 which is 20 calendar days from the signature date of this notice. Any rebuttal comments must be filed by 5:00 p.m. ET on April 16, 2026, which is 10 calendar days from the initial comment deadline. All comments and submissions to Commerce must be filed electronically using ACCESS, as 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

[5] *See* Petitioner's Letters, ''Amendments to Antidumping and Countervailing Duty Petitions; Volume SI—General Issues and Injury,'' dated March 6, 2026 (First General Issues Supplement); ''Amendments to Antidumping Duty Petition; Volume SII—China AD'' (First China AD Supplement), dated March 6, 2026; ''Amendments to Antidumping and Countervailing Duty Petitions; Volume SSI—General Issues and Injury,'' dated March 12, 2026 (Second General Issues Supplement); and ''Amendments to Antidumping and Countervailing Duty Petitions; Volume SSII—China AD,'' dated March 12, 2026 (Second China AD Supplement).''

[6] *See* section on ''Determination of Industry Support for the Petition,'' *infra.*

[7] *See* First General Issues Questionnaire; *see also* Second General Issues Questionnaire.

[8] *See* First General Issues Supplement at 2–7 and Exhibit SI–1; *see also* Second General Issues Supplement at 1–4 and Exhibit SSI–1.

[9] *See Antidumping Duties; Countervailing Duties, Final Rule,* 62 FR 27296, 27323 (May 19, 1997) (*Preamble*); *see also* 19 CFR 351.312.

[10] *See* 19 CFR 351.102(b)(21) (defining ''factual information'').

[11] *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.aspx* and a handbook can be found at *https://access.trade.gov/help/Handbook_on_Electronic_Filing_Procedures.pdf.*

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 must apply the same statutory definition regarding the domestic like product,[12] 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.[13]

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.[14] Based on our analysis of the information submitted on the record, we have determined that truck bed covers, as defined in the scope, constitute a single domestic like product, and we have analyzed industry support in terms of that domestic like product.[15]

In determining whether the petitioner has standing under section 732(c)(4)(A) of the Act, we considered the industry support data contained in the Petition with reference to the domestic like product as defined in the ''Scope of the Investigation,'' in the appendix to this notice. To establish industry support, the petitioner provided its own 2025 production of the domestic like product and compared this to the estimated total production of the domestic like product for the entire domestic industry.[16] We relied on data provided by the petitioner for purposes of measuring industry support.[17]

Our review of the data provided in the Petition, the First General Issues Supplement, and other information readily available to Commerce indicates that the petitioner has established industry support for the Petition.[18] First, the Petition 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).[19] 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.[20] 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.[21] 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.[22]

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.[23]

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/or suppression; lost sales and revenues; and negative impact on operations and financial performance.[24] 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.[25]

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 the LTFV investigation of imports of truck bed covers from China. 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 China AD Initiation Checklist.

U.S. Price

The petitioner based export price (EP) on online price quotes for truck bed covers produced in China and offered for sale in the U.S. market during the POI.[26] The petitioner made certain adjustments to U.S. price to calculate a net ex-factory U.S. price, where applicable.[27]

Normal Value

Commerce considers China to be an NME country.[28] In accordance with

[12] *See* section 771(10) of the Act.

[13] *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* 865 F.2d 240 (Fed. Cir. 1989)).

[14] 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: Truck Bed Covers from the People's Republic of China,'' dated concurrently with, and hereby adopted by, this notice (China AD Initiation Checklist), at Attachment II, Analysis of Industry Support for the Antidumping and Countervailing Duty Petitions Covering Truck Bed Covers from the People's Republic of China (Attachment II). This checklist is on file electronically via ACCESS.

[15] For further discussion, *see* Attachment II of the China AD Initiation Checklist.

[16] *Id.*

[17] *Id.*

[18] *Id.*

[19] *Id.; see also* section 732(c)(4)(D) of the Act.

[20] *See* Attachment II of the China AD Initiation Checklist.

[21] *Id.*

[22] *Id.*

[23] For further discussion, *see* China AD Initiation Checklist at Attachment III, Analysis of Allegations and Evidence of Material Injury and Causation for the Antidumping and Countervailing Duty Petitions Covering Truck Bed Covers from the People's Republic of China.

[24] *Id.*

[25] *Id.*

[26] *See* China AD Initiation Checklist.

[27] *Id.*

[28] *See, e.g., Certain Freight Rail Couplers and Parts Thereof from the People's Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value and Preliminary Affirmative Determination of Critical Circumstances,* 88 FR

section 771(18)(C)(i) of the Act, any determination that a foreign country is an NME country shall remain in effect until revoked by Commerce. Therefore, we continue to treat China as an NME country for purposes of the initiation of this LTFV investigation. Accordingly, we base NV on FOPs valued in a surrogate market economy country in accordance with section 773(c) of the Act.

The petitioner claims that Malaysia is an appropriate surrogate country for China because Malaysia is a market economy country that is at a level of economic development comparable to that of China and is a significant producer of comparable merchandise.[29] In response to supplemental questions from Commerce, the petitioner additionally identified Brazil and Serbia as market economy countries at a level of economic development comparable to that of China and provided information indicating that these countries are producers/exporters of comparable merchandise.[30] The petitioner provided publicly available information from Brazil, Malaysia, and Serbia to value all FOPs.[31] Based on the information provided by the petitioner, we believe it is appropriate to use Brazil, Malaysia, and Serbia as surrogate countries for China to value all FOPs for initiation purposes.

Interested parties will have the opportunity to submit comments regarding surrogate country selection and, pursuant to 19 CFR 351.301(c)(3)(i), will be provided an opportunity to submit publicly available information to value FOPs within 30 days before the scheduled date of the preliminary determination.

Factors of Production

Because information regarding the volume of inputs consumed by Chinese producers/exporters was not reasonably available, the petitioner relied on the material inputs and product-specific usage rates obtained through a physical teardown analysis/deconstruction of specific Chinese products as well as its own production experience (for labor usage rates) as a surrogate to value Chinese manufacturers' FOPs.[32] Additionally, the petitioner calculated factory overhead, SG&A, and profit based on the experience of a Malaysian producer of comparable merchandise.[33]

Fair Value Comparisons

Based on the data provided by the petitioner, there is reason to believe that imports of truck bed covers from China 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 truck bed covers from China range from 116.12–233.06 percent using Malaysia as the primary surrogate country.[34]

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 a LTFV investigation to determine whether imports of truck bed covers from China 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

The petitioner identified 30 companies in China as producers and/or exporters of truck bed covers.[35] Our standard practice for respondent selection in AD investigations involving NME countries is to select respondents based on Q&V questionnaires in cases where it has determined that the number of companies is large and it cannot individually examine each company based upon its resources. Therefore, considering the number of producers and/or exporters identified in the Petition, Commerce will solicit Q&V information that can serve as a basis for selecting exporters for individual examination in the event that Commerce determines that the number is large and decides to limit the number of respondents individually examined pursuant to section 777A(c)(2) of the Act. Given the number of producers and/or exporters identified in the Petition, Commerce has determined that it will issue Q&V questionnaires to the producers and/or exporters for which there is complete address information on the record.

Commerce will also post the Q&V questionnaires along with filing instructions on Commerce's website at *https://www.trade.gov/ec-adcvd-qv-questionnaire.* Exporters/producers of truck bed covers from China that do not receive Q&V questionnaires may still submit a response to the Q&V questionnaire and can obtain a copy of the Q&V questionnaire from Commerce's website. Responses to the Q&V questionnaire must be submitted by the relevant producers/exporters no later than 5:00 p.m. on March 31, 2026, which is two weeks from the signature date of this notice. An electronically filed document must be received successfully, in its entirety, by ACCESS no later than 5:00 p.m. ET on the deadline noted above.

Interested parties must submit applications for disclosure under an administrative protective order (APO) in accordance with 19 CFR 351.305(b). Instructions for filing such applications may be found on Commerce's website at *https://www.trade.gov/administrative-protective-orders.*

Separate Rates

In order to obtain separate rate status in an NME investigation, exporters and producers must submit a separate rate application. The specific requirements for submitting a separate rate application in an NME investigation are outlined in detail in the application itself, which is available on Commerce's website at *https://access.trade.gov/Resources/nme/nme-sep-rate.html.* Note that Commerce recently promulgated new regulations pertaining to separate rates, including the separate rate application deadline and eligibility for separate rate status, in 19 CFR 351.108.[36] Pursuant to 19 CFR 351.108(d)(1), the separate rate application will be due 21 days after publication of this initiation notice.[37] Exporters and producers must file a timely separate rate application if they want to be considered for individual examination. In addition, pursuant to 19

15372 (March 13, 2023), and accompanying Preliminary Decision Memorandum at 5, unchanged in *Certain Freight Rail Couplers and Parts Thereof from the People's Republic of China: Final Affirmative Determination of Sales at Less-Than-Fair Value and Final Affirmative Determination of Critical Circumstances,* 88 FR 34485 (May 30, 2023).

[29] *See* Petition at Volume II (pages 8–9 and Exhibits II–11 and II–12); *see also* First China AD Supplement at 8–10 and China AD Initiation Checklist.

[30] *See* Petition at Volume II (page 9 and Exhibit II–12); *see also* First China AD Supplement at 8–11.

[31] *See* Petition at Volume II (pages 9–11 and Exhibits II–13 through II–18); *see also* First China AD Supplement at 8–19 and Exhibits SII–13 through SII–12, Second China AD Supplement at 4–9 and Exhibits SSII–6 through SSII–10 and China AD Initiation Checklist.

[32] *See* China AD Initiation Checklist.

[33] *Id.*

[34] Comparisons of EP to NV using Brazil as the primary surrogate country results in estimated dumping margins ranging from 156.37%–508.77%. Comparisons of EP to NV using Serbia as surrogate country result in estimated dumping margins ranging from 185.40%–213.77%. For further discussion of the estimated margins, *see* China AD Initiation Checklist.

[35] *See* Petition at Volume I (pages 14–20); *see also* First General Issues Supplement at 1–2.

[36] *See Regulations Enhancing the Administration of the Antidumping and Countervailing Duty Trade Remedy Laws,* 89 FR 101694, 101759–60 (December 16, 2024).

[37] *See* 19 CFR 351.108(d)(1).

CFR 351.108(e), exporters and producers who submit a separate rate application and have been selected as mandatory respondents will be eligible for consideration for separate rate status only if they fully respond to all parts of Commerce's AD questionnaire and participate in the LTFV proceeding as mandatory respondents.[38] Commerce requires that companies from China submit a response both to the Q&V questionnaire and to the separate rate application by the respective deadlines to receive consideration for separate rate status. Companies not filing a timely Q&V questionnaire response will not receive separate rate consideration.

Use of Combination Rates

Commerce will calculate combination rates for certain respondents that are eligible for a separate rate in an NME investigation. The Separate Rates and Combination Rates Bulletin states:

{w}hile continuing the practice of assigning separate rates only to exporters, all separate rates that {Commerce} will now assign in its NME investigation will be specific to those producers that supplied the exporter during the period of investigation. Note, however, that one rate is calculated for the exporter and all of the producers which supplied subject merchandise to it during the period of investigation. This practice applies both to mandatory respondents receiving an individually calculated separate rate as well as the pool of non-investigated firms receiving the {weighted average} of the individually calculated rates. This practice is referred to as the application of ''combination rates'' because such rates apply to specific combinations of exporters and one or more producers. The cash-deposit rate assigned to an exporter will apply only to merchandise both exported by the firm in question *and* produced by a firm that supplied the exporter during the period of investigation.[39]

Distribution of Copies 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 China 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 45 days after the date on which the Petition was filed, whether there is a reasonable indication that imports of truck bed covers from China are materially injuring, or threatening material injury to, a U.S. industry.[40] A negative ITC determination will result in the investigation being terminated.[41] 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 information is being submitted [42] 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.[43] 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.[44] 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.[45]

Certification Requirements

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information.[46] Parties must use the certification formats provided in 19 CFR 351.303(g).[47] 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).[48]

This notice is issued and published pursuant to sections 732(c)(2) and 777(i) of the Act, and 19 CFR 351.203(c).

[38] *See* 19 CFR 351.108(e).

[39] *See* Enforcement and Compliance's Policy Bulletin No. 05.1, regarding, ''Separate-Rates Practice and Application of Combination Rates in Antidumping Investigation involving NME Countries,'' (April 5, 2005), at 6 (emphasis added), available on Commerce's website at *https://access.trade.gov/Resources/policy/bull05-1.pdf.*

[40] *See* section 733(a) of the Act.

[41] *Id.*

[42] *See* 19 CFR 351.301(b).

[43] *See* 19 CFR 351.301(b)(2).

[44] *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.*

[45] *See* 19 CFR 351.302; *see also, e.g., Time Limits Final Rule.*

[46] *See* section 782(b) of the Act.

[47] *See Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings,* 78 FR 42678 (July 17, 2013) (*Final Rule*). Additional information regarding the *Final Rule* is available at *https://access.trade.gov/Resources/filing/index.html.*

[48] *See Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings,* 88 FR 67069 (September 29, 2023).

Dated: March 17, 2026.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Investigation

The scope of the investigation covers truck bed covers, which are protective shields made of aluminum, steel, fiberglass, carbon fiber, plastic, and/or water-resistant fabric that are sized to span the open-top area of a pickup truck. When fully assembled and installed, truck bed covers have a width between 45 and 75 inches (actual) and a length between 55 and 100 inches (actual), and can be used to secure the cargo area of a pickup truck and/or repel water.

Truck bed covers typically encompass four general configurations—*i.e.,* folding, roll-up, one-piece, and retractable. Folding truck bed covers consist of two or more interconnected, hinged panels which may be made from a rigid material or a soft material with a rigid frame. Roll-up truck bed covers can be made of soft material with rigid crossbars, or rigid material such as slats, which allow the cover to roll forward for access to the truck bed, and which can be secured with straps, buckles, or other fasteners. One-piece truck bed covers are rigid covers that open from the tailgate end of the truck bed using a hinge or pivot, typically with the assistance of struts for opening and closing. Retractable truck bed covers are made of interconnected rigid slats or one-piece aluminum-reinforced polycarbonate that retract into a recessed canister to allow access to the truck bed. Retractable truck bed covers may be manually operated or electrically powered with a motor, and electric models may include additional features such as fob keys, Bluetooth connectivity, or LED lights.

The scope of the investigation includes not only the cover material (*i.e.,* the protective shield made of aluminum, steel, fiberglass, carbon fiber, plastic, and/or water-resistant fabric), but also any accompanying hardware for the mounting or storage of the truck bed cover (*e.g.,* rails, canisters, latches, straps, clasps, clamps, nuts, bolts, washers, screws, hitch pins, weather strips/seals/gaskets) or other parts (*e.g.,* locks, struts, drain tubes, motors), provided that such hardware or other parts are entered with and invoiced with the cover material. Truck bed covers are included within the scope whether or not they are accompanied with such hardware or other parts. Moreover, any hardware for the mounting or storage of the truck bed cover (*e.g.,* rails, canisters, latches, straps, clasps, clamps, nuts, bolts, washers, screws, hitch pins, weather strips/seals/gaskets) or other parts (*e.g.,* locks, struts, drain tubes, motors) are covered within the scope if such items are separately entered as a truck bed cover mounting or installation kit.

Excluded from the scope are truck caps (also known as camper shells, toppers, or canopies), which are enclosures that can be mounted on truck bed rails to extend the height of a truck bed by at least 12 inches (actual), thus creating a fully-enclosed, lockable storage area for cargo.

Also excluded from the scope of the investigation are any products already covered by the scope of any extant antidumping and/or countervailing duty orders, including Aluminum Extrusions from the People's Republic of China: Antidumping Duty Order, 76 FR 30650 (May 26, 2011), and Aluminum Extrusions from the People's Republic of China: Countervailing Duty Order, 76 FR 30653 (May 26, 2011).

The products subject to the investigation are currently classifiable under subheading 8708.29.5160 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

[FR Doc. 2026–05535 Filed 3–19–26; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–224]

Truck Bed Covers From the People's Republic of China: Initiation of Countervailing Duty Investigation

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

DATES: Applicable March 17, 2026.

FOR FURTHER INFORMATION CONTACT: Aleksandras Nakutis, 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) 482–3147.

SUPPLEMENTARY INFORMATION:

The Petition

On February 25, 2026, the U.S. Department of Commerce (Commerce) received a countervailing duty (CVD) petition concerning imports of truck bed covers from the People's Republic of China (China), filed in proper form on behalf of RealTruck (the petitioner),[1] a domestic producer of truck bed covers.[2] The CVD Petition was accompanied by an antidumping duty (AD) Petition concerning imports of truck bed covers from China.[3]

Between March 2 and 11, 2026, Commerce requested supplemental information pertaining to certain aspects of the Petition in supplemental questionnaires.[4] Between March 6 and 12, 2026, the petitioner filed timely responses to these requests for additional information.[5]

In accordance with section 702(b)(1) of the Tariff Act of 1930, as amended (the Act), the petitioner alleges that the Government of China (GOC) is providing countervailable subsidies, within the meaning of sections 701 and 771(5) of the Act, to producers of truck bed covers in China, and that such imports are materially injuring, or threatening material injury to, the domestic industry producing truck bed covers 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 support with respect to the initiation of the requested CVD investigation.[6]

Period of Investigation (POI)

Because the Petition was filed on February 25, 2026, the POI is January 1, 2025, through December 31, 2025.[7]

Scope of the Investigation

The products covered by this investigation are truck bed covers from China. For a full description of the scope of this investigation, *see* the appendix to this notice.

Comments on the Scope of the Investigation

On March 3 and 10, 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

[1] The petitioner is RealTruck, Inc., Laurmark Enterprises, Inc., Undercover, Inc., Retrax Holdings, LLC, Truxedo, Inc., Extang Corporation, A.R.E. Accessories LLC, and Roll-N-Lock Corporation (collectively, RealTruck).

[2] *See* Petitioner's Letter, ''Antidumping Duties and Countervailing Duties,'' dated February 25, 2026 (Petition).

[3] *Id.*

[4] *See* Commerce's Letters, ''Supplemental Questions,'' dated March 3, 2026 (First General Issues Supplemental Questionnaire); ''Supplemental Questions,'' dated March 2, 2026; and ''Supplemental Questions,'' dated March 10, 2026 (Second General Issues Supplemental Questionnaire).

[5] *See* Petitioner's Letters, ''Amendments to Antidumping and Countervailing Duty Petitions; Volume SI—General Issues and Injury,'' dated March 6, 2026 (First General Issues Supplement); ''Amendments to Countervailing Duty Petition; Volume SIII—China CVD,'' dated March 5, 2026; and ''Amendments to Antidumping and Countervailing Duty Petitions; Volume SSI—General Issues and Injury,'' dated March 12, 2026 (Second General Issues Supplement).

[6] *See* section on ''Determination of Industry Support for the Petition,'' *infra.*

[7] *See* 19 CFR 351.204(b)(2).

reflection of the products for which the domestic industry is seeking relief.[8] On March 6 and 12, 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 April 6, 2026, which is 20 calendar days from the signature date of this notice. 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 April 16, 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.[12] 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 GOC of the receipt of the Petition and provided an opportunity for consultations with respect to the Petition.[13] On February 28, 2026, the GOC submitted written comments regarding the CVD Petition.[14]

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 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 truck bed covers, 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]

In determining whether the petitioner has standing under section 702(c)(4)(A)

[8] *See* First General Issues Supplemental Questionnaire; *see also* Second General Issues Supplemental Questionnaire.

[9] *See* First General Issues Supplement at 2–7 and Exhibit S–1; *see also* Second General Issues Supplement at 1–4 and Exhibit SSI–1.

[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] *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.aspx* and a handbook can be found at *https://access.trade.gov/help/Handbook_on_Electronic_Filing_Procedures.pdf.*

[13] *See* Commerce's Letter, ''Invitation for Consultations to Discuss the Countervailing Duty Petition,'' dated February 26, 2026.

[14] *See* GOC's Letter, ''Comments on CVD Petition on Truck Bed Covers from China (C–570–224),'' dated February 28, 2026.

[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, ''Countervailing Duty Investigation Initiation Checklist: Truck Bed Covers from the People's Republic of China,'' dated concurrently with, and hereby adopted by, this notice (China CVD Initiation Checklist), at Attachment II, ''Analysis of Industry Support for the Antidumping and Countervailing Duty Petitions Covering Truck Bed Covers from the People's Republic of China,'' (Attachment II). This checklist is on file electronically via ACCESS.

[18] For further discussion, *see* Attachment II of the China CVD Initiation Checklist

of the Act, we considered the industry support data contained in the Petition with reference to the domestic like product as defined in the ''Scope of the Investigation,'' in the appendix to this notice. To establish industry support, the petitioner provided its own 2025 production of the domestic like product and compared this to the total 2025 U.S. production of the domestic like product by the entire U.S. truck bed covers industry.[19] We relied on data provided by the petitioner for purposes of measuring industry support.[20]

Our review of the data provided in the Petition, the First General Issues Supplement, and other information readily available to Commerce indicates that the petitioner has established industry support for the Petition.[21] First, the Petition 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).[22] 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.[23] 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.[24] 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.[25]

Injury Test

Because China 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 China 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.[26]

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/or suppression; lost sales and revenues; and negative impact on operations and financial performance.[27] 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.[28]

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 truck bed covers from China benefit from countervailable subsidies conferred by the GOC. 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 24 programs alleged by the petitioner. For a full discussion of the basis for our decision to initiate on each program, *see* the China CVD Initiation Checklist. A public version of the initiation checklist for this investigation is available on ACCESS.

Respondent Selection

The petitioner identified 30 companies in China as producers and/or exporters of truck bed covers.[29] Commerce intends to follow its standard practice in CVD investigations and calculate company-specific subsidy rates in the investigation. Following standard practice in CVD investigations, in the event Commerce determines that the number of companies is large, and it cannot individually examine each company based upon Commerce's resources, where appropriate, Commerce intends to select mandatory respondents based on quantity and value (Q&V) questionnaires issued to the potential respondents. Commerce normally selects mandatory respondents in CVD investigations using U.S. Customs and Border Protection (CBP) entry data for U.S. imports under the appropriate Harmonized Tariff Schedule of the United States (HTSUS) subheadings listed in the scope of the investigation. However, for this investigation, the main HTSUS subheading under which the subject merchandise would enter (*i.e.,* 8708.29.5160) is a basket category under which non-subject merchandise may also enter. Therefore, instead of relying on CBP entry data in selecting respondents, we intend to issue Q&V questionnaires to each potential respondent for which there is complete address information on the record.

Commerce will post the Q&V questionnaires along with filing instructions on Commerce's website at *https://www.trade.gov/ec-adcvd-qv-questionnaire.* Producers/exporters of truck bed covers from China that do not receive Q&V questionnaires may still submit a response to the Q&V questionnaire and can obtain a copy of the Q&V questionnaire from Commerce's website. Responses to the Q&V questionnaire must be submitted by the relevant producers/exporters no later than 5:00 p.m. ET on March 31, 2026, which is two weeks from the signature date of this notice. All Q&V questionnaire responses must be filed electronically via ACCESS. An electronically filed document must be received successfully, in its entirety, by ACCESS no later than 5:00 p.m. ET on the deadline noted above.

Interested parties must submit applications for disclosure under administrative protective order (APO) in accordance with 19 CFR 351.305(b). Instructions for filing such applications may be found on Commerce's website at

[19] *Id.*

[20] For further discussion, *see* Attachment II of the China CVD Initiation Checklist.

[21] *Id.*

[22] *Id.; see also* section 702(c)(4)(D) of the Act.

[23] *See* Attachment II of the China CVD Initiation Checklist.

[24] *Id.*

[25] *Id.*

[26] For further discussion, *see* China CVD Initiation Checklists at Attachment III, Analysis of Allegations and Evidence of Material Injury and Causation for the Antidumping and Countervailing Duty Petitions Covering Truck Bed Covers from the People's Republic of China.

[27] *Id.*

[28] *Id.*

[29] *See* Petition at Volume I (pages 14–20); *see also* First General Issues Supplement at 1–2.

https://www.trade.gov/administrative-protective-orders.

Distribution of Copies 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 GOC 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.

Preliminary Determination by the ITC

The ITC will preliminarily determine, within 45 days after the date on which the Petition was filed, whether there is a reasonable indication that imports of truck bed covers from China are materially injuring, or threatening material injury to, a U.S. industry.[30] A negative ITC determination will result in the investigation being terminated.[31] 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 (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 [32] 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.[33] 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.[34] 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.[35]

Certification Requirements

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information.[36] Parties must use the certification formats provided in 19 CFR 351.303(g).[37] 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).[38]

This notice is issued and published pursuant to sections 702 and 777(i) of the Act, and 19 CFR 351.203(c).

Dated: March 17, 2026.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Investigation

The scope of the investigation covers truck bed covers, which are protective shields made of aluminum, steel, fiberglass, carbon fiber, plastic, and/or water-resistant fabric that are sized to span the open-top area of a pickup truck. When fully assembled and installed, truck bed covers have a width between 45 and 75 inches (actual) and a length between 55 and 100 inches (actual), and can be used to secure the cargo area of a pickup truck and/or repel water.

Truck bed covers typically encompass four general configurations—*i.e.,* folding, roll-up, one-piece, and retractable. Folding truck bed covers consist of two or more interconnected, hinged panels which may be made from a rigid material or a soft material with a rigid frame. Roll-up truck bed covers can be made of soft material with rigid crossbars, or rigid material such as slats, which allow the cover to roll forward for access to the truck bed, and which can be secured with straps, buckles, or other fasteners. One-piece truck bed covers are rigid covers that open from the tailgate end of the truck bed using a hinge or pivot, typically with the assistance of struts for opening and closing. Retractable truck bed covers are made of interconnected rigid slats or one-piece aluminum-reinforced polycarbonate that retract into a recessed canister to allow access to the truck bed. Retractable truck bed covers may be manually operated or electrically powered with a motor, and electric models may include additional features such as fob keys, Bluetooth connectivity, or LED lights.

The scope of the investigation includes not only the cover material (*i.e.,* the protective shield made of aluminum, steel, fiberglass, carbon fiber, plastic, and/or water-resistant fabric), but also any accompanying hardware

[30] *See* section 703(a)(1) of the Act.

[31] *Id.*

[32] *See* 19 CFR 351.301(b).

[33] *See* 19 CFR 351.301(b)(2).

[34] *See* 19 CFR 351.302.

[35] *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.*

[36] *See* section 782(b) of the Act.

[37] *See Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings,* 78 FR 42678 (July 17, 2013) (*Final Rule*); *see also* frequently asked questions regarding the *Final Rule,* available at *https://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf.*

[38] *See Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings,* 88 FR 67069 (September 29, 2023).

for the mounting or storage of the truck bed cover (*e.g.,* rails, canisters, latches, straps, clasps, clamps, nuts, bolts, washers, screws, hitch pins, weather strips/seals/gaskets) or other parts (*e.g.,* locks, struts, drain tubes, motors), provided that such hardware or other parts are entered with and invoiced with the cover material. Truck bed covers are included within the scope whether or not they are accompanied with such hardware or other parts. Moreover, any hardware for the mounting or storage of the truck bed cover (*e.g.,* rails, canisters, latches, straps, clasps, clamps, nuts, bolts, washers, screws, hitch pins, weather strips/seals/gaskets) or other parts (*e.g.,* locks, struts, drain tubes, motors) are covered within the scope if such items are separately entered as a truck bed cover mounting or installation kit.

Excluded from the scope are truck caps (also known as camper shells, toppers, or canopies), which are enclosures that can be mounted on truck bed rails to extend the height of a truck bed by at least 12 inches (actual), thus creating a fully-enclosed, lockable storage area for cargo.

Also excluded from the scope of the investigation are any products already covered by the scope of any extant antidumping and/or countervailing duty orders, including *Aluminum Extrusions from the People's Republic of China: Antidumping Duty Order,* 76 FR 30650 (May 26, 2011), and *Aluminum Extrusions from the People's Republic of China: Countervailing Duty Order,* 76 FR 30653 (May 26, 2011).

The products subject to the investigation are currently classifiable under subheading 8708.29.5160 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

[FR Doc. 2026–05536 Filed 3–19–26; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–221, C–533–949]

Large Diameter Graphite Electrodes From the People's Republic of China and India: Initiation of Countervailing Duty Investigations

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

DATES: Applicable March 16, 2026.

FOR FURTHER INFORMATION CONTACT: Joseph Molokwu at (202) 482–8043 (the People's Republic of China (China)) and Nathan James and Olivia Woolverton (India) at (202) 482–5305 and (202) 482–7453, respectively, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

The Petitions

On February 24, 2026, the U.S. Department of Commerce (Commerce) received countervailing duty (CVD) petitions concerning imports of large diameter graphite electrodes (large graphite electrodes) from China and India filed in proper form on behalf of the LDGE Fair Trade Coalition and its individual members (the petitioners).[1] The CVD Petitions were accompanied by antidumping duty (AD) petitions concerning imports of large graphite electrodes from China and India.[2]

Between February 26 and March 10, 2026, Commerce requested supplemental information pertaining to certain aspects of the Petitions in supplemental questionnaires.[3] Between March 3 and 11, 2026, the petitioners filed timely responses to these requests for additional information.[4]

In accordance with section 702(b)(1) of the Tariff Act of 1930, as amended (the Act), the petitioners allege that the Government of China (GOC) and Government of India (GOI) are providing countervailable subsidies, within the meaning of sections 701 and 771(5) of the Act, to producers of large graphite electrodes in China and India and that such imports are materially injuring, or threatening material injury to, the domestic industry producing large graphite electrodes 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 CVD investigations, the Petitions were accompanied by information reasonably available to the petitioners supporting their allegations.

Commerce finds that the petitioners filed the Petitions on behalf of the domestic industry, because the petitioners are interested parties, as defined in sections 771(9)(C) and (F) of the Act. Commerce also finds that the petitioners demonstrated sufficient industry support with respect to the initiation of the requested CVD investigations.[5]

Periods of Investigation (POI)

Because the Petitions were filed on February 24, 2026, the POI is January 1, 2025, through December 31, 2025.[6]

Scope of the Investigations

The products covered by these investigations are large graphite electrodes from China and India. For a full description of the scope of these investigations, *see* the appendix to this notice.

Comments on the Scope of the Investigations

Between February 27 and March 10, 2026, Commerce requested information and clarification from the petitioners regarding the proposed scope to ensure that the scope language in the Petitions is an accurate reflection of the products for which the domestic industry is seeking relief.[7] Between March 4 and 11, 2026, the petitioners provided clarifications and revised the scope.[8] The description of merchandise covered by these investigations, 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).[9] 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 determinations. If scope comments include factual information, all such factual information should be limited to public information.[10] Commerce requests that interested parties provide at the beginning of their scope comments a public executive summary

[1] *See* Petitioners' Letter, ''Petition for the Imposition of Antidumping and Countervailing Duties,'' dated February 24, 2026 (Petitions). The individual members of the LDGE Fair Trade Coalition are Resonac Graphite America Inc. and Tokai Carbon GE LLC.

[2] *Id.*

[3] *See* Commerce's Letters, ''Supplemental Questions,'' dated February 27, 2026 (General Issues Supplemental Questionnaire); Country-Specific CVD Questionnaires: India CVD Questionnaire and China CVD Questionnaire, dated February 26, 2026 and February 27, 2026, respectively; *see also* Memorandum, ''Teleconference with Counsel to the Petitioners,'' dated March 10, 2026 (March 10, 2026, Memorandum).

[4] *See* Petitioners' Letters, ''Petitioners' Supplement to Volume I of the Petition for the Imposition of Antidumping and Countervailing Duties on Imports from China and India,'' dated March 4, 2026 (First General Issues Supplement); Country-Specific CVD Supplemental Responses: India CVD Supplement and China CVD Supplement, dated March 3, 2026; and ''Petitioners' Second Supplement to Volume I of the Petition for the Imposition of Antidumping and Countervailing Duties on Imports from China and India,'' dated March 11, 2026 (Second General Issues Supplement).

[5] *See* section on ''Determination of Industry Support for the Petitions,'' *infra.*

[6] *See* 19 CFR 351.204(b)(2).

[7] *See* General Issues Supplemental Questionnaire; *see also* March 10, 2026, Memorandum.

[8] *See* First General Issues Supplement at 5–17 and Exhibits GEN–SUPP–4 and GEN–SUPP–5; *see also* Second General Issues Supplement at 2–7 and Exhibit GEN–SUPP2–1.

[9] *See Antidumping Duties; Countervailing Duties, Final Rule,* 62 FR 27296, 27323 (May 19, 1997) (*Preamble*); *see also* 19 CFR 351.312.

[10] *See* 19 CFR 351.102(b)(21) (defining ''factual information'').

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 April 6, 2026, which is the next business day after 20 calendar days from the signature date of this notice.[11] 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 April 16, 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 these investigations be submitted during that period. However, if a party subsequently finds that additional factual information pertaining to the scope of the investigations 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.[12] 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 GOC and GOI of the receipt of the Petitions and provided an opportunity for consultations with respect to the Petitions.[13] Commerce held consultations with the GOC on March 11, 2026,[14] and the GOI on March 12, 2026.[15]

Determination of Industry Support for the Petitions

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 Commerce and the ITC apply the same statutory definition regarding the domestic like product,[16] 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.[17]

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 petitioners do not offer a definition of the domestic like product distinct from the scope of the investigations.[18] Based on our analysis of the information submitted on the record, we have determined that large graphite electrodes, as defined in the scope, constitute a single domestic like product, and we have analyzed industry support in terms of that domestic like product.[19]

In determining whether the petitioners have standing under section 702(c)(4)(A) of the Act, we considered the industry support data contained in the Petitions with reference to the domestic like product as defined in the ''Scope of the Investigations,'' in the appendix to this notice. To establish industry support, the petitioners provided their own production of the domestic like product in 2025. The petitioners identified themselves as the only two producers of large graphite electrodes in the United States; therefore, the Petitions are supported by 100 percent of the U.S. industry.[20] We relied on data provided by the

[11] The deadline for scope comments falls on April 5, 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, April 6, 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.'').

[12] *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.aspx* and a handbook can be found at *https://access.trade.gov/help/Handbook_on_Electronic_Filing_Procedures.pdf.*

[13] *See* Commerce's Letters, ''Invitation for Consultations to Discuss the Countervailing Duty Petition,'' dated February 24, 2026.

[14] *See* Memorandum, ''Consultations with the Government of China,'' dated March 11, 2026; *see also* GOC's Letter, ''Comments on CVD Petition on Large Diameter Graphite Electrodes from China (C–570–221),'' dated March 13, 2026.

[15] *See* Memorandum, ''Consultations with the Government of India,'' dated March 12, 2026; *see also* GOI's Letter, ''GOI's Pre-Initiation Comments and Consultation Note,'' dated March 15, 2026.

[16] *See* section 771(10) of the Act.

[17] *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)).

[18] For a discussion of the domestic like product analysis as applied to these cases and information regarding industry support, *see* Checklists, ''Countervailing Duty Investigation Initiation Checklists: Large Diameter Graphite Electrodes from the People's Republic of China and India,'' dated concurrently with, and hereby adopted by, this notice (Country-Specific CVD Initiation Checklists), at Attachment II, Analysis of Industry Support for the Antidumping and Countervailing Duty Petitions Covering Large Diameter Graphite Electrodes from the People's Republic of China and India (Attachment II). These checklists are on file electronically via ACCESS.

[19] For further discussion, *see* Attachment II of the Country-Specific CVD Initiation Checklists.

[20] *Id.*

petitioners for purposes of measuring industry support.[21]

Our review of the data provided in the Petitions, the First General Issues Supplement, and other information readily available to Commerce indicates that the petitioners have established industry support for the Petitions.[22] First, the Petitions 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 702(c)(4)(A)(i) of the Act because the domestic producers (or workers) who support the Petitions 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 702(c)(4)(A)(ii) of the Act because the domestic producers (or workers) who support the Petitions 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 Petitions.[25] Accordingly, Commerce determines that the Petitions were filed on behalf of the domestic industry within the meaning of section 702(b)(1) of the Act.[26]

Injury Test

Because China and India are ''Subsidies Agreement Countries'' within the meaning of section 701(b) of the Act, section 701(a)(2) of the Act applies to these investigations. Accordingly, the ITC must determine whether imports of the subject merchandise from China and/or India materially injure, or threaten material injury to, a U.S. industry.

Allegations and Evidence of Material Injury and Causation

The petitioners allege 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 petitioners allege that subject imports from China and India individually exceed the negligibility threshold provided for under section 771(24)(A) of the Act.[27]

The petitioners contend that the industry's injured condition is illustrated by a significant increase in the volume of subject imports; lost sales and revenues; underselling and price depression; declines in production, capacity utilization, and U.S. shipments; and negative impact on financial performance.[28] We assessed the allegations and supporting evidence regarding material injury, threat of material injury, causation, cumulation, 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]

Initiation of CVD Investigations

Based upon the examination of the Petitions and supplemental responses, we find that they meet the requirements of section 702 of the Act. Therefore, we are initiating CVD investigations to determine whether imports of large graphite electrodes from China and India benefit from countervailable subsidies conferred by the GOC and GOI, respectively. In accordance with section 703(b)(1) of the Act and 19 CFR 351.205(b)(1), unless postponed, we will make our preliminary determinations no later than 65 days after the date of this initiation.

China

Based on our review of the Petitions, we find that there is sufficient information to initiate a CVD investigation on 28 programs alleged by the petitioners. For a full discussion of the basis for our decision to initiate on each program, *see* the China CVD Initiation Checklist. A public version of the initiation checklist for this investigation is available on ACCESS.

India

Based on our review of the Petitions, we find that there is sufficient information to initiate a CVD investigation on 30 programs alleged by the petitioners. For a full discussion of the basis for our decision to initiate on each program, *see* the India CVD Initiation Checklist. A public version of the initiation checklist for this investigation is available on ACCESS.

Respondent Selection

China and India

In the Petitions, the petitioners identified 28 companies in China and three companies in India.[30] Commerce intends to follow its standard practice in CVD investigations and calculate company-specific subsidy rates in the investigations. Following standard practice in CVD investigations, in the event Commerce determines that the number of companies is large, and it cannot individually examine each company based upon Commerce's resources, where appropriate, Commerce intends to select mandatory respondents based on U.S. Customs and Border Protection (CBP) data for imports under the appropriate Harmonized Tariff Schedule of the United States (HTSUS) subheading(s) listed in the ''Scope of the Investigations,'' in the appendix.

On March 13, 2026, Commerce released CBP data on imports of large graphite electrodes from China and India under administrative protective order (APO) to all parties with access to information protected by APO and indicated that interested parties wishing to comment on CBP data and/or respondent selection must do so within three days of the publication date of the notice of initiation of these investigations.[31] 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. Commerce will not accept rebuttal comments regarding the CBP data or respondent selection.

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305(b). Instructions for filing such applications may be found on Commerce's website at *https://www.trade.gov/administrative-protective-orders.*

Distribution of Copies of the Petitions

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 Petitions has been provided to the GOC and GOI via ACCESS. To the extent practicable, we will attempt to provide a copy of the public version of the Petitions to each exporter named in the Petitions, as provided under 19 CFR 351.203(c)(2).

[21] *Id.*

[22] *Id.*

[23] *Id.; see also* section 702(c)(4)(D) of the Act.

[24] *See* Attachment II of the Country-Specific CVD Initiation Checklists.

[25] *Id.*

[26] *Id.*

[27] For further discussion, *see* Country-Specific CVD Initiation Checklists at Attachment III, Analysis of Allegations and Evidence of Material Injury and Causation for the Antidumping and Countervailing Duty Petitions Covering Large Diameter Graphite Electrodes from the People's Republic of China and India.

[28] *Id.*

[29] *Id.*

[30] *See* Petitions at Volume I (pages 13–14 and Exhibit GEN–4); *see also* First General Issues Supplement at 2–4 and Exhibit GEN–SUPP–1.

[31] *See* Country-Specific Memoranda, ''Release of U.S. Customs and Border Protection Entry Data,'' dated March 13, 2026.

ITC Notification

Commerce will notify the ITC of its initiation, as required by section 702(d) of the Act.

Preliminary Determinations by the ITC

The ITC will preliminarily determine, within 45 days after the date on which the Petitions were filed, whether there is a reasonable indication that imports of large graphite electrodes from China and/or India are materially injuring, or threatening material injury to, a U.S. industry.[32] A negative ITC determination for either country will result in the investigation being terminated with respect to that country.[33] Otherwise, these CVD investigations 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 (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 [34] 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.[35] 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 these investigations.

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.[36] 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 these investigations.[37]

Certification Requirements

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information.[38] Parties must use the certification formats provided in 19 CFR 351.303(g).[39] 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 these investigations 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).[40]

This notice is issued and published pursuant to sections 702 and 777(i) of the Act, and 19 CFR 351.203(c).

Dated: March 16, 2026.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Investigations

The merchandise covered by these investigations includes all large diameter graphite electrodes of any length, whether or not finished, of a kind used in furnaces, with a nominal or actual diameter exceeding 425 millimeters (16.7 inches), and whether or not attached to a graphite pin joining system or any other type of joining system or hardware. The merchandise covered by these investigations also includes graphite pin joining systems (commonly referred to as pins or nipples) for large diameter graphite electrodes, of any length, and with a minimum diameter of 228.6 mm (9 inches) at its widest transverse cross-section, whether or not finished, of a kind used in furnaces, and whether or not the graphite pin joining system is attached to, sold with, or sold separately from, the large diameter graphite electrode. Unfinished large diameter graphite electrodes are graphitized electrodes that have not undergone final machining. For purposes of these investigations, the country of origin is determined by the country of graphitization.

Excluded from the scope of these investigations are large diameter graphite electrodes that are subject to the existing antidumping duty order on Small Diameter Graphite Electrodes from the People's Republic of China. *See Antidumping Duty Order: Small Diameter Graphite Electrodes from the People's Republic of China,* 74 FR 8775 (February 26, 2009) (*SDGE China AD Order*) due to an affirmative determination of circumvention that imports of graphite electrodes from the People's Republic of China, produced and/or exported by Sinosteel Jilin Carbon Co., Ltd. and Jilin Carbon Import & Export Company (collectively, Jilin Carbon), with an actual or nominal diameter of 17 inches and otherwise meeting the description of the scope of the *SDGE China AD Order* constitute merchandise subject to the *SDGE China AD Order. See Small Diameter Graphite Electrodes from the People's Republic of China: Affirmative Final Determination of Circumvention of the Antidumping Duty Order and Rescission of Later-Developed Merchandise Anticircumvention Inquiry,* 78 FR 56864 (September 16, 2013). In the case of graphite electrodes entering the United States determined to be subject to the *SDGE China AD Order,* such order controls. In the

[32] *See* section 703(a)(1) of the Act.

[33] *Id.*

[34] *See* 19 CFR 351.301(b).

[35] *See* 19 CFR 351.301(b)(2).

[36] *See* 19 CFR 351.302.

[37] *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.*

[38] *See* section 782(b) of the Act.

[39] *See Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings,* 78 FR 42678 (July 17, 2013) (*Final Rule*); *see also* frequently asked questions regarding the *Final Rule,* available at *https://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf.*

[40] *See Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings,* 88 FR 67069 (September 29, 2023).

case of graphite electrodes entering the United States meeting the scope definition of these investigations and not covered by the scope of the *SDGE China AD Order,* the scope of these investigations controls.

Large diameter graphite electrodes and graphite pin joining systems for large diameter graphite electrodes that are covered by these investigations are currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) statistical reporting number 8545.11.0020. Merchandise covered by these investigations may also enter under HTSUS statistical reporting numbers 3801.10.5090 or 3801.90.0050. The HTSUS numbers are provided for convenience and customs purposes, but the written description of the scope is dispositive.

[FR Doc. 2026–05496 Filed 3–19–26; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–220, A–533–948]

Large Diameter Graphite Electrodes From the People's Republic of China and India: Initiation of Less-Than-Fair-Value Investigations

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

DATES: Applicable March 16, 2026.

FOR FURTHER INFORMATION CONTACT: Deborah Cohen at (202) 482–4521 (the People's Republic of China (China)) and Hannah Lee at (202) 482–1216 (India), AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

The Petitions

On February 24, 2026, the U.S. Department of Commerce (Commerce) received antidumping duty (AD) petitions concerning imports of large diameter graphite electrodes (large graphite electrodes) from China and India, filed in proper form on behalf of the LDGE Fair Trade Coalition and its individual members (the petitioners).[1] The AD Petitions were accompanied by countervailing duty (CVD) petitions concerning imports of large graphite electrodes from China and India.[2]

Between February 27 and March 10, 2026, Commerce requested supplemental information pertaining to certain aspects of the Petitions in supplemental questionnaires.[3] Between March 3 and 11, 2026, the petitioners filed timely responses to these requests for additional information.[4]

In accordance with section 732(b) of the Tariff Act of 1930, as amended (the Act), the petitioners allege that imports of large graphite electrodes from China and India 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 large graphite electrodes industry in the United States. Consistent with section 732(b)(1) of the Act, the Petitions were accompanied by information reasonably available to the petitioners supporting their allegations.

Commerce finds that the petitioners filed the Petitions on behalf of the domestic industry, because the petitioners are interested parties, as defined in sections 771(9)(C) and (F) of the Act. Commerce also finds that the petitioners demonstrated sufficient industry support for the initiation of the requested LTFV investigations.[5]

Periods of Investigations (POI)

Because the Petitions were filed on February 24, 2026, pursuant to 19 CFR 351.204(b)(1), the POI for the India LTFV investigation is January 1, 2025, through December 31, 2025. Because China is a non-market economy (NME) country, pursuant to 19 CFR 351.204(b)(1), the POI for the China LTFV investigation is July 1, 2025, through December 31, 2025.

Scope of the Investigations

The products covered by these investigations are large graphite electrodes from China and India. For a full description of the scope of these investigations, *see* the appendix to this notice.

Comments on the Scope of the Investigations

Between February 27 and March 10, 2026, Commerce requested information and clarification from the petitioners regarding the proposed scope to ensure that the scope language in the Petitions is an accurate reflection of the products for which the domestic industry is seeking relief.[6] Between March 4 and 11, 2026, the petitioners provided clarifications and revised the scope.[7] The description of merchandise covered by these investigations, 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).[8] 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 determinations. If scope comments include factual information, all such factual information should be limited to public information.[9] 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 April 6, 2026, which is the next business day after 20 calendar days from the

[1] *See* Petitioners' Letter, ''Petition for the Imposition of Antidumping and Countervailing Duties,'' dated February 24, 2026 (Petitions). The individual members of the LDGE Fair Trade Coalition are Resonac Graphite America Inc. and Tokai Carbon GE LLC. *Id.*

[2] *Id.*

[3] *See* Commerce's Letters, ''Supplemental Questions,'' dated February 27, 2026 (First General Issues Supplemental Questionnaire); First Country-Specific AD Questionnaires: India AD Questionnaire and China AD Supplemental Questionnaire, dated February 27 and March 2, 2026, respectively; and Second Country-Specific AD Questionnaires: Second India AD Questionnaire and Second China AD Questionnaire, dated March 4 and 10, 2026; *see also* Memorandum, ''Teleconference with Counsel to the Petitioners,'' dated March 10, 2026 (March 10, 2026, Memorandum).

[4] *See* Petitioners' Letters, ''Response to Supplemental Questions,'' dated March 4, 2026 (First General Issues Supplement); Country-Specific AD Supplemental Responses: India AD Supplement and China AD Supplement, dated March 3 and 5, 2026; Second Country-Specific AD Supplemental Responses: India AD Supplement and China AD Supplement, dated March 6 and 11, 2026; and ''Petitioners' Second Supplement to Volume I of the Petition for the Imposition of Antidumping and Countervailing Duties on Imports from China and India,'' dated March 11, 2026 (Second General Issues Supplement).

[5] *See* section on ''Determination of Industry Support for the Petitions,'' *infra.*

[6] *See* First General Issues Supplemental Questionnaire; *see also* March 10, 2026, Memorandum.

[7] *See* First General Issues Supplement at 5–17 and Exhibits GEN–SUPP–4 and GEN–SUPP–5; *see also* Second General Issues Supplement at 2–7 and Exhibit GEN–SUPP2–1.

[8] *See Antidumping Duties; Countervailing Duties, Final Rule,* 62 FR 27296, 27323 (May 19, 1997) (*Preamble*); *see also* 19 CFR 351.312.

[9] *See* 19 CFR 351.102(b)(21) (defining ''factual information'').

signature date of this notice.[10] 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 April 16, 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 these investigations be submitted during that period. However, if a party subsequently finds that additional factual information pertaining to the scope of the investigations 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.[11] 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 large graphite electrodes 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 factors of production (FOP) or 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 large graphite electrodes, 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 April 6, 2026, which is the next business day after 20 calendar days from the signature date of this notice.[12] Any rebuttal comments must be filed by 5:00 p.m. ET on April 16, 2026, which is 10 calendar days from the initial comment deadline. All comments and submissions to Commerce must be filed electronically using ACCESS, as explained above, on the record of both of the LTFV investigations.

Determination of Industry Support for the Petitions

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,[13] 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.[14]

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 investigations.[15] Based on our analysis

[10] The deadline for scope comments falls on April 5, 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, April 6, 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.'').

[11] *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.aspx* and a handbook can be found at *https://access.trade.gov/help/Handbook_on_Electronic_Filing_Procedures.pdf.*

[12] The deadline for product characteristics falls on April 5, 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, April 6, 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* section 771(10) of the Act.

[14] *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)).

[15] For a discussion of the domestic like product analysis as applied to these cases and information regarding industry support, see Checklists, ''Antidumping Duty Investigation Initiation Checklists: Large Graphite Electrodes from the People's Republic of China and India,'' dated concurrently with, and hereby adopted by, this notice (Country-Specific AD Initiation Checklists), at Attachment II, Analysis of Industry Support for the Antidumping and Countervailing Duty Petitions Covering Large Diameter Graphite Electrodes from

of the information submitted on the record, we have determined that large graphite electrodes, as defined in the scope, constitute a single domestic like product, and we have analyzed industry support in terms of that domestic like product.[16]

In determining whether the petitioners have standing under section 732(c)(4)(A) of the Act, we considered the industry support data contained in the Petitions with reference to the domestic like product as defined in the ''Scope of the Investigations,'' in the appendix to this notice. To establish industry support, the petitioners provided their own production of the domestic like product in 2025. The petitioners identified themselves as the only two producers of large graphite electrodes in the United States; therefore, the Petitions are supported by 100 percent of the U.S. industry.[17] We relied on data provided by the petitioners for purposes of measuring industry support.[18]

Our review of the data provided in the Petitions, the First General Issues Supplement, and other information readily available to Commerce indicates that the petitioners have established industry support for the Petitions.[19] First, the Petitions 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).[20] 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 Petitions account for at least 25 percent of the total production of the domestic like product.[21] 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 Petitions 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 Petitions.[22] Accordingly, Commerce determines that the Petitions were filed on behalf of the domestic industry within the meaning of section 732(b)(1) of the Act.[23]

Allegations and Evidence of Material Injury and Causation

The petitioners allege 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 petitioners allege that subject imports exceed the negligibility threshold provided for under section 771(24)(A) of the Act.[24]

The petitioners contend 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; lost sales and revenues; declines in production, capacity utilization, and U.S. shipments; and negative impact on financial performance.[25] We assessed the allegations and supporting evidence regarding material injury, threat of material injury, causation, cumulation, as well as negligibility, and we have determined that these allegations are properly supported by adequate evidence, and meet the statutory requirements for initiation.[26]

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 investigations of imports of large graphite electrodes from China and India. 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 Country-Specific AD Initiation Checklists.

U.S. Price

For India, the petitioners based export price (EP) based on pricing information for large graphite electrodes produced in India and sold or offered for sale in the U.S. market.[27] For China, the petitioners based EP on: (1) pricing information for large graphite electrodes produced in China and sold or offered for sale in the U.S. market; and (2) the POI average unit value (AUV) derived from official import statistics for imports of large graphite electrodes from China.[28] The petitioners made certain adjustments to U.S. price to calculate a net ex-factory U.S. price, where applicable.[29]

Normal Value[30]

For India, the petitioners calculated NV on home market pricing information they obtained for large graphite electrodes produced in and sold, or offered for sale, in India during the POI.[31]

Commerce considers China to be an NME country.[32] In accordance with section 771(18)(C)(i) of the Act, any determination that a foreign country is an NME country shall remain in effect until revoked by Commerce. Therefore, we continue to treat China as an NME country for purposes of the initiation of the LTFV investigation. Accordingly, we base NV on FOPs valued in a surrogate market economy country in accordance with section 773(C) of the Act.

The petitioners claim that Brazil, Malaysia, and the Republic of Türkiye (Türkiye) are appropriate surrogate countries for China because they are market economy countries that are at a level of economic development comparable to that of China and are significant producers of comparable merchandise.[33] The petitioners provided publicly available information from Brazil, Malaysia, and Türkiye to value all FOPs.[34] Based on the information provided by the petitioners, we believe it is appropriate to use Brazil, Malaysia, and Türkiye as surrogate countries for China to value all FOPs for initiation purposes.

Interested parties will have the opportunity to submit comments

the People's Republic of China and India (Attachment II). These checklists are on file electronically via ACCESS.

[16] For further discussion, *see* Attachment II of the Country-Specific AD Initiation Checklists.

[17] *Id.*

[18] *Id.*

[19] *Id.*

[20] *Id.; see also* section 732(c)(4)(D) of the Act.

[21] *See* Attachment II of the Country-Specific AD Initiation Checklists.

[22] *Id.*

[23] *Id.*

[24] For further discussion, *see* Country-Specific AD Initiation Checklists at Attachment III, Analysis of Allegations and Evidence of Material Injury and Causation for the Antidumping and Countervailing Duty Petitions Covering Large Diameter Graphite Electrodes from the People's Republic of China and India.

[25] *Id.*

[26] *Id.*

[27] *See* India AD Initiation Checklist.

[28] *See* China AD Initiation Checklist.

[29] *See* Country-Specific AD Initiation Checklists.

[30] In accordance with section 773(b)(2) of the Act, for the India 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.

[31] *See* India AD Initiation Checklist.

[32] *See, e.g., Certain Freight Rail Couplers and Parts Thereof from the People's Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value and Preliminary Affirmative Determination of Critical Circumstances,* 88 FR 15372 (March 13, 2023), and accompanying Preliminary Decision Memorandum at 5, unchanged in *Certain Freight Rail Couplers and Parts Thereof from the People's Republic of China: Final Affirmative Determination of Sales at Less-Than-Fair Value and Final Affirmative Determination of Critical Circumstances,* 88 FR 34485 (May 30, 2023).

[33] *See* China AD Initiation Checklist.

[34] *Id.*

regarding surrogate country selection and, pursuant to 19 CFR 351.301(c)(3)(i), will be provided an opportunity to submit publicly available information to value FOPs within 30 days before the scheduled date of the preliminary determination.

Factors of Production

Because information regarding the volume of inputs consumed by Chinese producers/exporters was not reasonably available, the petitioners used the production experience and product-specific consumptions rates of U.S. producers of large graphite electrodes as a surrogate to value Chinese manufacturers' FOPs.[35] Additionally, for China, the petitioners calculated factory overhead, SG&A, and profit based on the experience of Brazilian, Malaysian, and Turkish producers of comparable merchandise.[36]

Fair Value Comparisons

Based on the data provided by the petitioners, there is reason to believe that imports of large graphite electrodes from Chian and India 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 large graphite electrodes for each of the countries covered by the initiation are as follows: (1) China (Brazil surrogate)—44.71 to 116.64 percent; (2) China (Malaysia surrogate) 38.33 to 98.79 percent; (3) China (Türkiye surrogate) 77.59 to 146.72 percent; and (4) India—42.59 to 73.40 percent.[37]

Initiation of LTFV Investigations

Based upon the examination of the Petitions and supplemental responses, we find that they meet the requirements of section 732 of the Act. Therefore, we are initiating LTFV investigations to determine whether imports of large graphite electrodes from China and India 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 determinations no later than 140 days after the date of this initiation.

Respondent Selection

China

In the Petitions, the petitioners identified 28 companies in China as producers and/or exporters of large graphite electrodes.[38] Our standard practice for respondent selection in AD investigations involving NME countries is to select respondents based on quantity and value (Q&V) questionnaires in cases where Commerce has determined that the number of companies is large, and it cannot individually examine each company based upon its resources. Therefore, considering the number of producers and/or exporters identified in the Petitions, Commerce will solicit Q&V information that can serve as a basis for selecting exporters for individual examination in the event that Commerce determines that the number is large and decides to limit the number of respondents individually examined pursuant to section 777A(c)(2) of the Act. Because there are 28 Chinese producers and/or exporters identified in the Petitions, Commerce has determined that it will issue Q&V questionnaires to the largest producers and/or exporters in China that are identified in the U.S. Customs and Border Protection POI entry data for which there is complete address information on the record.[39]

Commerce will post the Q&V questionnaires along with filing instructions on Commerce's website at *https://www.trade.gov/ec-adcvd-qv-questionnaire.* Producers/exporters of large graphite electrodes from China that do not receive Q&V questionnaires may still submit a response to the Q&V questionnaire and can obtain a copy of the Q&V questionnaire from Commerce's website. Responses to the Q&V questionnaire must be submitted by the relevant Chinese producers/exporters no later than 5:00 p.m. ET on March 30, 2026, which is two weeks from the signature date of this notice. All Q&V questionnaire responses must be filed electronically via ACCESS. An electronically filed document must be received successfully, in its entirety, by ACCESS no later than 5:00 p.m. ET on the deadline noted above.

Interested parties must submit applications for disclosure under administrative protective order (APO) in accordance with 19 CFR 351.305(b). Instructions for filing such applications may be found on Commerce's website at *https://www.trade.gov/administrative-protective-orders.*

India

In the Petitions, the petitioners identified three companies in India.[40] Following standard practice in LTFV investigations involving market economy countries, in the event Commerce determines that the number of companies is large, and it cannot individually examine each company based upon Commerce's resource, where appropriate, Commerce intends to select mandatory respondents based on CBP data for imports under the appropriate Harmonized Tariff Schedule of the United States (HTSUS) subheading(s) listed in the ''Scope of the Investigations,'' in the appendix.

On March 13, 2026, Commerce released CBP data on imports of large graphite electrodes from India under APO to all parties with access to information protected by APO and indicated that interested parties wishing to comment on CBP data and/or respondent selection must do so within three business days of the publication date of the notice of initiation of these investigations.[41] 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. Commerce will not accept rebuttal comments regarding the CBP data or respondent selection.

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305(b). As stated above, instructions for filing such applications may be found on Commerce's website at *https://www.trade.gov/administrative-protective-orders.*

Separate Rates

In order to obtain separate rate status in an NME investigation, exporters and producers must submit a separate rate application. The specific requirements for submitting a separate rate application in an NME investigation are outlined in detail in the application itself, which is available on Commerce's website at *https://access.trade.gov/Resources/nme/nme-sep-rate.html.* Note that Commerce recently promulgated new regulations pertaining to separate rates, including the separate rate application deadline and eligibility for separate rate status, in 19 CFR 351.108.[42] Pursuant to 19 CFR

[35] *See* China AD Initiation Checklist.

[36] *Id.*

[37] *See* Country-Specific AD Initiation Checklists.

[38] *See* Petitions at Volume I (pages 13–14 and Exhibit GEN–4); *see also* First General Issues Supplement at 2–4 and Exhibit GEN–SUPP–1.

[39] See Memorandum, ''Release of U.S. Customs and Border Protection Entry Data {China},'' dated March 13, 2026.

[40] *See* Petitions at Volume I (pages 13–14 and Exhibit GEN–4).

[41] *See* Memorandum, ''Release of U.S. Customs and Border Protection Entry Data {India},'' dated March 13, 2026.

[42] *See Regulations Enhancing the Administration of the Antidumping and Countervailing Duty Trade*

351.108(d)(1), the separate rate application will be due 21 days after publication of this initiation notice.[43] Exporters and producers must file a timely separate rate application if they want to be considered for individual examination. In addition, pursuant to 19 CFR 351.108(e), exporters and producers who submit a separate rate application and have been selected as mandatory respondents will be eligible for consideration for separate rate status only if they fully respond to all parts of Commerce's AD questionnaire and participate in the LTFV proceeding as mandatory respondents.[44] Commerce requires that companies from China submit a response both to the Q&V questionnaire and to the separate rate application by the respective deadlines to receive consideration for separate rate status. Companies not filing a timely Q&V questionnaire response will not receive separate rate consideration.

Use of Combination Rates

Commerce will calculate combination rates for certain respondents that are eligible for a separate rate in an NME investigation. The Separate Rates and Combination Rates Bulletin states:

{w}hile continuing the practice of assigning separate rates only to exporters, all separate rates that {Commerce} will now assign in its NME investigation will be specific to those producers that supplied the exporter during the period of investigation. Note, however, that one rate is calculated for the exporter and all of the producers which supplied subject merchandise to it during the period of investigation. This practice applies both to mandatory respondents receiving an individually calculated separate rate as well as the pool of non-investigated firms receiving the {weighted average} of the individually calculated rates. This practice is referred to as the application of ''combination rates'' because such rates apply to specific combinations of exporters and one or more producers. The cash-deposit rate assigned to an exporter will apply only to merchandise both exported by the firm in question and produced by a firm that supplied the exporter during the period of investigation.[45]

Distribution of Copies of the Petitions

In accordance with section 732(b)(3)(A) of the Act and 19 CFR 351.202(f), copies of the public version of the Petitions have been provided to the Governments of China and India via ACCESS. To the extent practicable, we will attempt to provide a copy of the public version of the Petitions to each exporter named in the Petitions, 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 Determinations by the ITC

The ITC will preliminarily determine, within 45 days after the date on which the Petitions were filed, whether there is a reasonable indication that imports of large graphite electrodes from China and/or India are materially injuring, or threatening material injury to, a U.S. industry.[46] Negative ITC determinations for either country will result in the investigation being terminated with respect to that country.[47] Otherwise, these LTFV investigations 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 information is being submitted[48] 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.[49] 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 these investigations.

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.[50] 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

Remedy Laws, 89 FR 101694, 101759–60 (December 16, 2024).

[43] *See* 19 CFR 351.108(d)(1).

[44] *See* 19 CFR 351.108(e).

[45] *See* Enforcement and Compliance's Policy Bulletin No. 05.1, regarding, ''Separate-Rates Practice and Application of Combination Rates in Antidumping Investigation involving NME Countries,'' (April 5, 2005), at 6 (emphasis added), available on Commerce's website at *https://access.trade.gov/Resources/policy/bull05-1.pdf.*

[46] *See* section 733(a) of the Act.

[47] *Id.*

[48] *See* 19 CFR 351.301(b).

[49] *See* 19 CFR 351.301(b)(2).

[50] *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.*

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 these investigations.[51]

Certification Requirements

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information.[52] Parties must use the certification formats provided in 19 CFR 351.303(g).[53] 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 these investigations 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).[54]

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: March 16, 2026.

/S/Christopher Abbott

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Investigations

The merchandise covered by these investigations includes all large diameter graphite electrodes of any length, whether or not finished, of a kind used in furnaces, with a nominal or actual diameter exceeding 425 millimeters (16.7 inches), and whether or not attached to a graphite pin joining system or any other type of joining system or hardware. The merchandise covered by these investigations also includes graphite pin joining systems (commonly referred to as pins or nipples) for large diameter graphite electrodes, of any length, and with a minimum diameter of 228.6 mm (9 inches) at its widest transverse cross-section, whether or not finished, of a kind used in furnaces, and whether or not the graphite pin joining system is attached to, sold with, or sold separately from, the large diameter graphite electrode. Unfinished large diameter graphite electrodes are graphitized electrodes that have not undergone final machining. For purposes of these investigations, the country of origin is determined by the country of graphitization.

Excluded from the scope of these investigations are large diameter graphite electrodes that are subject to the existing antidumping duty order on Small Diameter Graphite Electrodes from the People's Republic of China. *See Antidumping Duty Order: Small Diameter Graphite Electrodes from the People's Republic of China,* 74 FR 8775 (February 26, 2009) (*SDGE China AD Order*) due to an affirmative determination of circumvention that imports of graphite electrodes from the People's Republic of China, produced and/or exported by Sinosteel Jilin Carbon Co., Ltd. and Jilin Carbon Import & Export Company (collectively, Jilin Carbon), with an actual or nominal diameter of 17 inches and otherwise meeting the description of the scope of the *SDGE China AD Order* constitute merchandise subject to the *SDGE China AD Order. See Small Diameter Graphite Electrodes from the People's Republic of China: Affirmative Final Determination of Circumvention of the Antidumping Duty Order and Rescission of Later-Developed Merchandise Anticircumvention Inquiry,* 78 FR 56864 (September 16, 2013). In the case of graphite electrodes entering the United States determined to be subject to the *SDGE China AD Order,* such order controls. In the case of graphite electrodes entering the United States meeting the scope definition of these investigations and not covered by the scope of the *SDGE China AD Order,* the scope of these investigations controls.

Large diameter graphite electrodes and graphite pin joining systems for large diameter graphite electrodes that are covered by these investigations are currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) statistical reporting number 8545.11.0020. Merchandise covered by these investigations may also enter under HTSUS statistical reporting numbers 3801.10.5090 or 3801.90.0050. The HTSUS numbers are provided for convenience and customs purposes, but the written description of the scope is dispositive.

[FR Doc. 2026–05495 Filed 3–19–26; 8:45 am]

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[51] *See* 19 CFR 351.302; *see also, e.g., Time Limits Final Rule.*

[52] *See* section 782(b) of the Act.

[53] *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://access.trade.gov/Resources/filing/index.html.*

[54] *See Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings,* 88 FR 67069 (September 29, 2023).

DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–138]

Pentafluoroethane (R-125) From the People's Republic of China: Final Results of Countervailing Duty Administrative Review; 2023

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) determines that Zhejiang Yonghe Refrigerant Co., Ltd. (Zhejiang Yonghe) and Zhejiang Sanmei Chemical Ind. Co., Ltd. (Sanmei), received countervailable subsidies during the period of review (POR), January 1, 2023, through December 31, 2023.

DATES: Applicable March 20, 2026.

FOR FURTHER INFORMATION CONTACT: Samuel Evans, AD/CVD Operations, Office IX, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–2420.

SUPPLEMENTARY INFORMATION:

Background

On July 11, 2025, Commerce published the *Preliminary Results* of this administrative review in the **Federal Register** and invited interested parties to comment.[1] Due to the lapse in appropriations and Federal Government shutdown, on November 14, 2025, Commerce tolled all deadlines in administrative proceeding by 47 days,[2] and, 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

[1] *See Pentafluoroethane (R-125) from the People's Republic of China: Antidumping and Countervailing Duty Administrative Review; 2023,* 90 FR 30857 (July 11, 2025) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See* Memorandum, ''Deadlines Affected by the Shutdown of the Federal Government,'' dated November 14, 2025.

Government shutdown, on November 24, 2025, Commerce tolled all deadlines in administrative proceedings by an additional 21 days.[3] On December 23, 2025, Commerce extended the deadline for issuing these final results by 28 days,[4] and extended the deadline by an additional 14 days on February 9, 2026.[5] On February 24, 2026, Commerce extended the deadline for these final results by 11 days and, finally, on March 6, 2026, extended the deadline by seven days.[6] Accordingly, the deadline for these final results is now March 16, 2026.

For a complete description of the events that occurred since the publication of the *Preliminary Results, see* the Issues and Decision Memorandum.[7] 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/public/FRNoticesListLayout.aspx.*

Scope of the Order [8]

The merchandise covered by this *Order* is R-125 from China. For a complete description of the scope of this *Order, see* the Issues and Decision Memorandum.

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. A list of topics discussed in the Issues and Decision Memorandum is provided in the appendix to this notice.

Changes Since the Preliminary Results

Based on our analysis of comments from interested parties, we made certain changes to Zhejiang Yonghe's countervailable subsidy rate calculations from the *Preliminary Results.* For a full description of these changes, *see* the Issues and Decision Memorandum.

Methodology

Commerce conducted this administrative review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found countervailable, we find that there is a subsidy, *i.e.,* a government-provided financial contribution that gives rise to a benefit to the recipient, and that the subsidy is specific.[9] For a full description of the methodology underlying all of Commerce's conclusions, *see* the Issues and Decision Memorandum.

Final Results of Administrative Review

As a result of this review, Commerce determines the following net countervailable subsidy rates exist for the period January 1, 2023, through December 31, 2023:

Company	Subsidy rate (percent *ad valorem*)
Zhejiang Yonghe Refrigerant Co., Ltd.[10]	10.11
Zhejiang Sanmei Chemical Ind. Co., Ltd.[11]	3.02

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 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)(2), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, countervailing duties on all appropriate entries of subject merchandise in accordance with the final results of this review, for the above-listed companies at the applicable *ad valorem* assessment rates listed. Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

In accordance with section 751(a)(1) of the Act, Commerce intends to instruct CBP to collect cash deposits of estimated countervailing duties in the amounts shown for the companies listed above on shipments of the 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 most recent company-specific rate applicable to the company, as appropriate. These cash deposits, effective upon publication of these final results, shall remain in effect until further notice.

Administrative Protective Order (APO)

This notice also serves as the 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 sanctionable violation.

Notification to Interested Parties

We are issuing and publishing these final results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

[3] *See* Memorandum, ''Tolling of all Case Deadlines,'' dated November 24, 2025.

[4] *See* Memorandum, ''Extension of Deadline for Final Results of 2023 Countervailing Duty Administrative Review,'' dated December 23, 2025.

[5] *See* Memorandum, ''Extension of Deadline for Final Results of 2023 Countervailing Duty Administrative review,'' dated February 9, 2026.

[6] *See* Memorandum, ''Extension of Deadline for Final Results of 2023 Countervailing Duty Administrative review,'' dated February 24, 2026. *See* Memorandum, ''Extension of Deadline for Final Results of 2023 Countervailing Duty Administrative Review,'' dated March 6, 2026.

[7] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results of the Countervailing Duty Administrative Review of Pentafluoroethane from the People's Republic of China; 2023,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[8] *See Pentafluoroethane (R-125) from the People's Republic of China: Antidumping and Countervailing Duty Orders,* 87 FR 12081 (March 3, 2022) (*Order*).

[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] As discussed in the *Preliminary Results* PDM, Commerce has found the following companies to be cross-owned with Yonghe: Inner Mongolia Yonghe Fluorochemical Co., Ltd.; Jinhua Yonghe Fluorine Chemical Co., Ltd.; Inner Mongolia Huasheng Hydrohuonc Alid Co., Ltd.; Shaowu Yonghe Jintang New Material Co., Ltd.; Jiangxi Shilei Fluorine Chemical Co., Ltd.; and Zhejiang Binglong Environmental Protection Co., Ltd.

[11] As discussed in the *Preliminary Results* PDM, Commerce has found the following company to be cross-owned with Sanmei: Fujian Qingliu Dongying Chemical Ind. Co., Ltd.

Dated: March 16, 2026.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discusses in the Issues and Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Use of Facts Available and Application of Adverse Inferences
V. Subsidies Valuation
VI. Analysis of Programs
VII. Discussion of the Issues
Comment 1: Whether to Attribute the Adverse Facts Available (AFA) Rates for Zhejiang Yonghe's Non-Responsive Suppliers to Zhejiang Yonghe
Comment 2: Whether to Exclude Certain Programs from the Non-Responsive Suppliers' AFA Calculation
Comment 3: Whether to Attribute the Non-Responsive Suppliers' AFA Rates to Zhejiang Yonghe Based on a Sales Denominator
Comment 4: Whether Commerce's Selection of the AFA Rate for the Export Buyers Credits and Export Sellers Credits from the Export-Import Bank of China (China Ex-Im Bank) Programs was Supported by the Record
Comment 5: Whether the Selection of the Fluorspar Benchmark was Appropriate
VIII. Recommendation

[FR Doc. 2026–05466 Filed 3–19–26; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–580–880]

Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes From the Republic of Korea: Preliminary Results and Rescission, in Part, of Antidumping Duty Administrative Review; 2023–2024

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily finds that heavy walled rectangular welded carbon steel pipes and tubes (pipe and tube) from the Republic of Korea (Korea) were not sold at less than normal value during the period of review (POR) September 1, 2023, through August 31, 2024. We invite interested parties to comment on these preliminary results of review.

DATES: Applicable March 20, 2026.

FOR FURTHER INFORMATION CONTACT: Kayden Jenson, 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) 482–0967.

SUPPLEMENTARY INFORMATION:

Background

On September 13, 2016, Commerce published in the **Federal Register** the antidumping duty (AD) order on pipe and tube from Korea.[1] On October 17, 2024, based on timely requests for review, and in accordance with 19 CFR 351.221(c)(1)(i), we initiated an administrative review of the *Order* covering four producers and exporters of the subject merchandise.[2]

On December 9, 2024, Commerce tolled the deadline to issue the preliminary results in this administrative review by 90 days.[3] On August 5, 2025, Commerce extended the deadline for the preliminary results of this administrative review by 120 days.[4] Additionally, 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] Accordingly, the deadline for these final results is now March 9, 2026.

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[7] A list of topics 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/public/FRNoticesListLayout.aspx.*

Scope of the Order

The merchandise subject to the *Order* is certain heavy walled rectangular welded steel pipes and tubes from Korea. For a full description of the scope of the *Order, see* Preliminary Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with sections 751(a)(1)(B) and (2) of the Tariff Act of 1930, as amended (the Act). Constructed export price is 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.

Partial Rescission of Administrative Review

Pursuant to 19 CFR 351.213(d)(3), Commerce will rescind an administrative review when there are no entries of subject merchandise during the POR for which liquidation is suspended.[8] Normally, upon completion of an administrative review, the suspended entries are liquidated at the antidumping duty assessment rate calculated for the review period.[9] Therefore, for an administrative review of a company to be conducted, there must be a 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.

In accordance with 19 CFR 351.213(d)(3), on February 25, 2026, we notified parties of our intent to rescind this administrative review regarding NEXTEEL Co., Ltd. (NEXTEEL) because there were no suspended entries of subject merchandise produced or exported by it during the POR and we

[1] *See Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes from the Republic of Korea, Mexico, and the Republic of Turkey: Antidumping Duty Orders,* 81 FR 62865 (September 13, 2016) (*Order*).

[2] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 89 FR 83644 (October 17, 2024) (*Initiation Notice*).

[3] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated December 9, 2024.

[4] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated August 5, 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, ''Decision Memorandum for the Preliminary Results of the Antidumping Duty Administrative Review of Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes from the Republic of Korea; 2023–2024,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[8] *See, e.g., Dioctyl Terephthalate from the Republic of Korea: Rescission of Antidumping Administrative Review; 2021–2022,* 88 FR 24758 (April 24, 2023); *see also Certain Carbon and Alloy Steel Cut-to-Length Plate from the Federal Republic of Germany: Recission of Antidumping Administrative Review; 2020–2021,* 88 FR 4157 (January 24, 2023).

[9] *See* 19 CFR 351.212(b)(2).

invited interested parties to comment.[10] No parties commented on our intent to rescind the review, in part. Therefore, in the absence of any suspended entries of subject merchandise from NEXTEEL during the POR, we are rescinding this administrative review with regard to NEXTEEL, in accordance with 19 CFR 351.213(d)(3).

Review-Specific Rate for Company Not Selected for Individual Examination

The Act and Commerce's regulations do not address the 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 a less-than-fair-value (LTFV) investigation, for guidance when calculating the rate for companies which were not selected for individual examination in an administrative review. Under section 735(c)(5)(A) of the Act, 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.

Where the weighted-average dumping margins for individually examined respondents are zero, *de minimis,* or determined based entirely on facts available, section 735(c)(5)(B) of the Act provides that Commerce may use ''any reasonable method to establish the estimated all-others rate for exporters and producers not individually investigated . . .'' In this review, Commerce preliminarily calculated a weighted-average dumping margin of zero for Dong-a-Steel Co., Ltd. (DOSCO) and HiSteel Co., Ltd. (HiSteel). Accordingly, we have preliminarily determined, as a reasonable method, to assign the most recently calculated non-*de minimis* estimated weighted-average dumping margin to the non-selected company.[11] For a full discussion of the rate for the non-selected company, Kukje Steel Co., Ltd., *see* the Preliminary Decision Memorandum.

Preliminary Results of Review

As a result of this review, we preliminarily determine that the following estimated weighted-average dumping margins exist for the period September 1, 2023, through August 31, 2024:

Producer/exporter	Weighted-average dumping margin (percent)
Dong-a-Steel Co., Ltd	0.00
HiSteel Co., Ltd	0.00
Kukje Steel Co., Ltd	35.11

Disclosure

Commerce intends to disclose its calculations and analysis performed for these preliminary results to interested parties within five days after public announcement, or if there is no public announcement, within five days of the date of publication of this notice in the **Federal Register**.[12]

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.[13] Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than five days after the date for filing case briefs.[14] Interested parties who submit case or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.[15]

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.[16] 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).[17]

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. Hearing requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. A hearing request must be received within 30 days after the date of publication of this notice. If a request for a hearing is made, Commerce intends to hold a hearing at a time and date to be determined and will notify the parties through ACCESS.[18] Parties should confirm the date, time, and location of the hearing two days before the scheduled date.

All submissions, including case and rebuttal briefs, as well as hearing requests, should be filed using ACCESS.[19] An electronically-filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time on the established deadline.

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act, upon completion of the final results of this administrative review, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise covered by this review and for future deposits of estimated duties, where applicable.[20] Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

[10] *See* Memorandum, ''Notice of Intent to Rescind Review in Part,'' dated February 24, 2026.

[11] *See Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes from the Republic of Korea: Final Results of Antidumping Duty Administrative Review; 2017–2018,* 5 FR 41538, 41539 (July 10, 2020).

[12] *See* 19 CFR 351.224(b).

[13] *See* 19 CFR 351.309(c); *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(d); *see also APO and Service Procedures.*

[15] *See* 19 CFR 351.309(c)(2) and (d)(2).

[16] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[17] *See APO and Service Procedures.*

[18] *See* 19 CFR 351.310(d).

[19] *See* 19 CFR 351.303.

[20] *See* 19 CFR 351.212(b)(1).

Pursuant to 19 CFR 351.212(b)(1), if DOSCO or HiSteel'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 intend to calculate importer-specific ad valorem antidumping duty assessment rates based on the ratio of the total amount of antidumping duties calculated for the examined sales to the total entered value of those same sales. If DOSCO or HiSteel's weighted-average dumping margin in the final results 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 within the meaning of 19 CFR 351.106(c)(2), we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Commerce's ''automatic assessment'' practice will apply to entries of subject merchandise during the POR produced by DOSCO or HiSteel 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 those entries at the all-others rate (*i.e.,* 3.24 percent) calculated in the original LTFV investigation [21] if there is no rate for the intermediate company(ies) involved in the transaction.[22]

For Kukje Steel Co., Ltd., the company that was not selected for individual examination, we intend to assign an assessment rate based on the weighted-average dumping margin calculated in the final results of this review for DOSCO and HiSteel, unless that rate is zero or *de minimis,* in which case we intend to instruct CBP to liquidate relevant entries based on the methodology explained in the ''Rate for Non-Selected Company'' section.

For the company for which we are rescinding this review, NEXTEEL, we will instruct CBP to assess antidumping duties on all appropriate entries at a rate equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, in accordance with 19 CFR 351.212(c)(l)(i). Commerce intends to issue these assessment instructions to CBP no earlier than 35 days after the date of publication of this notice in the **Federal Register**.

Cash Deposit Requirements

The following deposit requirements will be effective upon publication in the **Federal Register** of the notice of 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 DOSCO and HiSteel will be equal to the weighted-average dumping margins 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 reviewed or investigated companies not participating in this review, the cash deposit rate will continue to be the company-specific rate published for the most recently-completed segment of this proceeding in which the company was reviewed; (3) if the exporter is not a firm covered in this review, a prior review, or the LTFV investigation, but the producer is, then the cash deposit rate will be the cash deposit 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 or exporters will continue to be 3.24 percent, the all-others rate established in the LTFV investigation.[23] These deposit requirements, when imposed, shall remain in effect until further notice.

Final Results of Review

Unless the deadline is otherwise extended, Commerce intends to issue the final results of this administrative review, including the results of its analysis of issues raised by interested parties in the written comments, within 120 days of publication of these preliminary results in the **Federal Register**.[24]

Notification to Importers

This notice 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 in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: March 9, 2026.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Rate for Non-Selected Company
V. Discussion of the Methodology
VI. Currency Conversion
VII. Recommendation

[FR Doc. 2026–05467 Filed 3–19–26; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF583]

Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The Pacific Fishery Management Council's (Pacific Council) will convene an online meeting of its Ecosystem Advisory Subpanel (EAS), which is open to the public.

DATES: The online meeting will be held Monday, April 6, 2026, from 1 p.m. to 5 p.m. Pacific Time, or until business for the day is completed.

ADDRESSES: This meeting will be held online. Specific meeting information, including directions on how to join the meeting and system requirements will be provided in the meeting announcement on the Pacific Council's website (see *www.pcouncil.org*). You may send an email to Mr. Hayden York (*hayden.york@pcouncil.org*) or contact him at (503) 820–2424 for technical assistance.

Council address: Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220–1384.

FOR FURTHER INFORMATION CONTACT: Gilly Lyons, Staff Officer, Pacific Council; telephone: (503) 820–2427.

[21] *See Order,* 81 FR at 62865.

[22] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[23] *See Order.*

[24] *See* section 751(a)(3)(A) of the Act; *see also* 19 CFR 351.213(h).

SUPPLEMENTARY INFORMATION: The EAS will meet via webinar to discuss items relevant to ecosystem management and cross-fishery management planning in advance of the Pacific Council's April 7–12, 2026, meeting. A detailed meeting agenda will be available on the Pacific Council's website prior to the meeting.

Although non-emergency issues not contained in the meeting agenda may be discussed, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this document and any issues arising after publication of this document that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

Requests for sign language interpretation or other auxiliary aids should be directed to Mr. Hayden York (*hayden.york@pcouncil.org;* (503) 820–2424) at least 10 days prior to the meeting date.

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

Dated: March 18, 2026.

Rey Israel Marquez,

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

[FR Doc. 2026–05547 Filed 3–19–26; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF622]

Atlantic Highly Migratory Species; Meeting of the Atlantic Highly Migratory Species Advisory Panel

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

ACTION: Notice of public webinar/conference call.

SUMMARY: NMFS will hold a 3-day hybrid Atlantic Highly Migratory Species (HMS) Advisory Panel (AP) meeting in May 2026. The intent of the meeting is to consider options for the conservation and management of HMS. The meeting is open to the public.

DATES: The AP meeting and webinar will be held on Tuesday, May 12, from 9:30 a.m. to 5 p.m. ET; Wednesday, May 13, from 9:30 a.m. to 5 p.m. ET; and Thursday, May 14, from 9 a.m. to 12 p.m. ET.

ADDRESSES: The meeting will be held at the DoubleTree by Hilton Silver Spring Hotel, 8777 Georgia Avenue, Silver Spring, MD 20910. The meeting will also be accessible via WebEx conference call and webinar. Conference call and webinar access information are available at: *https://www.fisheries.noaa.gov/event/may-2026-hms-advisory-panel-meeting.*

Participants accessing the webinar are strongly encouraged to log/dial in 15 minutes prior to the meeting. NMFS will show the presentations via webinar and allow public comment during identified times on the agenda.

FOR FURTHER INFORMATION CONTACT: Peter Cooper (*peter.cooper@noaa.*gov) or Anna Quintrell (*anna.quintrell@noaa.gov*) at 301–427–8503.

SUPPLEMENTARY INFORMATION: HMS fisheries (swordfish, sharks, tunas, and billfish) are managed under the 2006 Consolidated HMS Fishery Management Plan (FMP) and its amendments pursuant to the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 *et seq.*) and consistent with the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*). HMS implementing regulations are at 50 CFR part 635.

The Magnuson-Stevens Act requires the establishment of APs and requires NMFS to consult with and consider the comments and views of AP members during the preparation and implementation of FMPs or FMP amendments (16 U.S.C. 1854(g)(1)(A)–(B)). NMFS meets with the HMS AP approximately twice each year to consider potential alternatives for the conservation and management of Atlantic swordfish, sharks, tunas, and billfish fisheries, consistent with the Magnuson-Stevens Act. Generally, AP meetings are held in-person, but because of current restrictions on travel this AP meeting will be conducted via webinar.

Some of the discussion topics are:

- HMS rulemaking update;
- Atlantic bluefin tuna fishery update;
- Outcomes of the 2025 International Commission for the Conservation of Atlantic Tunas Annual Meeting; and
- HMS Recreational Roundtable.

We anticipate inviting other NMFS offices and the U.S. Coast Guard to provide updates, if available, on their activities relevant to HMS fisheries. Additional information on the meeting and a copy of the draft agenda will be posted prior to the meeting (see **ADDRESSES**).

All members of the public will have virtual access to the meeting available via webinar and status updates of in-person public access to the meeting will be available on the NMFS website (see **ADDRESSES**). The meeting location is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Peter Cooper at 301–427–8503, at least 7 days prior to the meeting.

Dated: March 18, 2026.

David R. Blankinship,

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

[FR Doc. 2026–05539 Filed 3–19–26; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF585]

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 Pacific Fishery Management Council (Pacific Council) and its advisory bodies will meet April 6–12, 2026 in Portland, Oregon and via webinar. The Pacific Council meeting will be live streamed with the opportunity to provide public comment remotely. The following groups will meet in person in Portland: Pacific Council, Scientific and Statistical Committee, Groundfish Advisory Subpanel, Groundfish Management Team, Salmon Advisory Subpanel, Salmon Technical Team, Coastal Pelagic Species Advisory Subpanel, Coastal Pelagic Species Management Team, Enforcement Consultants, and Habitat Committee.

DATES: The Pacific Council meeting will begin on Wednesday, April 8, 2026, at 9 a.m. Pacific Time (PT), reconvening at 8 a.m. on Thursday, April 9 through Sunday, April 12, 2026. All meetings are open to the public, except for a Closed Session held from 8 a.m. to 9 a.m., Wednesday, April 8, 2026, to address litigation and personnel matters. The Pacific Council will meet as late as necessary each day to complete its scheduled business. Advisory Body meetings begin on Monday, April 6, 2026, as outlined in

the schedule of ancillary meetings below.

ADDRESSES: Meetings of the Pacific Council and its advisory entities will be held at the Hyatt Regency Portland at the Oregon Convention Center, 375 NE Holladay St., Portland, OR 97232; Telephone: 971–222–1234. Specific meeting information, including directions to join the meeting, connecting to the live stream broadcast, and system requirements will be provided in the meeting announcement on the Pacific Council's website (see *www.pcouncil.org*). You may send an email to Mr. Hayden York (*hayden.york@pcouncil.org*) or contact him at (503) 820–2424 for technical assistance.

Council address: Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220–1384.

FOR FURTHER INFORMATION CONTACT: Mr. Merrick Burden, Executive Director, Pacific Council; telephone: (503) 820–2418 or (866) 806–7204 ext. 418 toll-free, or access the Pacific Council website, *www.pcouncil.org,* for the proposed agenda and meeting briefing materials.

SUPPLEMENTARY INFORMATION: The April 6–12, 2026 meeting of the Pacific Council and its Advisory Bodies will be streamed live on the internet. The Council meeting broadcasts begin initially at 9 a.m. PT Wednesday, April 8, 2026, and 8 a.m. Thursday, April 9, 2026, through Sunday, April 12, 2026. Broadcasts end when business for the day is complete. Only the audio portion and presentations displayed on the screen at the Pacific Council meeting will be broadcast. The audio portion for the public is listen-only except that an opportunity for oral public comment will be provided prior to Council Action on each agenda item. Additional information and instructions on joining or listening to the meeting can be found on the Pacific Council's website (see *www.pcouncil.org*).

The following items are on the Pacific Council agenda, but not necessarily in this order. Agenda items noted as ''Final Action'' refer to actions requiring the Pacific Council to transmit a proposed fishery management plan, proposed plan amendment, or proposed regulations to the U.S. Secretary of Commerce, under Sections 304 or 305 of the Magnuson-Stevens Fishery Conservation and Management Act. Groundfish Agenda Item C.7 Preliminary Preferred Management Measure Alternatives for 2027–28 Fisheries includes consideration to remove a Yelloweye Rockfish Conservation area closure that also applies to participants in the Pacific halibut fisheries. Additional detail on agenda items, Council action, and advisory entity meeting times are described in Agenda Item A.3, Proposed Council Meeting Agenda, and will be in the advance April 2026 briefing materials and posted on the Pacific Council website at *www.pcouncil.org* no later than Friday, March 20, 2026.

A. Call to Order
1. Opening Remarks
2. Roll Call
3. Agenda
4. Executive Director's Report

B. Open Comment Period
1. Comments on Non-Agenda Items

C. Groundfish Management
1. National Marine Fisheries Service Report
2. Marine Mammal Take Reduction Team Update
3. Widow Rockfish Alternative Harvest Control Rule
4. Harvest Specifications for 2027–28 Fisheries
5. Workload and New Management Measures Priorities, including Trawl Follow-on Actions Scoping
6. Inseason Management—Final Action
7. Preliminary Preferred Management Measure Alternatives for 2027–28 Fisheries

D. Salmon
1. National Marine Fisheries Service Report
2. Tentative Adoption of 2026 Management Measures for Analysis
3. Sacramento River Fall Chinook Revised Spawner Abundance at Maximum Sustainable Yield—Terms of Reference
4. Clarify Council Direction on 2026 Management Measures
5. Methodology Review Preliminary Topic Selection
6. Further Direction on 2026 Management Measures
7. Further Direction on 2026 Management Measures
8. 2026 Management Measures—Final Action

E. Pacific Halibut
1. Incidental Catch Limits for the 2026 Salmon Troll Fishery–Final Action

F. Coastal Pelagic Species
1. National Marine Fisheries Service Report
2. Methodology Review: Integrated West Coast Pelagics Survey
3. Exempted Fishing Permits for 2026–27—Final Action
4. Pacific Sardine Specifications and Management Measures for 2026–27—Final Action
5. Fishery Management Plan Amendment—Sardine Stock Definition and Fishery Management Unit Revision

G. Habitat Issues
1. Current Habitat Issues

H. Cross Fishery Management Plan
1. Special Project 1: Adaptive Management and Flexibility
2. Council and National Marine Fisheries Service Workload—Capacity Alignment

I. Administrative
1. Membership Appointments and Council Operating Procedures
2. Future Council Meeting Agenda and Workload Planning

Advisory Body Agendas

Advisory body agendas will include discussions of relevant issues that are on the Pacific Council agenda for this meeting and may also include issues that may be relevant to future Pacific Council meetings. Proposed advisory body agendas for this meeting will be available on the Pacific Council website, *www.pcouncil.org,* no later than the end of the day Friday, March 20, 2026.

Schedule of Ancillary Meetings

Day 1—Monday, April 6, 2026

Scientific and Statistical Committee—8 a.m.

Day 2—Tuesday, April 7, 2026

Coastal Pelagic Species Advisory Subpanel—8 a.m.
Coastal Pelagic Species Management Team—8 a.m.
Groundfish Advisory Subpanel—8 a.m.
Groundfish Management Team—8 a.m.
Habitat Committee—8 a.m.
Salmon Advisory Subpanel—8 a.m.
Salmon Technical Team—8 a.m.
Scientific and Statistical Committee—8 a.m.
Enforcement Consultants—2 p.m.

Day 3—Wednesday, April 8, 2026

Coastal Pelagic Species Advisory Subpanel—8 a.m.
Coastal Pelagic Species Management Team—8 a.m.
Groundfish Advisory Subpanel—8 a.m.
Groundfish Management Team—8 a.m.
Habitat Committee—8 a.m.
Salmon Advisory Subpanel—8 a.m.
Salmon Technical Team—8 a.m.
Enforcement Consultants—As Necessary

Day 4—Thursday, April 9, 2026

Coastal Pelagic Species Advisory Subpanel—8 a.m.
Coastal Pelagic Species Management Team—8 a.m.
Groundfish Advisory Subpanel—8 a.m.
Groundfish Management Team—8 a.m.
Salmon Advisory Subpanel—8 a.m.
Salmon Technical Team—8 a.m.

Enforcement Consultants—As Necessary

Day 5—Friday, April 10, 2026

Groundfish Advisory Subpanel—8 a.m.
Groundfish Management Team—8 a.m.
Salmon Advisory Subpanel—8 a.m.
Salmon Technical Team—8 a.m.
Enforcement Consultants—As Necessary

Day 6—Saturday, April 11, 2026

Salmon Advisory Subpanel—8 a.m.
Salmon Technical Team—8 a.m.
Enforcement Consultants—As Necessary

Day 7—Sunday, April 12, 2026

Salmon Technical Team—8 a.m.

Although non-emergency issues not contained in the meeting agenda may be discussed, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this document and any issues arising after publication of this document that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

Requests for sign language interpretation or other auxiliary aids should be directed to Mr. Hayden York (*hayden.york@pcouncil.org;* (503) 820–2424) at least 10 business days prior to the meeting date.

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

Dated: March 18, 2026.

Rey Israel Marquez,

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

[FR Doc. 2026–05540 Filed 3–19–26; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF632]

South Atlantic Fishery Management Council (Council)—Public Meetings

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

ACTION: Notice of a meeting.

SUMMARY: The South Atlantic Fishery Management Council (Council) will hold a meeting of the Social and Economic Panel (SEP) on April 13 and 14, 2026. The Scientific and Statistical Committee (SSC) will meet on April 14–16, 2026.

DATES: The SEP meeting will be held from 1 p.m. until 5 p.m. EDT on April 13 and from 8:30 a.m. until 12 p.m. on April 14, 2026. The SSC meeting will be held from 1:30 p.m. until 5 p.m. EDT on April 14, from 8:30 a.m. until 5 p.m. on April 15, and from 8:30 a.m. until 12 p.m. on April 16, 2026.

ADDRESSES: *Meeting Address:* The meetings will be held at the Town and Country Inn, 2008 Savannah Highway, Charleston, SC 29407; phone: 843–571–1000. The meetings will also be available via webinar. Registration is required. Webinar registration, an online public comment form, and briefing book materials will be available two weeks prior to the meetings at: *https://safmc.net/scientific-and-statistical-committee-meeting/*.

Council address: South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N Charleston, SC 29405.

FOR FURTHER INFORMATION CONTACT: Ashley Oliver, Outreach Coordinator, 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405; phone 843/571–4366 or toll-free 866/SAFMC–10; FAX 843/769–4520; email: *ashley.oliver@safmc.net.*

SUPPLEMENTARY INFORMATION: The SEP meeting agenda includes updates on Council active amendments and the Council's Citizen Science program, including the program's SMILE Project. The SEP will provide feedback on the risk-value matrix being proposed by NOAA Fisheries, economic information for the Snapper Grouper management strategy evaluation, and text analysis of Fishery Performance Reports. The panel will also discuss documents being developed for an introduction to social science and economics for fishermen, an update on the Resilient Fisheries Communities Project, and other business as necessary.

The SSC meeting agenda includes a review of the wreckfish stock assessment model, dolphinfish management strategy evaluation, resilient fisheries ecosystem information, and the terms of reference for the next stock assessment of black sea bass and vermilion snapper. The SSC will provide feedback on the risk-value matrix being proposed by NOAA Fisheries, the Southeast reef fish survey 2025 trends report, and the results of the Center for Independent Experts review of the South Atlantic Red Snapper Research Program report. The SSC will receive updates on fishery management plan amendment development, stock assessment progress updates, ongoing SSC workgroup progress, and conduct other business as needed.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for auxiliary aids should be directed to the council office (see **ADDRESSES**) 5 days prior to the meeting.

Note: The times and sequence specified in this agenda are subject to change.

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

Dated: March 18, 2026.

Rey Israel Marquez,

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

[FR Doc. 2026–05521 Filed 3–19–26; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Natural Resource Damage Assessment Restoration Project Information Sheet

AGENCY: National Oceanic & Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of information collection; request for comment.

SUMMARY: The Department of Commerce, in accordance with the Paperwork Reduction Act of 1995 (PRA), invites the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. The purpose of this notice is to allow for 60 days of public comment preceding submission of the collection to OMB.

DATES: To ensure consideration, comments regarding this proposed information collection must be received on or before May 19, 2026.

ADDRESSES: Interested persons are invited to submit written comments to Adrienne Thomas, NOAA PRA Officer, at *NOAA.PRA@noaa.gov.* Please reference OMB Control Number 0648–0497 in the subject line of your comments. All comments received are part of the public record and will generally be posted on *https://www.regulations.gov* without change. Do not submit Confidential Business Information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or

specific questions related to collection activities should be directed to William Nichols, IT Specialist, NOAA, 1315 East-West Hwy. (SSMC3), Silver Spring, MD 20910, (301) 427–8623, *william.w.nichols@noaa.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

This is a request for renewal of an approved information collection. The purpose of this information collection is to assist state and federal Natural Resource Trustees (Trustees) in more efficiently carrying out the restoration planning phase of Natural Resource Damage Assessments (NRDA), in compliance with the National Environmental Policy Act of 1969, 42 U.S.C. 4321–4370d; 40 CFR 1500–1500 and other federal and local statutes and regulations as applicable. The Office of Habitat Conservation (OHC) at the National Oceanic and Atmospheric Administration (NOAA) manages this information collection and provides the information to the Trustees. The NRDA Restoration Project Information Sheet is designed to facilitate the collection of information on existing, planned, or proposed restoration projects. This information will be used by the Natural Resource Trustees to develop potential restoration alternatives for natural resource injuries and service losses requiring restoration, during the restoration planning phase of the NRDA process. This information is provided by the public on a voluntary basis. The information provided benefits the public by informing the NRDA restoration process. However, there are no individual benefits that depend on the submission of information. Individuals can update the information as needed, but there is no required update frequency.

II. Method of Collection

The Restoration Project Information Sheet can be submitted electronically via the internet or email.

III. Data

OMB Control Number: 0648–0497.

Form Number(s): None.

Type of Review: Regular submission [extension of a current information collection].

Affected Public: State, local, or tribal governments; individuals or households; business or other for-profits organizations; not-for-profit institutions; farms; and the federal government.

Estimated Number of Respondents: 300.

Estimated Time per Response: 20 minutes.

*Estimated Total Annual Burden Hours:*100 hours.

Estimated Total Annual Cost to Public: $0 in recordkeeping/reporting costs.

Respondent's Obligation: Voluntary.

Legal Authority: National Environmental Policy Act of 1969.

IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this information collection request. 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 may 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.

Sheleen Dumas,

Departmental PRA Compliance Officer, Office of the Under Secretary for Economic Affairs, Commerce Department.

[FR Doc. 2026–05458 Filed 3–19–26; 8:45 am]

BILLING CODE 3510–22–P

CONSUMER FINANCIAL PROTECTION BUREAU

[Docket No. CFPB–2026–0014]

Agency Information Collection Activities: Comment Request

AGENCY: Consumer Financial Protection Bureau.

ACTION: Notice and request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), the Consumer Financial Protection Bureau (CFPB or Bureau) requests the Office of Management and Budget's (OMB's) reinstatement of an information collection titled ''Interstate Land Sales Full Disclosure Act (Regulations J, K, and L)'' approved under OMB Control Number 3170–0012.

DATES: Written comments are encouraged and must be received on or before April 20, 2026 to be assured of consideration.

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. In general, all comments received will become public records, including any personal information provided. Sensitive personal information, such as account numbers or Social Security numbers, should not be included.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Anthony May, Paperwork Reduction Act Officer, at (202) 435–7278, or email: *CFPB_PRA@cfpb.gov.* If you require this document in an alternative electronic format, please contact *CFPB_Accessibility@cfpb.gov.* Please do not submit comments to these email boxes.

SUPPLEMENTARY INFORMATION:

Title of Collection: Interstate Land Sales Full Disclosure Act (Regulations J, K, and L).

OMB Control Number: 3170–0012.

Type of Review: Reinstatement of an information collection.

Affected Public: Private sector: businesses or other for-profits.

Estimated Number of Respondents: 197.

Estimated Total Annual Burden Hours: 3,412.

Abstract: The Interstate Land Sales Full Disclosure Act (ILSA) requires land developers to register subdivisions of 100 or more non-exempt lots with the Bureau before selling or leasing the lots, and to provide each lot purchaser with a disclosure document designated as a property report, 15 U.S.C. 1703–1704. ILSA was enacted in response to a nationwide proliferation of developers of unimproved subdivisions who made elaborate, and often fraudulent, claims about their land to unsuspecting lot purchasers. Information is submitted to the Bureau to assure compliance with ILSA and the implementing regulations. The Bureau also investigates developers

who are not in compliance with the regulations.

Request for Comments: The CFPB published a 60-day **Federal Register** notice on December 9, 2025 (90 FR 57034), under Docket Number: CFPB–2025–0045. The CFPB is publishing this notice and soliciting comments on: (a) Whether the collection of information is necessary for the proper performance of the functions of the CFPB, including whether the information will have practical utility; (b) The accuracy of the CFPB's estimate of the burden of the collection of information, including the validity of the methods and the assumptions used; (c) Ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Comments submitted in response to this notice will be reviewed by OMB as part of its review of this request. All comments will become a matter of public record.

Anthony May,

Paperwork Reduction Act Officer, Consumer Financial Protection Bureau.

[FR Doc. 2026–05516 Filed 3–19–26; 8:45 am]

BILLING CODE 4810–AM–P

CONSUMER FINANCIAL PROTECTION BUREAU

[Docket No. CFPB–2026–0012]

Agency Information Collection Activities: Comment Request

AGENCY: Consumer Financial Protection Bureau.

ACTION: Notice and request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), the Consumer Financial Protection Bureau (CFPB or Bureau) requests the Office of Management and Budget's (OMB's) reinstatement of an information collection titled ''Mortgage Acts and Practices—Advertising (Regulation N)'' approved under OMB Control Number 3170–0009.

DATES: Written comments are encouraged and must be received on or before April 20, 2026 to be assured of consideration.

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. In general, all comments received will become public records, including any personal information provided. Sensitive personal information, such as account numbers or Social Security numbers, should not be included.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Anthony May, Paperwork Reduction Act Officer, at (202) 435–7278, or email: *CFPB_PRA@cfpb.gov.* If you require this document in an alternative electronic format, please contact *CFPB_Accessibility@cfpb.gov.* Please do not submit comments to these email boxes.

SUPPLEMENTARY INFORMATION:

Title of Collection: Mortgage Acts and Practices—Advertising (Regulation N).

OMB Control Number: 3170–0009.

Type of Review: Reinstatement of an information collection.

Affected Public: Private sector: businesses or other for-profits.

Estimated Number of Respondents: 483.

Estimated Total Annual Burden Hours: 242.

Abstract: Regulation N (12 CFR part 1014) prohibits misrepresentations about the terms of mortgage credit products in commercial communications and requires that covered persons keep certain related records for a period of twenty-four (24) months from last dissemination. The information that Regulation N requires covered persons to retain is necessary to ensure efficient and effective law enforcement to address deceptive practices that occur in the mortgage advertising area.

Request for Comments: The CFPB published a 60-day **Federal Register** notice on December 9, 2025 (90 FR 57035), under Docket Number: CFPB–2025–0043. The CFPB is publishing this notice and soliciting comments on: (a) Whether the collection of information is necessary for the proper performance of the functions of the CFPB, including whether the information will have practical utility; (b) The accuracy of the CFPB's estimate of the burden of the collection of information, including the validity of the methods and the assumptions used; (c) Ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Comments submitted in response to this notice will be reviewed by OMB as part of its review of this request. All comments will become a matter of public record.

Anthony May,

Paperwork Reduction Act Officer, Consumer Financial Protection Bureau.

[FR Doc. 2026–05515 Filed 3–19–26; 8:45 am]

BILLING CODE 4810–AM–P

CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC–2010–0041]

Agency Information Collection Activities; Extension of Collection; Publicly Available Consumer Product Safety Information Database

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) announces that the Commission has submitted to the Office of Management and Budget (OMB) a request for extension of approval of information collection associated with the Publicly Available Consumer Product Safety Information Database. OMB previously approved the collection of information under control number 3041–0146. OMB's most recent extension of approval will expire on March 31, 2026. On December 16, 2025, CPSC published a notice in the **Federal Register** to announce the agency's intention to seek extension of approval of the collection of information. The Commission received two public comments in support of the collection. Therefore, by publication of this notice, the Commission announces that CPSC has submitted to OMB a request for extension of approval of that collection of information.

DATES: Submit comments on the collection of information by April 20, 2026.

ADDRESSES: Submit comments about this request by email: *OIRA_submission@omb.eop.gov* or fax: 202–395–6881. Comments by mail should be sent to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the CPSC, Office of Management and Budget, Room 10235, 725 17th Street NW, Washington, DC 20503. Written comments that are sent to OMB also should be submitted electronically at *http://www.regulations.gov,* under Docket No. CPSC–2010–0041.

FOR FURTHER INFORMATION CONTACT: Cynthia Gillham, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; (301) 504–7791, or by email to: *pra@cpsc.gov.*

SUPPLEMENTARY INFORMATION: CPSC seeks to renew the following currently approved collection of information:

Title: Publicly Available Consumer Product Safety Information Database.

OMB Number: 3041–0146.

Type of Review: Renewal of collection.

Frequency of Response: On occasion.

Affected Public: Reports concerning the safety of consumer products can be submitted to the CPSC by consumers; local, state, or federal government agencies; health care professionals; child service providers; public safety entities; and others. A manufacturer or private labeler may submit a comment related to a report of harm.

General Description of Collection: Section 212 of the Consumer Product Safety Improvement Act of 2008 (CPSIA) amended the Consumer Product Safety Act (CPSA) to require CPSC to establish and maintain a publicly available, searchable database on the safety of consumer products, and other products or substances regulated by the agency. 15 U.S.C. 2055a. Section 6A of the CPSA requires the CPSC to collect reports of harm from the public for potential publication in a publicly available database, and to collect and publish comments from manufacturers about reports of harm.

In 2010, the Commission issued a final rule to establish a Publicly Available Consumer Product Safety Information Database (Database) with the effective date of January 10, 2011. 75 FR 76832 (Dec. 10, 2010). The final rule established provisions regarding submitting reports of harm; providing notice of reports of harm to manufacturers; publishing reports of harm and manufacturer comments in the Database; and dealing with confidential and materially inaccurate information.

The primary purpose of this information collection is to populate the publicly searchable Database of consumer product safety information. The Database information collection has four components: reports of harm, manufacturer comments, branding information, and the Small Batch Manufacturer Registry (SBMR).

Summary of Estimated Burden Hours:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN FOR REPORTS OF HARM

Collection type	Number of respdnts	Response frequency [1]	Total annual responses	Minutes per response	Total burden, in hours [2]
Reports of Harm—submitted through website	6,632	1.15	7,607	12	1,521
Reports of Harm—submitted by phone	1,032	1.33	1,373	10	229
Reports of Harm—submitted by mail, email, fax	296	3.71	1,098	20	366
Total	7,960		10,078		2,116

TABLE 2—ESTIMATED ANNUAL REPORTING BURDEN FOR MANUFACTURER SUBMISSIONS

Collection type	Number of respondents	Response frequency [1]	Total annual responses	Minutes per response	Total burden, in hours [2]
Manufacturer Comments—submitted through website	543	4.45	2,418	117	4,715
Manufacturer Comments—submitted by mail, e-mail, fax	115	1.44	166	147	407
Requests to Treat Information as Confidential—submitted through website	7	1.43	10	42	7
Requests to Treat Information as Confidential—submitted by mail, e-mail, fax	0	N/A	0	72	0
Requests to Treat Information as Materially Inaccurate—submitted through website	109	1.50	164	165	451
Requests to Treat Information as Materially Inaccurate—submitted by mail, e-mail, fax	22	1.23	27	195	88
Voluntary Brand Identification	513	1.00	513	10	86
Small Batch Manufacturer Identification	1,747	1.00	1,747	10	291
Total	3,056		5,045		6,045

Estimated Number of Respondents: Based on the data set forth in Tables 1 and 2, CPSC estimates 11,016 respondents (7,960 + 3,056). CPSC estimates that approximately 7,960 respondents will submit reports of harm. CPSC estimates that there are approximately 3,056 manufacturers who will provide responsive submissions.

Estimated Time per Response: As shown in Table 1, estimated time per response for reports of harm submitted through the website is 12 minutes, reports submitted by phone is 10 minutes, and reports submitted by mail, email or fax is 20 minutes. Table 2 shows the estimated time per response for the various kinds of manufacturer submissions expected: the estimated time per response for manufacturer comments through the website is 117 minutes; comments submitted my mail, email or fax is 147 minutes; requests to treat information as confidential submitted through the website is 42 minutes and those submitted by mail, email or fax is 72 minutes; requests to treat information as materially inaccurate through the website is 165 minutes and those submitted by mail, email or fax is 195 minutes; submissions of voluntary brand information is 10 minutes; and submissions of small batch manufacturer identification is 10 minutes.

Total Estimated Annual Burden: Based on the data in Tables 1 and 2, CPSC estimates the annual burden to be

[1] Frequency of responses is calculated by dividing the number of responses by the number of respondents.

[2] Numbers have been rounded.

8,161 hours. This estimate is based on the estimated total estimated annual burdens for reports of harm (2,116 hours) and manufacturer submissions (6,045 hours).

Total Estimated Annual Cost to Respondents: Based on the data in Tables 1 and 2, the annual reporting cost is estimated to be $566,351 ($96,595 + $469,757). This estimate is based on the estimated total figures for reports of harm and manufacturer submissions.

The estimated burden associated with submitting reports of harm based on the estimated total burden hours is $96,595. The estimated costs for submitting reports of harm is based on the estimated total burden hours associated with reports of harm, 2,116 hours, multiplied by an estimated total compensation for all workers in private industry of $45.65 per hour,[3] which results in an estimated cost of $96,595 (2,116 hours × $45.65 per hour = $96,595.40).

The estimated burden associated with manufacturer submissions is $469,757. The estimated costs for submitting reports of harm is based on the estimated total burden hours associated with reports of harm, 6,045 hours, multiplied by an estimated total compensation for a manager or professional in goods-producing industries of $77.71 per hour,[4] which results in an estimated cost of $469,757 (6,045 hours × $77.71 per hour = $469,756.95).

Response to Public Comments:

One individual commenter expressed support for the collection. Second set of comments were jointly submitted by the Consumer Federation of America, Consumer Reports, and Safe Infant Sleep in support of the collection through the Database (*SaferProducts.gov*). The organizations also provided recommendations to increase awareness of and engagement with the Database, as well as recommendations to improve its utility. CPSC is committed to enhancing its processes to advance consumer safety and strengthening our mission effectiveness. CPSC appreciates the suggestions to improve access to and utilization of *SaferProducts.gov*. CPSC will consider these suggestions as the agency continues to advance its systems to protect American consumers. A summary of the specific comments and responses are provided below.

Comment: The commenters suggested CPSC take steps to increase public awareness of *SaferProducts.gov* by increasing marketing, pursuing voluntary marketing by industries and by engaging with physicians, medical examiners, fire responders, and other healthcare professionals.

Response: CPSC continually evaluates marketing strategies and resource needs. Any future expansion of outreach activities would depend on available appropriations and approval through the budget process. CPSC welcomes voluntary participation from manufacturers, retailers, and other stakeholders in raising awareness of *SaferProducts.gov* and will continue to engage with industry groups on potential partnerships for public service announcements. CPSC recognizes that health professionals and first responders are valuable partners for consumer product safety reporting. The agency will continue to evaluate opportunities, consistent with available resources and statutory authority, to share information about *SaferProducts.gov* with these partners.

Comment: The commenters recommended additional features such as straightforward (one-click) access to the Database.

Response: Currently, the CPSC website contains a stick banner with the text ''Report unsafe products'' on nearly every page of *CPSC.gov* that links directly to *SaferProducts.gov.*

Comment: Commenters suggested other improvements to the Database by adding features for non-technical users to see and understand patterns at a glance.

Response: CPSC continually evaluates options to improve the usability of the public database within available resources and will consider the recommendations to further improve the user experience.

Comment: Commenters provided suggestions to optimize the mobile device experience by creating mobile-optimized forms with embedded reporting tools and multilingual support; creating an app; developing a process for uploading photos; and optional check-boxes for important contextual factors.

Response: CPSC will consider this feedback as part of its review for potential improvement to enhance the accessibility, clarity and overall functionality of its consumer reporting systems.

Comment: Commenters recommended CPSC provide publication timelines for reports, publish periodic reports summarizing data trends and use other data collection systems to enhance collection.

Response: CPSC follows the publication requirements established in section 6A of the CPSA, 15 U.S.C. 2055a, and continues to evaluate workflow efficiencies to support timely processing of reports. CPSC will consider the commenters' feedback to establish clear public publications timelines for review as part of its process improvement. CPSC appreciates the interest in periodic public summaries. The agency currently makes individual reports publicly available through *SaferProducts.gov* as well as through *CPSC.gov* that utilize *SaferProducts.gov* data. The agency will consider options for additional aggregate reporting as resources permit and consistent with statutory constraints on the disclosure of manufacturer and product information. CPSC recognizes the importance of data availability for public use. Currently, other data collections such as National Electronic Injury Surveillance System (NEISS) and poison control data serve different statutory purposes and follow separate data collection methodologies. The agency continues to explore opportunities to align insights across data systems where appropriate.

Alberta E. Mills,

Secretary, Consumer Product Safety Commission.

[FR Doc. 2026–05456 Filed 3–19–26; 8:45 am]

BILLING CODE 6355–01–P

[3] U.S. Department of Labor, Bureau of Labor Statistics, Table 4 of the Employer Costs for Employee Compensation (ECEC), Private Industry workers, by occupational group, June 2025 (data extracted on 11/20/2025 from: *https://www.bls.gov/news.release/archives/ecec_09122025.htm.*

[4] U.S. Department of Labor, Bureau of Labor Statistics, Table 4 of the Employer Costs for Employee Compensation (ECEC), Private Industry workers, by occupational group, June 2025 (data extracted on 11/20/2025 from: *https://www.bls.gov/news.release/archives/ecec_09122025.htm.*

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; NCCC Project Sponsor Survey

AGENCY: Corporation for National and Community Service.

ACTION: Notice of Information Collection; request for comment.

SUMMARY: The Corporation for National and Community Service, operating as AmeriCorps, has submitted a public information collection request (ICR) entitled NCCC Project Sponsor Survey for review and approval in accordance with the Paperwork Reduction Act.

DATES: Written comments must be submitted to the individual and office

listed in the **ADDRESSES** section by April 20, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Copies of this ICR, with applicable supporting documentation, may be obtained by contacting Ken Goodson, Director, AmeriCorps NCCC, 202–489–5766, *kgoodson@americorps.gov.*

SUPPLEMENTARY INFORMATION: The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of CNCS, 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;
- Propose ways to enhance the quality, utility, and clarity of the information to be collected; and
- Propose ways to 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.

Comments

A 60-day Notice requesting public comment on this information collection was published in the **Federal Register** on December 23, 2025 at 90 FR 60076. The comment period ended February 20, 2026. No public comments were received.

Title of Collection: NCCC Project Sponsor Survey.

OMB Control Number: 3045–0190.

Type of Review: Revision.

Respondents/Affected Public: Businesses and Organizations (current/prospective AmeriCorps NCCC Project Sponsors).

Total Estimated Number of Annual Responses: 300.

Total Estimated Number of Annual Burden Hours: 100.

Abstract: The AmeriCorps NCCC Project Sponsor Survey is completed by organizations that have sponsored an AmeriCorps NCCC team. The information requested in the survey is used by AmeriCorps staff to collect feedback from project sponsors. AmeriCorps seeks to revise the current information collection to eliminate several questions from the survey in order to reduce burden, and to change one question to require an estimate of contributed funds and in-kind contributions rather than a detailed spreadsheet. The information collection will otherwise be used in the same manner as the existing survey. AmeriCorps also seeks to continue using the current survey until the revised survey is approved by OMB. The current information collection is due to expire on March 31, 2026.

Walter Goodson,

Director, AmeriCorps NCCC.

[FR Doc. 2026–05507 Filed 3–19–26; 8:45 am]

BILLING CODE 6050–28–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2026–SCC–0595]

Agency Information Collection Activities; Comment Request; State Workforce Program Certification

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 new information collection request (ICR).

DATES: Interested persons are invited to submit comments on or before May 19, 2026.

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–0595. 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: State Workforce Pell Program Certification.

OMB Control Number: 1845–NEW.

Type of Review: A new ICR.

Respondents/Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Annual Responses: 100.

Total Estimated Number of Annual Burden Hours: 1,600.

Abstract: The One Big Beautiful Bill Act (OBBBA) signed into law on July 4, 2025, made statutory changes to Federal Pell Grants that impact regulatory requirements in this information collection. Section 83002(b) of the OBBB established a new academic program in which eligible students could receive Pell Grants. Programs must meet several criteria to become eligible workforce programs, including certification from their State Governor. This is a request for a new information collection to develop a form for States

to certify an institution's eligibility for eligible workforce programs. This would be an optional form which includes the required elements and is being offered for ease of requirements for State reported information.

Ross Santy,

Chief Data Officer, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2026–05528 Filed 3–19–26; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC26–71–000.

Applicants: Bay Tree Lessee, LLC, Bay Tree Solar, LLC, Bel Air Solar I, LLC, Biscayne Falls SPV, LLC, Bladen Solar, LLC, Bullock Solar, LLC, Innovative Solar 43, LLC, Innovative Owner 43, LLC, Innovative Solar 46, LLC, Ostrea Solar, LLC, Reworld Camden County, L.P., Reworld Delaware Valley, LLC, Reworld Essex Company, Reworld Fairfax, LLC, Reworld Haverhill Associates, LLC, Reworld Hempstead Company, Reworld Niagara I, LLC, Reworld Plymouth, LLC, Reworld REC, LLC, Reworld SEMASS Limited Partnership, Reworld Union (NJ), LLC, Shoe Creek Solar, LLC.

Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of Bay Tree Lessee, LLC, et al.

Filed Date: 3/13/26.

Accession Number: 20260313–5270.

Comment Date: 5 p.m. ET 4/3/26.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG26–181–000.

Applicants: Baldy Mesa C, LLC.

Description: Baldy Mesa C, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 3/17/26.

Accession Number: 20260317–5140.

Comment Date: 5 p.m. ET 4/7/26.

Docket Numbers: EG26–182–000.

Applicants: Pin Oak Creek Energy Center, LLC.

Description: Pin Oak Creek Energy Center, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 3/17/26.

Accession Number: 20260317–5183.

Comment Date: 5 p.m. ET 4/7/26.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER24–343–003.

Applicants: Nestlewood Solar I LLC.

Description: Supplement to 01/29/2026, Notice of Non-Material Change in Status of Nestlewood Solar I LLC.

Filed Date: 3/13/26.

Accession Number: 20260313–5285.

Comment Date: 5 p.m. ET 4/3/26.

Docket Numbers: ER26–1094–001.

Applicants: PJM Interconnection, L.L.C.

Description: Tariff Amendment: Amendment of GIA, SA No. 7806; AF2–222 in Docket No. ER26–1094–001 to be effective 12/23/2025.

Filed Date: 3/17/26.

Accession Number: 20260317–5104.

Comment Date: 5 p.m. ET 3/23/26.

Docket Numbers: ER26–1100–001.

Applicants: PacifiCorp.

Description: Tariff Amendment: Errata Filing: Notice of Termination (RS No. 783) to be effective 3/24/2026.

Filed Date: 3/17/26.

Accession Number: 20260317–5206.

Comment Date: 5 p.m. ET 4/7/26.

Docket Numbers: ER26–1839–000.

Applicants: Tri-State Generation and Transmission Association, Inc.

Description: § 205(d) Rate Filing: Amendment to Service Agreement FERC No. 891 to be effective 3/5/2026.

Filed Date: 3/17/26.

Accession Number: 20260317–5114.

Comment Date: 5 p.m. ET 4/7/26.

Docket Numbers: ER26–1843–000.

Applicants: Northern States Power Company, a Minnesota corporation.

Description: § 205(d) Rate Filing: 2026–03–17—CHAK—West Crk Expansion—SISA—787—0.0.0 to be effective 3/18/2026.

Filed Date: 3/17/26.

Accession Number: 20260317–5137.

Comment Date: 5 p.m. ET 4/7/26.

Docket Numbers: ER26–1847–000.

Applicants: Commonwealth Edison Company.

Description: Tariff Amendment: Cancel Karis TSA to be effective 3/18/2026.

Filed Date: 3/17/26.

Accession Number: 20260317–5172.

Comment Date: 5 p.m. ET 4/7/26.

Docket Numbers: ER26–1848–000.

Applicants: Idaho Power Company.

Description: § 205(d) Rate Filing: Fifth Revised Service Agreement Nos. 324 and 342 to be effective 7/1/2026.

Filed Date: 3/17/26.

Accession Number: 20260317–5196.

Comment Date: 5 p.m. ET 4/7/26.

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: March 17, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–05519 Filed 3–19–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2512–089]

Hawks Nest Hydro, LLC; Notice of Application for Non-Capacity Amendment of License Accepted for Filing, Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Application Type:* Non-Capacity Amendment of License.

b. *Project No:* 2512–089.

c. *Date Filed:* March 5, 2026.

d. *Applicant:* Hawks Nest Hydro, LLC.

e. *Name of Project:* Hawks Nest Hydroelectric Project.

f. *Location:* The project is located on the New River in Fayette County, West Virginia. The project does not occupy any federal lands.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a–825r.

h. *Applicant Contact:* Katie Lester, Senior Compliance Manager, Brookfield Renewable, 439 Elizabeth Way, Fayetteville, WV 25840, (570) 226–1371.

i. *FERC Contact:* Chris Chaney, (202) 502–6778, *christopher.chaney@ferc.gov*.

j. *Cooperating agencies:* With this notice, the Commission is inviting federal, state, local, and Tribal agencies with jurisdiction and/or special expertise with respect to environmental issues affected by the proposal, that wish to cooperate in the preparation of any environmental document, if applicable, to follow the instructions for filing such requests described in item l below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of any environmental document cannot also intervene. *See* 94 FERC ¶ 61,076 (2001).

k. *Water Quality Certification:* A water quality certificate under section 401 of the Clean Water Act is required for this proposal from West Virginia Department of Environmental Protection (West Virginia DEP). The applicant must file no later than 60 days following the date of issuance of this notice either: (1) a copy of the request for water quality certification submitted to the West Virginia DEP; or (2) a copy of the water quality certification or evidence of waiver of water quality certification.

l. *Deadline for filing comments, motions to intervene, and protests:* April 16, 2026, 5:00 p.m. Eastern Time.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp*. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp*. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. The first page of any filing should include the docket number P–2512–089. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

m. *Description of Request:* The licensee is proposing to convert energy generation and transmission from a frequency of 25 hertz (Hz) to 60 Hz, to allow for the sale of power directly to the regional electric grid. Under the proposal, the licensee would: (1) replace the Unit 1 and Unit 2 turbines and generators, (2) construct a new switchyard near the existing powerhouse, (3) upgrade one of the existing primary transmission lines and abandon the other in place, (4) construct a new access road near the existing powerhouse, (5) install a new prefabricated metal building near the existing powerhouse and substation, (6) upgrade ancillary equipment. The replacement of Units 1 and 2 would increase the project's authorized installed capacity from 102 megawatts (MW) to 108.5 MW and increase the maximum hydraulic capacity from 10,160 cubic feet per second (cfs) to 10,380 cfs. During powerhouse outages associated with the licensee's proposal, all flows would be spilled into the bypassed reach and the licensee's ability to provide recreational flow releases would be dependent on project inflows. The licensee would continue to operate the project in run-of-river mode during and following construction. Following construction, the licensee would increase the minimum flows in the bypassed reach and increase the number of recreational flow releases while shortening the duration of each recreational flow release.

n. *Locations of the Application:* This filing 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. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov,* for TTY, call (202) 502–8659. Agencies may obtain copies of the application directly from the applicant.

o. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

p. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

q. *Filing and Service of Documents:* Any filing must (1) bear in all capital letters the title ''COMMENTS'', ''PROTEST'', or ''MOTION TO INTERVENE'' as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; and (3) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

r. 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.*

(Authority: 18 CFR 2.1)

Dated: March 17, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–05523 Filed 3–19–26; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. UL26–3–000]

Arlon Warner; Notice of Pending Jurisdictional Inquiry and Soliciting Comments, Protests, and Motions To Intervene

On February 4, 2026, the Federal Energy Regulatory Commission (Commission) received a request from the Vermont Department of Environmental Conservation (Vermont DEC) for a jurisdictional determination for the unlicensed Potter Brook

Hydroelectric Project. The project is located on Potter Brook in Orleans County, Vermont.

Pursuant to section 23(b)(1) of the Federal Power Act (FPA),[1] a non-federal hydroelectric project must be licensed if it: (a) is located on a navigable water of the United States; (b) occupies lands or reservations of the United States; (c) utilizes surplus water or waterpower from a government dam; [2] or (d) is located on a stream over which Congress has Commerce Clause jurisdiction, is constructed or modified on or after August 26, 1935, and affects the interests of interstate or foreign commerce.

Regarding condition (d) above, for purposes of FPA section 23(b)(1), headwaters and tributaries of navigable waters are Commerce Clause streams; [3] ''post-1935'' construction or modification at an existing project includes enlarging a project, such as increasing size of the reservoir, height of the dam, or generating capacity; [4] and projects that generate energy for transmission on the interstate grid affect interstate commerce.[5]

On November 7, 1983, Mr. Warner filed an application for exemption from licensing for the project,[6] which Commission staff rejected as deficient on May 8, 1985, explaining that rejection of the application did not relieve the applicant's obligation under the FPA to obtain authorization from the Commission for the construction, operation, and maintenance of a hydroelectric project, and directing the applicant to refile an application for license or exemption for the project. On January 13, 1986, Mr. Warner filed a new application for exemption from licensing for the project,[7] which Commission staff rejected as deficient on July 25, 1986.

Vermont DEC requests that the Commission examine its jurisdiction for the Potter Brook Project on the grounds that the project is located on a stream over which Congress has Commerce Clause jurisdiction, was constructed after August 26, 1935, and is connected to the transmission grid and began selling power around 1984.[8]

In response to Vermont DEC's request, Commission staff is investigating the jurisdictional status of the Potter Brook Hydroelectric Project (UL26–3–000). A copy of Vermont DEC's request may be viewed on the Commission's website at *http://www.ferc.gov/docs-filing/elibrary.asp.* Enter the docket number, UL26–3–000. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov,* for TTY, call (202) 502–8659.

The Commission is soliciting comments, motions to intervene, and protests in this proceeding. Comments, motions to intervene, and protests must be filed by 45 days from notice or May 1, 2026, by 5:00 p.m. Eastern Time. Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules and Practice and Procedure, 18 CFR 385.210, 211, and 214. In determining the appropriate action to take, the Commission will consider all protests or comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceedings. Any comments, protests, or motions to intervene must be received on or before the specified comment date.

The Commission strongly encourages electronic filing. Please file comments, protests, and motions to intervene using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include Docket Number UL26–3–000.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502–6595 or *OPP@ferc.gov.*

For further information, please contact Kelly Fitzpatrick at (202) 502–8435 or *kelly.fitzpatrick@ferc.gov.*

(Authority: 18 CFR 2.1)

Dated: March 17, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–05522 Filed 3–19–26; 8:45 am]

BILLING CODE 6717–01–P

[1] 16 U.S.C. 817(1).

[2] A project that meets condition (a), (b), or (c) is not required to be licensed if it holds a still valid pre-1920 federal permit.

[3] *FPC* v. *Union Electric Co.,* 381 U.S. 90, 94–96 (1965).

[4] *See, e.g., L.S. Starrett Co.* v. *FERC,* 650 F.3d 19, 26–27 (1st Cir. 2011); *Cent. Vt. Pub. Serv. Corp.,* 54 FERC ¶ 61,132, at 61,434 (1991) (citing *Puget Sound Power & Light Co.* v. *FPC,* 557 F.2d 1311 (9th Cir. 1977); *Aquenergy Systems, Inc.,* 29 FERC ¶ 61,026 (1984)).

[5] *See FPC* v. *Union Elec. Co.,* 381 U.S. at 94–95. Moreover, it is well settled that small hydroelectric projects that are connected to the interstate grid, even if they have no interstate sales, affect interstate commerce by displacing power from the grid, and the cumulative effect of the national class of these small projects is significant for purposes of FPA section 23(b)(1). *See Habersham Mills* v. *FERC,* 976 F.2d 1381, 1384–85 (11th Cir. 1992).

[6] Arlon Warner November 7, 1983 Application, Docket No. P–7549. Accession No. 19831109–0247.

[7] Arlon Warner January 13, 1986 Application, Docket No. P–9875. Accession No. 19860128–0173.

[8] Vermont DEC February 4, 2026 Request for Determination of Commission Jurisdiction for the Potter Brook Hydroelectric Project at 2–3.

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 1869–067]

NorthWestern Corporation; Notice of Application for Non-Capacity Amendment of License Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Application Type:* Non-Capacity Amendment of License.

b. *Project No:* 1869–067.

c. *Date Filed:* June 4, 2025.

d. *Applicant:* NorthWestern Corporation.

e. *Name of Project:* Thompson Falls Hydroelectric Project.

f. *Location:* The project is located on the Clark Fork River in Sanders County, Montana.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a–825r.

h. *Applicant Contact:* Michael Green, NorthWestern Corporation, 208 North Montana Avenue, Suite 200, Helena, MT 59601, (406) 443–8923, *michael.green@northwestern.com.*

i. *FERC Contact:* Mark Mattozzi, (202) 502–8087, *Mark.Mattozzi@ferc.gov.*

j. *Cooperating agencies:* With this notice, the Commission is inviting

federal, state, local, and Tribal agencies with jurisdiction and/or special expertise with respect to environmental issues affected by the proposal, that wish to cooperate in the preparation of any environmental document, if applicable, to follow the instructions for filing such requests described in item k below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of any environmental document cannot also intervene. *See* 94 FERC ¶ 61,076 (2001)

k. *Deadline for filing comments, motions to intervene, and protests:* April 16, 2026 5:00 p.m. Eastern Time.

The Commission strongly encourages electronic filing. Please file motions to intervene, protests, comments, or recommendations using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. The first page of any filing should include the docket number P–1869–067. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

l. *Description of Request:* The applicant requests approval to replace the Thompson Falls Project's older Unit 6 Allis Chalmers Vertical Francis turbine with a new and more efficient American Hydro Vertical Francis turbine. The proposed scope of work for Unit 6 includes complete turbine replacement and generator stator rewind. The applicant expects the turbine replacement to result in an increase of 1.91 megawatts (MW) to the total installed capacity of the unit, increasing the project's authorized installed capacity from 92.37 MW to 94.28 MW. The applicant states that the hydraulic capacity would increase from 23,252 cubic feet-per-second (cfs) to 23,350 cfs. The applicant states the hydraulic throughput change that would result from the new turbine is *de minimis* and would not cause any change in the operation of the units or have quantifiable environmental effects.

m. *Locations of the Application:* This filing 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. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov,* for TTY, call (202) 502–8659. Agencies may obtain copies of the application directly from the applicant.

n. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

o. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

p. *Filing and Service of Documents:* Any filing must (1) bear in all capital letters the title ''COMMENTS'', ''PROTEST'', or ''MOTION TO INTERVENE'' as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

q. 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.*

(Authority: 18 CFR 2.1)

Dated: March 17, 2026.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2026–05524 Filed 3–19–26; 8:45 am]

BILLING CODE 6717–01–P

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: ER26–563–000.
Applicants: Neighborhood Sun Benefit Corp.
Description: Notice of Cancellation of Market Based Rate of Neighborhood Sun Benefit Corp.
Filed Date: 11/18/25.
Accession Number: 20251118–5267.
Comment Date: 5 p.m. ET 3/23/26.

Docket Numbers: ER26–1080–001.
Applicants: PJM Interconnection, L.L.C.
Description: Tariff Amendment: Amendment of GIA, SA No. 7798; AF2–120/AG1–536 to be effective 12/19/2025.
Filed Date: 3/16/26.
Accession Number: 20260316–5353.
Comment Date: 5 p.m. ET 3/23/26.

Docket Numbers: ER26–1082–001.
Applicants: PJM Interconnection, L.L.C.
Description: Tariff Amendment: Amendment of GIA, SA No. 7799; AF1–128 in Docket ER26–1802–000 to be effective 12/19/2025.
Filed Date: 3/16/26.
Accession Number: 20260316–5330.
Comment Date: 5 p.m. ET 3/23/26.

Docket Numbers: ER26–1098–001.
Applicants: PJM Interconnection, L.L.C.
Description: Tariff Amendment: Amendment to GIA, SA No. 7804; Project Identifier No. AG1–153 to be effective 12/23/2025.

Filed Date: 3/17/26.
Accession Number: 20260317–5092.
Comment Date: 5 p.m. ET 3/23/26.
Docket Numbers: ER26–1272–001.
Applicants: PJM Interconnection, L.L.C.
Description: Tariff Amendment: Amendment to Original GIA, SA No. 7821; Project Identifier No. AF1–064/AF2–126 to be effective 1/7/2026.
Filed Date: 3/17/26.
Accession Number: 20260317–5073.
Comment Date: 5 p.m. ET 3/23/26.
Docket Numbers: ER26–1306–001.
Applicants: Keystone Appalachian Transmission Company.
Description: Tariff Amendment: KATCo, submits Revised Filing to Amended Interconnect SA No. 6650 to be effective 5/17/2026.
Filed Date: 3/17/26.
Accession Number: 20260317–5066.
Comment Date: 5 p.m. ET 4/7/26.
Docket Numbers: ER26–1803–000.
Applicants: Evergy Kansas Central, Inc.
Description: § 205(d) Rate Filing: EKC GFR FERC Order 898 Filing to be effective 5/15/2026.
Filed Date: 3/16/26.
Accession Number: 20260316–5334.
Comment Date: 5 p.m. ET 4/6/26.
Docket Numbers: ER26–1804–000.
Applicants: PJM Interconnection, L.L.C.
Description: § 205(d) Rate Filing: Certificate of Concurrence for CRFA between MISO, ComED, and PJM to be effective 6/1/2026.
Filed Date: 3/16/26.
Accession Number: 20260316–5356.
Comment Date: 5 p.m. ET 4/6/26.
Docket Numbers: ER26–1805–000.
Applicants: Entergy Texas, Inc.
Description: § 205(d) Rate Filing: ETI–ETEC Amended WDS Agreement to be effective 3/17/2026.
Filed Date: 3/16/26.
Accession Number: 20260316–5374.
Comment Date: 5 p.m. ET 4/6/26.
Docket Numbers: ER26–1818–000.
Applicants: Indiana Michigan Power Company, AEP Indiana Michigan Transmission Company, Inc.
Description: § 205(d) Rate Filing: Indiana Michigan Power Company submits tariff filing per 35.13(a)(2)(iii: AEP submits one Facilities Agreement—SA No. 1262 to be effective 6/1/2026.
Filed Date: 3/17/26.
Accession Number: 20260317–5064.
Comment Date: 5 p.m. ET 4/7/26.
Docket Numbers: ER26–1820–000.
Applicants: American Electric Power Service Corporation, Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: Southwest Power Pool, Inc. submits tariff filing per 35.13(a)(2)(iii: American Electric Power Order 898 Formula Rate Revisions to be effective 1/1/2025.
Filed Date: 3/17/26.
Accession Number: 20260317–5065.
Comment Date: 5 p.m. ET 4/7/26.
Docket Numbers: ER26–1833–000.
Applicants: PacifiCorp.
Description: § 205(d) Rate Filing: UAMPS Constuction Agreement—Payson BTM (RS No. 807) to be effective 5/17/2026.
Filed Date: 3/17/26.
Accession Number: 20260317–5087.
Comment Date: 5 p.m. ET 4/7/26.

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, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov.*

Dated: March 17, 2026.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2026–05520 Filed 3–19–26; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL OPRM–FAD–215]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information 202–993–3272 or *https://www.epa.gov/nepa.*

Weekly receipt of Environmental Impact Statements (EIS)

Filed March 9, 2026 10 a.m. EST Through March 16, 2026 10 a.m. EST

Pursuant to CEQ Guidance on 42 U.S.C. 4332.

Notice: Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: *https://cdxapps.epa.gov/cdx-enepa-II/public/action/eis/search.*

EIS No. 20260027, Final, NRCS, UT, Gould Wash Flood Protection Project, *Review Period Ends:* 05/04/2026, Contact: Ammon Boswell 435–459–1621.

EIS No. 20260028, Final Supplement, NRC, SC, Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 13, Second Renewal, Regarding Subsequent License Renewal for H.B. Robinson Steam Electric Plant, Unit No. 2 Final Report, Contact: Karen Loomis 301–415–5142.

EIS No. 20260029, Final Supplement, NRC, FL, Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 11, Second Renewal, Regarding Subsequent License Renewal for St. Lucie Plant, Units 1 and 2, Final Report, Contact: Lance Rakovan 301–415–2589.

Dated: March 16, 2026.

Nancy Abrams,

Deputy Director, Federal Activities Division.

[FR Doc. 2026–05506 Filed 3–19–26; 8:45 am]

BILLING CODE 6560–50–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 April 6, 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. *Vicki Clark, Lake Placid, Florida; Ann Carda, Saint Louis Park, Minnesota; and Thomas Clark, Sioux Center, Iowa;* to join the Clark Family Control Group, a group acting in concert, to retain voting shares of Chandler Bancshares, Inc., Chandler, Minnesota, through joint ownership of the shares with Lonnie Clark, Chandler, Minnesota, and thereby indirectly retain voting shares of State Bank of Chandler, Chandler, Minnesota. Lonnie Clark is a member of the Clark Family Control Group and was previously permitted by the Federal Reserve System to acquire voting shares of Chandler Bancshares, Inc., in his individual capacity.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2026–05531 Filed 3–19–26; 8:45 am]

BILLING CODE 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 April 20, 2026.

A. Federal Reserve Bank of New York (Keith Goodwin, Head of Bank Applications) 33 Liberty Street, New York, New York 10045–0001. Comments can also be sent electronically to *Comments.applications@ny.frb.org:*

1. *The Bank of Nova Scotia, Toronto, Canada;* to acquire additional voting shares, up to 19.99 percent, of KeyCorp, and thereby indirectly acquire voting shares of KeyBank National Association, both of Cleveland, Ohio.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2026–05530 Filed 3–19–26; 8:45 am]

BILLING CODE P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

[Assistance Listing Numbers: 93.612, 93.340]

Notice for Public Comment on Administration for Native Americans' Program Policies and Procedures

AGENCY: Administration for Native Americans (ANA), Administration for Children and Families (ACF), Department of Health and Human Services (HHS).

ACTION: Notice for public comment.

SUMMARY: ANA is required to provide members of the public an opportunity to comment on proposed changes in interpretive rules and general statements of policy and to give notice of the proposed changes no less than 30 days before such changes become effective. ANA herein describes proposed interpretive rules and general statements of policy that relate to ANA's Notices of Funding Opportunities (NOFOs) in fiscal year (FY) 2026.

DATES: Comments are due by April 20, 2026. If ANA does not receive substantial comments within the 30-day comment period, ANA will proceed with the proposed changes in the respective published NOFOs. The NOFOs will serve as the final notice of these proposed changes.

ADDRESSES: Comments may be submitted to: Carmelia Strickland, Administration for Native Americans, 330 C Street SW, Washington, DC 20201 or via email to: *anacomments@acf.hhs.gov.*

FOR FURTHER INFORMATION CONTACT: Carmelia Strickland, Administration for Native Americans, 330 C Street SW, Washington, DC 20201 or via email to: *anacomments@acf.hhs.gov.*

SUPPLEMENTARY INFORMATION: Section 814 of the Native American Programs Act of 1974 (NAPA), as amended (42 U.S.C. 2992b–1), incorporates provisions of the Administrative Procedure Act that require ANA to provide notice of its proposed interpretive rules and statements of policy and to seek public comment on such proposals. This notice serves to fulfill the statutory notice and public comment requirement. The proposed interpretive rules, statements of policy, and rules of ANA practice and procedure reflected in new text will appear in the FY 2026 NOFOs for Economic Advancement Grants for Local Empowerment (EAGLE), AI[3]

Action Institute—Artificial Intelligence for American Indians (AI³ Action Institute), and the National Center for Native Training and Technical Assistance (NCNTTA). There will be no significant changes to the following ANA NOFOs: Environmental Regulatory Enhancement; Native American Language Preservation and Maintenance-Esther Martinez Immersion; and Native American Language Preservation and Maintenance.

Interpretive rules, statements of policy, procedures, and practice. The proposals in this subsection reflect ANA's proposed updates in rules, policy, or procedure that will take effect in the FY 2026 EAGLE NOFO, AI³ Action Institute NOFO, and NCNTTA NOFO

1. Programmatic Update

A. The Social and Economic Development Strategies (SEDS) and SEDS-Alaska (SEDS–AK) NOFOs will be replaced by EAGLE and the AI³ Action Institute. This will not impact any existing SEDS or SEDS–AK awards.

The EAGLE NOFO will reflect the Administration's pro-growth agenda, strengthen both socioeconomic and cultural success, and bridge ANA's past with new approaches and opportunities to empower communities and underwrite self-determination. EAGLE will place a greater emphasis on economic development, a priority that was identified at numerous conferences ANA attended in 2025 and reinforced during ANA's 2025 Tribal Economic Development Consultation. EAGLE will embrace thoughtful human capital development, strategic infrastructure reform, family stability efforts, and innovative business creation. EAGLE will include greenhouses to promote healthy diets. It will focus on welding skills to boost employability and reduce high unemployment. It will help native communities adopt microgrids to boost energy reliability and help underpin socioeconomic development. It will embrace tribal elder mentorship of youth to promote success in education, strengthen the future workforce, and boost cultural rootedness. Moreover, EAGLE will further self-determination by accepting project proposals conceptualized by native communities. The EAGLE NOFO will be the intersection of native communities' needs and priorities, ANA's commitment to self-determination, and Administration priorities. EAGLE is a strategic empowerment framework with multiple project areas (PAs), and applicants will be allowed to apply to one or more PAs.

The AI³ Action Institute will empower native communities by facilitating the adoption of cutting-edge technologies. The recipient of this award will support tribes by reducing the AI learning curve; identifying the best technologies and facilitating deployment; optimize benefits of AI; and acting as a knowledge manager to accumulate lessons learned.

B. ANA will consolidate four existing Training and Technical Assistance (TTA) contracts into a single cooperative agreement, which will enable integration of services, strengthen the quality and impact of TTA delivered, by creating a unified, more agile framework for delivering TTA services. This change will focus TTA support to strengthen recipient capacity, performance, and sustainability. For ANA, the cooperative agreement will enhance operational integration, reduce administrative burden, provide cost savings, and more efficiently respond to the Administration priorities. It will also increase flexibility to respond to the needs of ANA's community of grant recipients. This structure will increase oversight, improve quality and outcomes, and support a more agile and sustainable operational framework that is not possible under a traditional contract.

Eligibility and Funding Information

A. ANA intends to fully fund FY 2026 EAGLE awards for 3 years, and the new NOFO will be comprised of multiple PAs included below.

- Seventh-Generation Greenhouses ($800,000 ceiling per award)
  - Increase the quantity and quality of food.
  - Decrease the cost of high-quality foods.
  - Promote healthy diets and good nutritional habits.
  - Provide a weatherproof way of producing food.
  - Foster business creation through produce sales.
  - Promote regenerative agriculture.
- Microgrids ($1,000,000 ceiling per award)
  - Increase energy reliability while reducing costs.
  - Boost tribal and Native community resilience.
  - Promote economic growth.
  - Underwrite tribal energy independence.
  - Provide continuity of energy services in the event of a disaster or disruption.
- Welders to Elders ($500,000 ceiling per award)
  - Promote job growth.
  - Promote personal and professional growth.
  - Disrupt negative cycles linked to high unemployment.
  - Provide individuals with a sense of purpose and direction.
  - Build community resilience.
- Tradition in Action—A Native Elder Program ($500,000 ceiling per award)
  - Boost academic and cultural education.
  - Support intergenerational knowledge transfer and cultural rootedness.
  - Increase more productive and invested community members.
  - Establish additional community-centered activities for elders.
  - Establish long-horizon leadership pipelines.
- Indigenous Designs to Empower and Advance Self-Determination (IDEAS) ($900,000 ceiling per award)
  - Native communities will design projects that identify their community's most pressing needs and the proposed responses.

Applicants may apply for this award even if they have an active ANA award for SEDS or SEDS–AK.

ANA intends to fully fund the FY 2026 AI³ Action Institute at $3,500,000 (ceiling).

B. ANA intends to fund one FY 2026 NCNTTA cooperative agreement with incremental funding for a 36-month project period with three 12-month budget periods. The total funding for the NCNTTA cooperative agreement is $3,100,000 (ceiling).

2. Changes to Required Application Requirements

A. The following PAs will be included in the NOFO: PA 1: Seventh Generation Greenhouses; PA 2: Microgrids; PA 3: Welders to Elders; PA 4: Tradition in Action—A Native Elder Program; and PA 5: Indigenous Designs to Empower and Advance Self-Determination. Applicants will be required to include information on how they plan to sustain the project after the federal funding ends.

B. The NCNTTA cooperative agreement will focus on three capacity building service pillars. The first pillar will provide Comprehensive Capacity Building Services, which includes sharing resources and developing tools to strengthen organizational and programmatic capacity and support sustainability. The second pillar is Focused Capacity Building Services, which will promote knowledge sharing and build networks among ANA award recipients and their partners. The third pillar is Customized Capacity Building Services, which will provide tailored TTA through customized plans.

Applications will be accepted from both for-profit and non-profit entities that satisfy the eligibility criteria set forth in the TTA NOFO.

Statutory Authority: Sections 803, 804, and 814 of NAPA, as amended (42 U.S.C. 2991b, 2991c, 2992b–1).

Hope MacDonald Lone Tree,

Deputy Commissioner, Administration for Native Americans, Administration for Children and Families.

[FR Doc. 2026–05484 Filed 3–19–26; 8:45 am]

BILLING CODE 4184–34–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Government-Owned Inventions; Availability for Licensing

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: The National Institute of Allergy and Infectious Diseases (NIAID), an institute of the National Institutes of Health (NIH), Department of Health and Human Services (HHS), is giving notice of the invention listed below, which is owned by an agency of the U.S. Government and is available for licensing to achieve expeditious commercialization of results of federally funded research and development. Foreign patent applications are filed on selected inventions to extend market coverage for companies and may also be available for licensing.

FOR FURTHER INFORMATION CONTACT: Inquiries related to this licensing opportunity should be directed to: David Yang at 240–695–6406, or *David.Yang@niaid.nih.gov.* Licensing information may be obtained by communicating with the Technology Transfer and Intellectual Property Office, National Institute of Allergy and Infectious Diseases, 5601 Fishers Lane, Rockville, MD 20852: tel. 301–496–2644. A signed Confidential Disclosure Agreement will be required to receive copies of unpublished information related to the invention.

SUPPLEMENTARY INFORMATION: Technology description follows:

Gene Editing for ALPK1 p.Thr237Met

Description of Technology: ROSAH syndrome is a rare genetic disease caused by a mutation in the human alpha kinase 1 (ALPK1) gene (p.Thr237Met), leading to vision loss, swollen optic nerves, dry mouth, enlarged spleen, and frequent headaches. Researchers in the Laboratory of Clinical Immunology and Microbiology (LCIM) at the National Institute of Allergy and Infectious Diseases (NIAID) have developed a new approach that can precisely fix the ALPK1 mutation without causing unwanted changes in the patient's DNA. This method uses a base editor combined with a guide RNA to safely and efficiently convert the pathogenic thymine of the mutation back to cytosine. In laboratory tests, this gene editing technology successfully repaired the mutation in patient-derived affected cells with high accuracy and no side effects.

This therapy could be delivered directly to the eye or salivary glands, or patient cells could be corrected outside the body and then returned to the patient, offering hope for personalized treatment to restore vision and improve quality of life for people with ROSAH syndrome.

This technology is available for licensing for commercial development in accordance with 35 U.S.C. 209 and 37 CFR part 404, as well as for further development and evaluation under a research collaboration.

Potential Commercial Applications:

- Personalized therapy for individuals with disease secondary to the ALPK1 p.Thr237Met genetic variant.

Competitive Advantages:

- Highly accurate tool that directly repairs the faulty gene that causes ROSAH syndrome, while avoiding unwanted changes elsewhere in DNA.
- Corrects the mutation in most patient cells with few or no mistakes.
- Can be delivered directly to affected areas (*e.g.,* eye or salivary glands) or can treat patient cells outside the body.
- Custom therapy for people with the ALPK1 mutation.
- Effective in cells that don't divide, unlike older gene editing methods.

Development Stage:

- Pre-Clinical.

Inventors: Dr. Christina Torres Kozycki, Dr. Colin L. Sweeney, Dr. Uimook Choi, all of NIAID.

Intellectual Property: HHS Reference No. E–044–2024–0. Provisional Patent Application No. 63/733,836, filed on December 13, 2024, and PCT Patent Application No. PCT/US2025/059432, filed on December 12, 2025.

Licensing Contact: To license this technology, please contact David Yang at 240–695–6406, or *David.Yang@niaid.nih.gov,* and reference E–044–2024–0.

Research Opportunity: The National Institute of Allergy and Infectious Diseases is seeking statements of capability or interest from parties interested in collaborative research to further develop, evaluate, or commercialize this technology. Area of specific interest includes human clinical trials. For collaboration opportunities, please contact David Yang at 240–695–6406, or *David.Yang@niaid.nih.gov.*

Dated: March 18, 2026.

Surekha Vathyam,

Director, Technology Transfer and Intellectual Property Office, National Institute of Allergy and Infectious Diseases.

[FR Doc. 2026–05527 Filed 3–19–26; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Contracts: Support for Evaluating and Conducting Computational and Alternative Toxicological Methods for the National Institute of Environmental Health Sciences.

Date: April 16, 2026.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate contract proposals.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Leroy Worth, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, Keystone Building 3082, Research Triangle Park, NC 27709, 984–287–3340, *worth@niehs.nih.gov.*

Name of Committee: Applied Immunology and Disease Control Integrated Review Group; Transmission of Vector-Borne and Zoonotic Diseases Study Section.

Date: April 16, 2026.

Time: 10:00 a.m. to 9:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.
Contact Person: Haruhiko Murata, Ph.D., Scientific Review Officer, Center for Scientific Review, 6701 Rockledge Drive, National Institutes of Health, Bethesda, MD 20892, 301–594–3245, *muratah@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Auditory and Pain Mechanisms.
Date: April 16, 2026.
Time: 10:00 a.m. to 7:00 p.m.
Agenda: To review and evaluate grant applications.
Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.
Meeting Format: Virtual Meeting.
Contact Person: Nesar Uddin Akanda, Ph.D., MD, Scientific Review Officer, Center for Scientific Review, 6701 Rockledge Drive, Room 1011–B, National Institutes of Health, Bethesda, MD 20892, 301–594–8984, *nesar.akanda@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Support for Research Excellence-SuRE and SuRE-First Study Section Meeting.
Date: April 16, 2026.
Time: 10:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.
Meeting Format: Virtual Meeting.
Contact Person: Dawanna James-Holly, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–480–2776, *dawanna.james-holly@nih.gov.*

Name of Committee: Infectious Diseases and Immunology A Integrated Review Group; Bacterial Virulence Study Section.
Date: April 16, 2026.
Time: 10:00 a.m. to 7:00 p.m.
Agenda: To review and evaluate grant applications.
Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.
Meeting Format: Virtual Meeting.
Contact Person: Susan Daum, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3202, Bethesda, MD 20892, 301–827–7233, *susan.boyle-vavra@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Special Topics in Genomics and Therapeutics for Genetic Diseases.
Date: April 16, 2026.
Time: 10:00 a.m. to 4:00 p.m.
Agenda: To review and evaluate grant applications.
Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.
Meeting Format: Virtual Meeting.
Contact Person: Dharmendar Rathore, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 912–D, Bethesda, MD 20892, 301–402–6965, *dharmendar.rathore@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA–RM–24–008: Limited Competition: Competing Revisions to Support Clinical Trials in Somatic Cell Genome Editing (U19 Clinical Trial Required).
Date: April 16, 2026.
Time: 12:30 p.m. to 2:00 p.m.
Agenda: To review and evaluate grant applications.
Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.
Meeting Format: Virtual Meeting.
Contact Person: Mollie Kim Manier, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 900–E, Bethesda, MD 20892, 301–594–0510, *mollie.manier@nih.gov.*

Name of Committee: Population Sciences and Epidemiology Integrated Review Group; Aging, Injury, Musculoskeletal, and Rheumatologic Disorders Study Section.
Date: April 17, 2026.
Time: 9:00 a.m. to 8:00 p.m.
Agenda: To review and evaluate grant applications.
Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.
Meeting Format: Virtual Meeting.
Contact Person: Nketi I. Forbang, MD, MPH, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1006K1, Bethesda, MD 20892, 301–594–0357, *forbangni@csr.nih.gov.*

Name of Committee: Cardiovascular and Respiratory Sciences Integrated Review Group; Integrative Myocardial Physiology/Pathophysiology B Study Section.
Date: April 17, 2026.
Time: 9:00 a.m. to 6:30 p.m.
Agenda: To review and evaluate grant applications.
Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.
Meeting Format: Virtual Meeting.
Contact Person: Kirk E. Dineley, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 806E, Bethesda, MD 20892, 301–867–5309, *dineleyke@csr.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: March 18, 2026.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2026–05526 Filed 3–19–26; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Human Genome Research Institute; Notice of Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the National Advisory Council for Human Genome Research.

The meeting will be open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Advisory Council for Human Genome Research.
Date: May 18–19, 2026.
Closed: May 18, 2026, 11:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Address: National Human Genome Research Institute, National Institutes of Health, 6700 Rockledge Drive, Suite 1100, Bethesda, MD 20892.
Meeting Format: (Hybrid).
Open: May 19, 2026, 11:00 a.m. to 5:00 p.m.
Agenda: To discuss matters of program relevance and reports of Institute Director and Institute Staff.
Address: National Human Genome Research Institute, National Institutes of Health, 6700 Rockledge Drive, Suite 1100, Bethesda, MD 20892.
Meeting Format: (Hybrid).
Contact Person: Issel Anne Lim, Ph.D., Deputy Director, Division of Extramural Operations, National Human Genome Research Institute, National Institutes of Health, 6700B Rockledge Drive, Room 3186, Bethesda, MD 20892, *isselanne.lim@nih.gov.*

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

In the interest of security, NIH has procedures at *https://security.nih.gov/*

visitors/Pages/visitor-campus-access.aspx for entrance into on-campus and off-campus facilities. All visitor vehicles, including taxicabs, hotel, and airport shuttles will be inspected before being allowed on campus. Visitors attending a meeting on campus or at an off-campus federal facility will be asked to show one form of identification (for example, a government-issued photo ID, driver's license, or passport) and to state the purpose of their visit.

Information is also available on the Institute's/Center's home page: *http://www.genome.gov/council,* where an agenda and any additional information for the meeting will be posted when available.

Bruce George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2026–05501 Filed 3–19–26; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–R4–ES–2026–0232; FXES11140400000–267–FF04AL4000]

General Conservation Plan for the Alabama Beach Mouse; Categorical Exclusion; Baldwin County, AL

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comment.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), announce receipt of an application from each of Kitty Bowden, Tracey Thompson, and Douglas J. Spurling (applicant/applicants) for three separate incidental take permits (ITP) pursuant to the Endangered Species Act (ESA) and the National Environmental Policy Act under the Service's approved General Conservation Plan (GCP) and final environmental impact statement for the Alabama beach mouse. A GCP is a conservation plan under the ESA that enables the programmatic permitting and conservation process to address a defined suite of proposed activities over a defined planning area. Each applicant requests an ITP to take the federally listed Alabama Beach Mouse incidental to the construction of deck additions, a single-family home, and a pool with deck in Baldwin County, Alabama. We request public comment on these applications, which include each applicant's proposed habitat conservation plan (HCP), as well as on the Service's preliminary determination that the proposed permitting action may qualify under the terms of the Alabama beach mouse GCP. We certify that each of the applications received is statutorily complete and include the necessary information to enroll in the GCP.

DATES: Comments will be accepted on or before April 20, 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:

Obtaining Documents: The documents this notice announces, as well as any comments and other materials that we receive, will be available for public inspection online in Docket No. FWS–R4–ES–2026–0232 at *https://www.regulations.gov.*

Comment Submission: All submissions must include the docket number [FWS–R4–ES–2026–0232] 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–R4–ES–2026–0232, 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–R4–ES–2026–0232, Policy and Regulations Branch, U.S. Fish and Wildlife Service, MS: PRB (JAO/3W), 5275 Leesburg Pike, Falls Church, VA 22041–3803.

Comments submitted through any method not authorized in this document, or sent to an address not listed here, will not be considered. We will not accept comments via email, fax, or hand delivery. We are not required to consider comments that are submitted after the comment period ends or that are submitted via a method outside of these instructions. Comments containing profanity, vulgarity, threats, or other inappropriate content will not be considered.

We will post all comments at *https://www.regulations.gov.* You may request that we withhold personal identifying information from public review; however, we cannot guarantee that we will be able to do so. See Public Availability of Comments for more information.

FOR FURTHER INFORMATION CONTACT: William Lynn, by U.S. mail (see **ADDRESSES**), by telephone at 1–251–538–2065, or via email at *william_lynn@fws.gov.* Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: We, the U.S. Fish and Wildlife Service (Service), announce receipt of an application under the approved General Conservation Plan (GCP) for the Alabama Beach Mouse from Kitty Bowden, Tracey Thompson, and Douglas J. Spurling for an incidental take permit (ITP) under the Endangered Species Act, as amended (ESA; 16 U.S.C. 1531 *et seq.*). Each applicant requests an ITP to take the federally listed Alabama Beach Mouse (ABM; *Peromyscus polionotus ammobates*). One applicant will take ABM incidental to the construction, maintenance, and operation of a deck and pool addition, one will take ABM due to a deck expansion, and one will take ABM incidental to construction of a single-family home in Baldwin County, Alabama. We request public comment on the applications, on the applicants' HCPs, and on the Service's preliminary determination that the proposed ITPs may qualify for a categorical exclusion under the General Conservation Plan (GCP) and final environmental impact statement (FEIS) for the ABM published on March 28, 2012 (FWS–R4–ES–2012–N063).

Proposed Projects

Permit Number: PER22978544

Kitty Bowden, applicant, requests a 50-year ITP to take ABM via the conversion of 0.007 acres (ac) of occupied nesting, foraging, and sheltering habitat incidental to the construction of a deck expansion to an existing house on a 0.145-ac parcel located at 330 Buchana Ct. West in Gulf Shores, Alabama. The applicant proposes to mitigate for the take of ABM through an in-lieu fee of $676.20 to the Alabama Coastal Heritage Trust's ABM conservation fund.

Permit Number: PER22254010

Tracey Thompson, applicant, requests a 50-year ITP to take Alabama beach mice via the conversion of 0.056 ac of

occupied nesting, foraging, and sheltering ABM habitat incidental to the construction of a single-family home on a 0.140-ac parcel located at 8400 Zeanah Road in Gulf Shores, Alabama. The applicant proposes to mitigate for the take of ABM through an in-lieu fee of $5,609.70 to the Alabama Coastal Heritage Trust's ABM conservation fund.

Permit Number: PER23007373

Douglas J. Spurling, applicant, requests transfer and modify an existing 30-year ITP to take Alabama beach mice via the conversion of 0.016 ac of occupied nesting, foraging, and sheltering ABM habitat incidental to the construction of a pool with deck to an existing house on a 0.451-ac lot located at 2177 Ponce de Leon Court, Gulf Shores, Alabama. The applicant proposes to mitigate for the take of ABM through an in-lieu fee of $1,619.20 to the Alabama Coastal Heritage Trust's ABM conservation fund.

Our Preliminary Determination

The Service has made a preliminary determination that reasonably foreseeable effects of the applicants' proposed projects, including the construction of a deck with a pool and a single-family home and associated infrastructure (*e.g.,* electric, water, and sewer lines), would have a minor effect on ABM and the human environment. Therefore, we have preliminarily determined that the proposed ESA section 10(a)(1)(B) permit would meet the requirements of the GCP and FEIS.

Next Steps

The Service will evaluate the application and the comments to determine whether to issue the requested ITP. We also will conduct an intra-Service consultation pursuant to section 7 of the ESA to evaluate the effects of the proposed take. After considering the preceding and other matters, we will determine whether the permit issuance criteria of section 10(a)(1)(B) of the ESA have been met. If met, the Service will issue ITP number PER22978544 to Kitty P. Bowden, ITP number PER2254010 to Tracey Thompson, and ITP Number PER23007373 to Douglas J. Spurling.

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comment, be aware that your entire comment, including your personal identifying information, may be made available to the public. If you submit a comment at *https://www.regulations.gov,* your entire comment, including any personal identifying information, will be posted on the website. If you submit a hard copy comment that includes personal identifying information, such as your address, phone number, or email address, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. Moreover, all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

Authority

The Service provides this notice under section 10(c) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.32), National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), as amended, and the Department of the Interior's implementing regulations (43 CFR part 46).

Jeffrey Powell,

Acting Field Supervisor, Alabama Ecological Service Field Office, U.S. Fish and Wildlife Service.

[FR Doc. 2026–05451 Filed 3–19–26; 8:45 am]

BILLING CODE 4333–15–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–432 and 731–TA–1024–1028 (Fourth Review) and AA1921–188 (Sixth Review)]

Prestressed Concrete Steel Wire Strand From Brazil, India, Japan, Mexico, South Korea, and Thailand; Scheduling of Expedited Five-Year Reviews

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of expedited reviews pursuant to the Tariff Act of 1930 (''the Act'') to determine whether revocation of the antidumping duty orders on prestressed concrete steel wire strand (''PC strand'') from Brazil, India, Mexico, South Korea, and Thailand, and the antidumping finding on PC strand from Japan, as well as revocation of the countervailing duty order on PC strand from India, would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time.

DATES: February 23, 2026.

FOR FURTHER INFORMATION CONTACT: Jesse Sanchez ((202) 205–2402), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter 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 (*https://www.usitc.gov*). The public record for this proceeding may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.*

SUPPLEMENTARY INFORMATION:

Background.—On February 23, 2026, the Commission determined that the domestic interested party group response to its notice of institution (90 FR 47337, October 1, 2025) of the subject five-year reviews was adequate and that the respondent interested party group response was inadequate. The Commission did not find any other circumstances that would warrant conducting full reviews.[1] Accordingly, the Commission determined that it would conduct expedited reviews pursuant to section 751(c)(3) of the Act (19 U.S.C. 1675(c)(3)).[2]

For further information concerning the conduct of these reviews and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

Staff report.—A staff report containing information concerning the subject matter of these reviews has been placed in the nonpublic record, and will be made available to persons on the Administrative Protective Order service list for these reviews on April 29, 2026. A public version will be issued thereafter, pursuant to § 207.62(d)(4) of the Commission's rules.

Written submissions.—As provided in § 207.62(d) of the Commission's rules, interested parties that are parties to the reviews and that have provided individually adequate responses to the

[1] A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements will be available from the Office of the Secretary and at the Commission's website.

[2] Commissioner Johanson voted to conduct full reviews.

notice of institution,[3] and any party other than an interested party to the reviews may file written comments with the Secretary on what determination the Commission should reach in the reviews. Comments are due on or before May 6, 2026, and may not contain new factual information. Any person that is neither a party to the five-year reviews nor an interested party may submit a brief written statement (which shall not contain any new factual information) pertinent to the reviews by May 6, 2026. However, should the Department of Commerce (''Commerce'') extend the time limit for its completion of the final results of its reviews, the deadline for comments (which may not contain new factual information) on Commerce's final results is three business days after the issuance of Commerce's results. If comments contain business proprietary information (BPI), they must conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on Filing Procedures,* available on the Commission's website at *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf,* elaborates upon the Commission's procedures with respect to filings.

In accordance with §§ 201.16(c) and 207.3 of the rules, each document filed by a party to the reviews must be served on all other parties to the reviews (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Determination.—The Commission has determined these reviews are extraordinarily complicated and therefore has determined to exercise its authority to extend the review period by up to 90 days pursuant to 19 U.S.C. 1675(c)(5)(B).

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.62 of the Commission's rules.

By order of the Commission.

Issued: March 18, 2026.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2026–05508 Filed 3–19–26; 8:45 am]

BILLING CODE 7020–02–P

[3] The Commission has found the responses submitted on behalf of Insteel Wire Products Company, Sumiden Wire Products Corporation, and WMC Steel, LLC to be individually adequate. Comments from other interested parties will not be accepted (*see* 19 CFR 207.62(d)(2)).

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–372]

Exempt Chemical Preparations Under the Controlled Substances Act

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: Exemption orders with opportunity for comment.

SUMMARY: The applications for exempt chemical preparations received by the Drug Enforcement Administration between September 1, 2024, and December 31, 2025, as listed below, were accepted for filing and have been approved or denied as indicated. This publication addresses preparations through December 31, 2025, that were not included in previous **Federal Register** notices, and it does not affect preparations that have been previously published.

DATES: Comments must be submitted electronically or postmarked on or before May 19, 2026.

ADDRESSES: Interested persons may file written comments on this order in accordance with 21 CFR 1308.23(e). The electronic Federal Docket Management System will not accept comments after 11:59 p.m. Eastern Time on the last day of the comment period. To ensure proper handling of comments, please reference ''Docket No. DEA–372'' on all correspondence, including any attachments.

- *Electronic comments:* The Drug Enforcement Administration (DEA) encourages that all comments be submitted through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or to attach a file for lengthier comments. Please go to *http://www.regulations.gov* and follow the online instructions at that site for submitting comments. Upon completion of your submission, you will receive a Comment Tracking Number for your comment. Please be aware that submitted comments are not instantaneously available for public view on *Regulations.gov.* If you have received a comment tracking number, your comment has been successfully submitted and there is no need to resubmit the same comment.
- *Paper comments:* Paper comments that duplicate the electronic submission are not necessary and are discouraged. Should you wish to mail a comment *in lieu of* an electronic comment, it should be sent via regular or express mail to: Drug Enforcement Administration, Attention: DEA Federal Register Representative/DRW, 8701 Morrissette Drive, Springfield, Virginia 22152.
- *Paperwork Reduction Act Comments:* All comments concerning collections of information under the Paperwork Reduction Act must be submitted to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for DOJ, Washington, DC 20503. Please state that your comment refers to Docket No. DEA–1189.

FOR FURTHER INFORMATION CONTACT: Terrence L. Boos, Ph.D., Diversion Control Division, Drug Enforcement Administration; Mailing Address: 8701 Morrissette Drive, Springfield, Virginia 22152; Telephone: (571) 362–8201.

SUPPLEMENTARY INFORMATION:

Posting of Public Comments

Please note that all comments received in response to this docket are considered part of the public record. The Drug Enforcement Administration (DEA) will make comments available for public inspection online at *http://www.regulations.gov.* Such information includes personal or business identifiers (such as name, address, state or Federal identifiers, etc.) voluntarily submitted by the commenter. Generally, all information voluntarily submitted by the commenter, unless clearly marked as Confidential Information in the method described below, will be publicly posted. Comments may be submitted anonymously. The Freedom of Information Act applies to all comments received.

Commenters submitting comments which include personal identifying information (PII), confidential, or proprietary business information that the commenter does not want made publicly available should submit two copies of the comment. One copy must be marked ''CONTAINS CONFIDENTIAL INFORMATION'' and should clearly identify all PII or business information the commenter does not want to be made publicly available, including any supplemental materials. DEA will review this copy, including the claimed PII and confidential business information, in its consideration of comments. The second copy should be marked ''TO BE PUBLICLY POSTED'' and must have all claimed confidential PII and business information already redacted. DEA will post only the redacted comment on *http://www.regulations.gov for public inspection.*

For easy reference, an electronic copy of this document and supplemental information to this proposed scheduling

action are available at *http://www.regulations.gov.*

Legal Authority

Section 201 of the Controlled Substances Act (CSA) (21 U.S.C. 811) authorizes the Attorney General, by regulation, to exempt from certain provisions of the CSA certain compounds, mixtures, or preparations containing a controlled substance, if she finds that such compounds, mixtures, or preparations meet the requirements detailed in 21 U.S.C. 811(g)(3)(B).[1] DEA regulations at 21 CFR 1308.23 and 1308.24 further detail the criteria by which the DEA Assistant Administrator may exempt a chemical preparation or mixture from certain provisions of the CSA. The Assistant Administrator may, pursuant to 21 CFR 1308.23(f), modify or revoke the criteria by which exemptions are granted and modify the scope of exemptions at any time.

Exempt Chemical Preparation Applications Submitted Between September 1, 2024, and December 31, 2025

DEA received applications between September 1, 2024, and December 31, 2025, requesting exempt chemical preparation status detailed in 21 CFR 1308.23. This publication addresses preparations through December 31, 2025, that were not included in previous **Federal Register** notices, and it does not affect preparations that have been previously published. Pursuant to the criteria stated in 21 U.S.C. 811(g)(3)(B) and in 21 CFR 1308.23, the Assistant Administrator has found that each of the compounds, mixtures, and preparations described in Chart I below is intended for laboratory, industrial, educational, or special research purposes and not for general administration to a human being or animal and either: (1) contains no narcotic controlled substance and is packaged in such a form or concentration that the packaged quantity does not present any significant potential for abuse; or (2) contains either a narcotic or non-narcotic controlled substance and one or more adulterating or denaturing agents in such a manner, combination, quantity, proportion, or concentration that the preparation or mixture does not present any potential for abuse and, if the preparation or mixture contains a narcotic controlled substance, is formulated in such a manner that it incorporates methods of denaturing or other means so that the preparation or mixture is not liable to be abused or have ill effects, if abused, and so that the narcotic substance cannot in practice be removed.

Accordingly, pursuant to 21 U.S.C. 811(g)(3)(B), 21 CFR 1308.23, and 21 CFR 1308.24, the Assistant Administrator has determined that each of the chemical preparations or mixtures generally described in Chart I below and specifically described in the application materials received by DEA is exempt, to the extent described in 21 CFR 1308.24, from application of sections 302, 303, 305, 306, 307, 308, 309, 1002, 1003, and 1004 (21 U.S.C. 822–823, 825–829, and 952–954) of the CSA, and 21 CFR 1301.74, as of the date that was provided in the approval letters to the individual requesters.

Scope of Approval

The exemptions are applicable only to the precise preparation or mixture described in the application submitted to DEA in the form(s) listed in this order and only for those above-mentioned sections of the CSA and the CFR. In accordance with 21 CFR 1308.24(h), any change in the quantitative or qualitative composition of the preparation or mixture, or change in the trade name or other designation of the preparation or mixture after the date of application requires a new application. The requirements set forth in 21 CFR 1308.24(b)–(e) apply to the exempted materials. In accordance with 21 CFR 1308.24(g), DEA may prescribe requirements other than those set forth in 21 CFR 1308.24(b)–(e) on a case-by-case basis for materials exempted in bulk quantities. Accordingly, in order to limit opportunities for diversion from the larger bulk quantities, DEA has determined that each of the exempted bulk products listed in this order may only be used in-house by the manufacturer, and may not be distributed for any purpose, or transported to other facilities.

Additional exempt chemical preparation requests received between September 1, 2024, and December 31, 2025, and not otherwise referenced in this order or in prior orders, may remain under consideration until DEA receives additional information required, pursuant to 21 CFR 1308.23(d), as detailed in separate correspondence to individual requesters. DEA's order on such requests will be communicated to the public in a future **Federal Register** publication.

DEA also notes that these exemptions are limited to exemption from only those sections of the CSA and the CFR that are specifically identified in 21 CFR 1308.24(a). All other requirements of the CSA and the CFR apply, including registration as an importer as required by 21 U.S.C. 957.

CHART I

Supplier name	Product name	Form	Application date
Absolute Standards, Inc	Amobarbital, 100 ug/mL, in Methanol	Glass ampoule: 1 ml	10/15/2025
Absolute Standards, Inc	Butabarbital, 100 ug/mL, in Methanol	Glass ampoule: 1 ml	10/15/2025
Absolute Standards, Inc	Carisoprodol PT, 1–1000 ug/mL, in Methanol	Glass ampoule: 1 ml	10/15/2025
Absolute Standards, Inc	Ethylmorphine, 100 ug/mL, in Methanol	Glass ampoule: 1 ml	10/15/2025
Absolute Standards, Inc	Hexobarbital, 100 ug/mL, in Methanol	Glass ampoule: 1 ml	10/15/2025
Absolute Standards, Inc	Lysergic acid diethylamide (LSD) PT, 1–50 ug/mL, in Acetonitrile	Glass ampoule: 1 ml	10/15/2025
Absolute Standards, Inc	Lysergic acid diethylamide-D3 (LSD–D3) PT, 1–50 ug/mL, in Acetonitrile.	Glass ampoule: 1 ml	10/15/2025
Absolute Standards, Inc	Meprobamate PT, 1–1000 ug/mL, in Methanol	Glass ampoule: 1 ml	10/15/2025
Absolute Standards, Inc	Methcathinone PT, 1–1000 ug/mL, in Acetonitrile	Glass ampoule: 1 ml	10/15/2025
Absolute Standards, Inc	Methylphenidate, 100 ug/mL, in Methanol	Glass ampoule: 1 ml	10/15/2025
Absolute Standards, Inc	Norbuprenorphine-D3, 100 ug/mL, in Methanol	Glass ampoule: 1 ml	10/15/2025
Accriva Diagnostics, Inc	DirectCHECK Whole Blood Control Catalog: DCGACT–1	15 Glass ampoules: 0.5 mL each.	4/1/2025
Accriva Diagnostics, Inc	DirectCHECK Whole Blood Control Catalog: DCGACT–2	15 Glass ampoules: 0.5 mL each.	4/1/2025
Accriva Diagnostics, Inc	DirectCHECK Whole Blood Control Catalog: DCGLR–1	15 Glass ampoules: 0.5 mL each.	4/1/2025

[1] This authority has been delegated from the Attorney General to the DEA Administrator by 28 CFR 0.100, and subsequently redelegated to the Deputy Assistant Administrator pursuant to 28 CFR 0.104 and Section 7 of the appendix to subpart R of part 0.

CHART I—Continued

Supplier name	Product name	Form	Application date
Accriva Diagnostics, Inc	DirectCHECK Whole Blood Control Catalog: DCGLR–2	15 Glass ampoules: 0.5 mL each.	4/1/2025
Accriva Diagnostics, Inc	DirectCHECK Whole Blood Control Catalog: DCJACT–A	15 Glass ampoules: 0.5 mL each.	4/1/2025
Accriva Diagnostics, Inc	DirectCHECK Whole Blood Control Catalog: DCJACT–N	15 Glass ampoules: 0.5 mL each.	4/1/2025
Accriva Diagnostics, Inc	DirectCHECK Whole Blood Control Catalog: DCJAPTT–A	15 Glass ampoules: 0.5 mL each.	4/1/2025
Accriva Diagnostics, Inc	DirectCHECK Whole Blood Control Catalog: DCJAPTT–N	15 Glass ampoules: 0.5 mL each.	4/1/2025
Accriva Diagnostics, Inc	DirectCHECK Whole Blood Control Catalog: DCJCAPTT–A	15 Glass ampoules: 0.5 mL each.	4/1/2025
Accriva Diagnostics, Inc	DirectCHECK Whole Blood Control Catalog: DCJCPT–A	15 Glass ampoules: 0.5 mL each.	4/1/2025
Accriva Diagnostics, Inc	DirectCHECK Whole Blood Control Catalog: DCJCPT–N	15 Glass ampoules: 0.5 mL each.	4/1/2025
Accriva Diagnostics, Inc	DirectCHECK Whole Blood Control Catalog: DCJLR–A	15 Glass ampoules: 0.5 mL each.	4/1/2025
Accriva Diagnostics, Inc	DirectCHECK Whole Blood Control Catalog: DCJLR–N	15 Glass ampoules: 0.5 mL each.	4/1/2025
Accriva Diagnostics, Inc	DirectCHECK Whole Blood Control Catalog: DCJPT–A	15 Glass ampoules: 0.5 mL each.	4/1/2025
Accriva Diagnostics, Inc	DirectCHECK Whole Blood Control Catalog: DCJPT–N	15 Glass ampoules: 0.5 mL each.	4/1/2025
Alfa Wassermann Diagnostic Technologies, LLC.	T4 Antibody/Substrate Reagent	HDPE Ntrl Bottle: 12 mL	4/8/2025
American Proficiency Institute	Whole Blood Control for Proficiency Testing Catalog: HCA	250–750 Glass ampoules: 0.5 mL each.	7/8/2025
American Proficiency Institute	Whole Blood Control for Proficiency Testing Catalog: HCP	250–750 Glass ampoules: 0.5 mL each.	7/8/2025
American Proficiency Institute	Whole Blood Control for Proficiency Testing Catalog: HJP	250–750 Glass ampoules: 0.5 mL each.	7/8/2025
American Proficiency Institute	Whole Blood Control for Proficiency Testing Catalog: HLR	250–750 Glass ampoules: 0.5 mL each.	7/8/2025
American Proficiency Institute	Whole Blood Control for Proficiency Testing Catalog: HPL	250–750 Glass ampoules: 0.5 mL each.	7/8/2025
ARK Diagnostics, Inc	ARK™ Ketamine II Calibrator (Kit Reference Number 5083–0002–00)	Kit: 5 Dropper Vials, 10 mL each.	5/1/2025
ARK Diagnostics, Inc	ARK™ Ketamine II Calibrator B (Cutoff) (Kit Reference Number 5083–0002–02).	Kit: 2 Dropper Vials, 10 mL each.	5/1/2025
ARK Diagnostics, Inc	ARK™ Ketamine II Calibrator B (Cutoff), Forensic (Kit Reference Number 5083–0005–02).	Kit: 2 Dropper Vials, 10 mL each.	5/1/2025
ARK Diagnostics, Inc	ARK™ Ketamine II Calibrator C (Cutoff) (Kit Reference Number 5083–0002–03).	Kit: 2 Dropper Vials, 10 mL each.	5/1/2025
ARK Diagnostics, Inc	ARK™ Ketamine II Calibrator C (Cutoff), Forensic (Kit Reference Number 5083–0005–03).	Kit: 2 Dropper Vials, 10 mL each.	5/1/2025
ARK Diagnostics, Inc	ARK™ Ketamine II Calibrator, Forensic (Kit Reference Number 5083–0005–00).	Kit: 5 Dropper Vials, 10 mL each.	5/1/2025
ARK Diagnostics, Inc	ARK™ Ketamine II Control (Kit Reference Number 5083–0003–00)	Kit: 4 Dropper Vials, 10 mL each.	5/1/2025
ARK Diagnostics, Inc	ARK™ Ketamine II Control (Kit Reference Number 5083–0003–01)	Kit: 4 Dropper Vials, 10 mL each.	5/1/2025
ARK Diagnostics, Inc	ARK™ Ketamine II Control, Forensic (Kit Reference Number 5083–0006–00).	Kit: 4 Dropper Vials, 10 mL each.	5/1/2025
ARK Diagnostics, Inc	ARK™ Ketamine II Control, Forensic (Kit Reference Number 5083–0006–01).	Kit: 4 Dropper Vials, 10 mL each.	5/1/2025
Audit MicroControls, Inc	Control FD Assayed Chemistry Level 1	Glass Vial: 5.0 mL	5/12/2025
Audit MicroControls, Inc	Control FD Assayed Chemistry Level 1	Kit: 10 glass vials, 5 mL each.	5/12/2025
Audit MicroControls, Inc	Control FD Assayed Chemistry Level 2	Glass Vial: 5.0 mL	5/12/2025
Audit MicroControls, Inc	Control FD Assayed Chemistry Level 2	Kit: 10 glass vials, 5 mL each.	5/12/2025
Audit MicroControls, Inc	Control FD Assayed Chemistry Level 3	Glass Vial: 5.0 mL	5/12/2025
Audit MicroControls, Inc	Control FD Assayed Chemistry Level 3	Kit: 10 glass vials, 5 mL each.	5/12/2025
Audit MicroControls, Inc	Linearity FD Immunoassay for Ortho Vitros Kit	Kit: 5 vials, 5 mL each	9/8/2025
Audit MicroControls, Inc	Linearity FD Immunoassay for Ortho Vitros Set 1 Level A	Vial: 5 mL	9/8/2025
Audit MicroControls, Inc	Linearity FD Immunoassay for Ortho Vitros Set 1 Level B	Vial: 5 mL	9/8/2025
Audit MicroControls, Inc	Linearity FD Immunoassay for Ortho Vitros Set 1 Level C	Vial: 5 mL	9/8/2025
Audit MicroControls, Inc	Linearity FD Immunoassay for Ortho Vitros Set 1 Level D	Vial: 5 mL	9/8/2025
Audit MicroControls, Inc	Linearity FD Immunoassay for Ortho Vitros Set 1 Level E	Vial: 5 mL	9/8/2025
Cayman Chemical Company	(±)-9-nor-9β-hydroxy Hexahydrocannabinol (exempt preparation)	Glass ampule: 1.0 mL	4/29/2025
Cayman Chemical Company	(±)-9-nor-9β-hydroxy Hexahydrocannabinol (exempt preparation) (100 µg/ml Acetonitrile).	Glass vial: 1.0	8/13/2025
Cayman Chemical Company	(±)-9α-hydroxy Hexahydrocannabinol (exempt preparation)	Glass ampule: 1.0 mL	4/29/2025
Cayman Chemical Company	(±)-9α-hydroxy Hexahydrocannabinol (exempt preparation) (100 µg/ml Acetonitrile).	Glass vial: 1.0	8/13/2025
Cayman Chemical Company	(6aR,9R)-Delta-10-Tetrahydrocannabinol Solution 1 mg/mL in Acetonitrile.	Glass ampule: 1 mL	7/1/2025

CHART I—Continued

Supplier name	Product name	Form	Application date
Cayman Chemical Company	1 mg of 2-methylmethcathinone (hydrochloride),1 mg of 3-methylmethcathinone (hydrochloride), and 1 mg of mephedrone (hydrochloride) in 1 mL of methanol.	Glass ampule: 1 mL	10/1/2025
Cayman Chemical Company	1 mg of Δ8–THC–C9 in 1 mL of acetonitrile	Glass ampule: 1 mL	10/1/2025
Cayman Chemical Company	1 mg of Δ9–THCA–B in 1 mL of acetonitrile	Glass ampule: 1 mL	10/1/2025
Cayman Chemical Company	1 mg of Δ9–THCA–B in 1 mL of methanol	Glass ampule: 1 mL	10/1/2025
Cayman Chemical Company	1 mg of Δ9–THCB butanoate in 1 mL of acetonitrile	Glass ampule: 1 mL	10/1/2025
Cayman Chemical Company	1 mg of Δ9–THC–C9 in 1 mL acetonitrile	Glass ampule: 1 mL	10/1/2025
Cayman Chemical Company	10(S)-hydroxy-9(R)-Hexahydrocannabinol (exempt preparation)	Glass ampule: 1.0 mL	4/29/2025
Cayman Chemical Company	10(S)-hydroxy-9(R)-Hexahydrocannabinol (exempt preparation) (100 μg/ml Acetonitrile).	Glass vial: 1.0	8/13/2025
Cayman Chemical Company	100 Mg of 2-methylmethcathinone (hydrochloride), 100 Mg of 3-methylmethcathinone (hydrochloride), and 100 Mg of mephedrone (hydrochloride) in 1 mL of methanol.	Glass ampule: 1 mL	10/1/2025
Cayman Chemical Company	100 ug of Δ9–THCA–B in 1 mL of acetonitrile	Glass ampule: 1 mL	10/1/2025
Cayman Chemical Company	100 ug of Δ9–THCA–B in 1 mL of methanol	Glass ampule: 1 mL	10/1/2025
Cayman Chemical Company	11-hydroxy-9(R)-Hexahydrocannabinol (exempt preparation)	Glass ampule: 1.0 mL	4/29/2025
Cayman Chemical Company	11-hydroxy-9(R)-Hexahydrocannabinol (exempt preparation) (100 μg/ml Acetonitrile).	Glass vial: 1.0	8/13/2025
Cayman Chemical Company	11-hydroxy-9(S)-Hexahydrocannabinol (exempt preparation)	Glass ampule: 1.0 mL	4/29/2025
Cayman Chemical Company	11-hydroxy-9(S)-Hexahydrocannabinol (exempt preparation) (100 μg/ml Acetonitrile).	Glass vial: 1.0	8/13/2025
Cayman Chemical Company	8α,9α-epoxy Hexahydrocannabinol (exempt preparation)	Glass ampule: 1.0 mL	4/29/2025
Cayman Chemical Company	8α,9α-epoxy Hexahydrocannabinol (exempt preparation) (100 μg/ml Acetonitrile).	Glass vial: 1.0	8/13/2025
Cayman Chemical Company	8β,9β-epoxy Hexahydrocannabinol (exempt preparation)	Glass ampule: 1.0 mL	4/29/2025
Cayman Chemical Company	8β,9β-epoxy Hexahydrocannabinol (exempt preparation) (100 μg/ml Acetonitrile).	Glass vial: 1.0	8/13/2025
Cayman Chemical Company	9(R)-Hexahydrocannabinol (CRM)	Glass ampule: 1.0 mL	4/29/2025
Cayman Chemical Company	9(R)-Hexahydrocannabinol methyl ether (exempt preparation)	Glass ampule: 1.0 mL	4/29/2025
Cayman Chemical Company	9(R)-Hexahydrocannabinol-d9 (exempt preparation)	Glass ampule: 1.0 mL	4/29/2025
Cayman Chemical Company	9(R)-Hexahydrocannabinol-d9 (exempt preparation) (100 μg/ml Acetonitrile).	Glass vial: 1.0	8/13/2025
Cayman Chemical Company	9(R)-Hexahydrocannabiphorol (exempt preparation)	Glass ampule: 1.0 mL	4/29/2025
Cayman Chemical Company	9(R)-Hexahydrocannabiphorol methyl ether (exempt preparation)	Glass ampule: 1.0 mL	4/29/2025
Cayman Chemical Company	9(S)-Hexahydrocannabinol (CRM)	Glass ampule: 1.0 mL	4/29/2025
Cayman Chemical Company	9(S)-Hexahydrocannabinol-d9 (exempt preparation)	Glass ampule: 1.0 mL	4/29/2025
Cayman Chemical Company	9(S)-Hexahydrocannabinol-d9 (exempt preparation) (100 μg/ml Acetonitrile).	Glass vial: 1.0	8/13/2025
Cayman Chemical Company	9(S)-Hexahydrocannabiphorol (exempt preparation)	Glass ampule: 1.0 mL	4/29/2025
Cayman Chemical Company	9(S)-Hexahydrocannabiphorol methyl ether (exempt preparation)	Glass ampule: 1.0 mL	4/29/2025
Cayman Chemical Company	9R-Hexahydrocannabinol Solution 1 mg/mL in Acetonitrile	Glass ampule: 1 mL	7/1/2025
Cayman Chemical Company	9α,10α-Epoxyhexahydrocannabinol (exempt preparation)	Glass ampule: 1.0 mL	4/29/2025
Cayman Chemical Company	9α,10α-Epoxyhexahydrocannabinol (exempt preparation) (100 μg/ml Acetonitrile).	Glass vial: 1.0	8/13/2025
Cayman Chemical Company	9β,10β-epoxy Hexahydrocannabinol (exempt preparation)	Glass ampule: 1.0 mL	4/29/2025
Cayman Chemical Company	9β,10β-epoxy Hexahydrocannabinol (exempt preparation) (100 μg/ml Acetonitrile).	Glass vial: 1.0	8/13/2025
Cayman Chemical Company	Alprazolam (CRM) 1 mg/mL in methanol	Glass Ampule: 0.5 mL	12/9/2025
Cayman Chemical Company	Alprazolam (CRM) 500 μg/mL in methanol	Glass Ampule: 1 mL	12/9/2025
Cayman Chemical Company	Clonazepam (CRM) 1 mg/mL in acetonitrile	Glass Ampule: 0.5 mL	12/9/2025
Cayman Chemical Company	Clonazepam (CRM) 500 μg/mL in acetonitrile	Glass Ampule: 1 mL	12/9/2025
Cayman Chemical Company	Delta-8-Tetrahydrocannabinol Solution 1 mg/mL in Methanol	Glass ampule: 1 mL	7/1/2025
Cayman Chemical Company	Delta-9 Tetrahydrocannabivarinic Acid Solution 1 mg/mL in Acetonitrile	Glass ampule: 1 mL	7/1/2025
Cayman Chemical Company	Delta-9-Tetrahydrocannabinolic Acid Solution 1 mg/mL in Acetonitrile	Glass ampule: 1 mL	7/1/2025
Cayman Chemical Company	Delta-9-Tetrahydrocannabinon Solution 1 mg/mL in Methanol	Glass ampule: 1 mL	7/1/2025
Cayman Chemical Company	exo-Tetrahydrocannabivarin methyl ether (exempt preparation), 1 mg/ml in acetonitrile.	Glass vial: 1.0 mL	4/7/2025
Cayman Chemical Company	exo-Tetrahydrocannabivarin methyl ether (exempt preparation), 100 μg/ml in acetonitrile.	Glass vial: 1.0 mL	4/7/2025
Cayman Chemical Company	exo-THC methyl ether (exempt preparation), 1 mg/ml in acetonitrile	Glass vial: 1.0 mL	4/7/2025
Cayman Chemical Company	exo-THC methyl ether (exempt preparation), 100 μg/ml in acetonitrile	Glass vial: 1.0 mL	4/7/2025
Cayman Chemical Company	exo-THCP methyl ether (exempt preparation), 1 mg/ml in acetonitrile	Glass vial: 1.0 mL	4/7/2025
Cayman Chemical Company	exo-THCP methyl ether (exempt preparation), 100 μg/ml in acetonitrile	Glass vial: 1.0 mL	4/7/2025
Cayman Chemical Company	Lormetazepam (CRM), 1 mg/mL in methanol	Glass ampule: 1.0 mL	9/23/2025
Cayman Chemical Company	meta-Fluorofentanyl-d5 (hydrochloride) (exempt preparation) 100 μg/mL in methanol.	Glass vial: 1.0 mL	4/18/2025
Cayman Chemical Company	meta-methyl Acetyl fentanyl (hydrochloride) (exempt preparation) 100 μg/mL in methanol.	Glass vial: 1.0 mL	4/18/2025
Cayman Chemical Company	meta-Methylfentanyl-d5 (hydrochloride) (exempt preparation) 100 μg/mL in methanol.	Glass vial: 1.0 mL	4/18/2025
Cayman Chemical Company	ortho-Fluorofentanyl-d5 (hydrochloride) (exempt preparation) 100 μg/mL in methanol.	Glass vial: 1.0 mL	4/18/2025
Cayman Chemical Company	ortho-methyl Acetyl fentanyl (hydrochloride) (exempt preparation) 100 μg/mL in methanol.	Glass vial: 1.0 mL	4/18/2025
Cayman Chemical Company	para-methyl Acetyl fentanyl (hydrochloride) (exempt preparation) 100 μg/mL in methanol.	Glass vial: 1.0 mL	4/18/2025
Cayman Chemical Company	para-Methylfentanyl-d5 (hydrochloride) (exempt preparation) 100 μg/mL in methanol.	Glass vial: 1.0 mL	4/18/2025
Cayman Chemical Company	Phytocannabinoid Acids Mixture 6 Solution 1 mg/mL in 99:1 acetonitrile/DIPEA stabilized with 0.05% ascorbic acid.	Glass ampule: 1 mL	7/1/2025

CHART I—Continued

Supplier name	Product name	Form	Application date
Cayman Chemical Company	Phytocannabinoid Neutrals Mixture 8 Solution 1 mg/mL in Acetonitrile	Glass ampule: 1 mL	7/1/2025
Cayman Chemical Company	Protonitazene-d7 (CRM) (100 µg/ml Methanol)	Glass vial: 1.0	8/13/2025
Cayman Chemical Company	Tetrahydrocannabivarin Solution 1 mg/mL in Methanol	Glass ampule: 1 mL	7/1/2025
Cayman Chemical Company	α'-hydroxy Fentanyl (exempt preparation) (100 µg/ml Methanol)	Glass vial: 1.0	8/13/2025
Cayman Chemical Company	α-Pyrrolidinoisohexanophenone-d8 (hydrochloride) (CRM) (100 µg/ml Methanol).	Glass vial: 1.0	8/13/2025
Cayman Chemical Company	Δ8–THC methyl ether (exempt preparation), 1 mg/ml in acetonitrile	Glass vial: 1.0 mL	4/7/2025
Cayman Chemical Company	Δ8–THC-methylcarbonate (exempt preparation), 1 mg/ml in acetonitrile	Glass vial: 1.0 mL	4/7/2025
Cayman Chemical Company	Δ8–THCP-d3 (exempt preparation) (1 mg/ml Acetonitrile)	Glass vial: 1.0	8/13/2025
Cayman Chemical Company	Δ8–THCP-d3 (exempt preparation) (100 µg/ml Acetonitrile)	Glass vial: 1.0	8/13/2025
Cayman Chemical Company	Δ9–THC methyl ether (exempt preparation), 1 mg/ml in 99:1 CAN:DIPEA.	Glass vial: 1.0 mL	4/7/2025
Cayman Chemical Company	Δ9–THC methyl ether (exempt preparation), 1 mg/ml in acetonitrile	Glass vial: 1.0 mL	4/7/2025
Cayman Chemical Company	Δ9–THC methyl ether (exempt preparation), 1 mg/ml in methanol	Glass vial: 1.0 mL	4/7/2025
Cayman Chemical Company	Δ9–THC methyl ether (exempt preparation), 100 µg/ml in 99:1 CAN:DIPEA.	Glass vial: 1.0 mL	4/7/2025
Cayman Chemical Company	Δ9–THC-methylcarbonate (exempt preparation), 1 mg/ml in 99:1 CAN:DIPEA.	Glass vial: 1.0 mL	4/7/2025
Cayman Chemical Company	Δ9–THC-methylcarbonate (exempt preparation), 1 mg/ml in acetonitrile	Glass vial: 1.0 mL	4/7/2025
Cayman Chemical Company	Δ9–THC-methylcarbonate (exempt preparation), 100 µg/ml in 99:1 CAN:DIPEA.	Glass vial: 1.0 mL	4/7/2025
Cayman Chemical Company	Δ9–THC-methylcarbonate (exempt preparation), 100 µg/ml in acetonitrile.	Glass vial: 1.0 mL	4/7/2025
Cayman Chemical Company	Δ9–THCP-d3 (exempt preparation) (1 mg/ml Acetonitrile)	Glass vial: 1.0	8/13/2025
Cayman Chemical Company	Δ9–THCP-d3 (exempt preparation) (100 µg/ml Acetonitrile)	Glass vial: 1.0	8/13/2025
Cerilliant Corporation	3'-fluoro ortho-Fluorofentanyl HCl: 0.1 mg/mL in 0.5 mL solvent	Glass Ampule: 0.5 ml	8/13/2025
Cerilliant Corporation	3'-Fluorofentanyl HCl: 0.1 mg/mL in 0.5 mL solvent	Glass Ampule: 0.5 ml	8/13/2025
Cerilliant Corporation	4-Chloromethcathionone HCl (4–CMC HCl)	Glass ampule: 1 mL	12/17/2025
Cerilliant Corporation	Brivaracetam: 1.0 mg/mL in 1 mL solvent	Glass Ampule: 1 ml	8/13/2025
Cerilliant Corporation	Cannabinoid Mixture (Neutrals) 8 Component Solution HC: 1.0 mg/mL in 0.5 mL Solvent.	Glass Ampule: 0.5 ml	8/13/2025
Cerilliant Corporation	Cannabinoid Mixture (Acids) 6 Component Solution HC: 1.0 mg/mL in 0.5 mL Solvent.	Glass Ampule: 0.5 ml	8/13/2025
Cerilliant Corporation	FEN Validation Sample Set 1	Set: 3 tubes, 10 ml each	7/18/2025
Cerilliant Corporation	FEN Validation Sample Set 2	Set: 9 tubes, 10 ml each	7/18/2025
Cerilliant Corporation	FEN Validation Sample Set 3	Set: 4 tubes, 30 ml each	7/18/2025
Cerilliant Corporation	FEN Validation Sample Set 4	Set: 2 tubes,10 ml each	7/18/2025
Cerilliant Corporation	FEN Validation Sample Set 5	Set: 52 vials, 1 ml each	7/18/2025
Cerilliant Corporation	LC–ABZ & ABZ+BT Mix#2&3	Glass ampule: 1 mL	11/6/2025
Cerilliant Corporation	meta-Fluoro acrylfetanyl HCl: 0.1 mg/mL in 1 mL solvent	Glass Ampule: 1 ml	8/13/2025
Cerilliant Corporation	Phenmetrazine HCl: 0.1 mg/mL in solvent	Glass Ampule: 1 ml	8/13/2025
CFSAA—RTI International	12198–102–8	Glass tube: 7 ml	7/30/2025
CFSAA—RTI International	12198–102–9	Glass tube: 7 ml	7/30/2025
Chiron AS	(-)-trans-Δ9–THC (in methanol)	Glass ampule: 1 mL	11/10/2025
Chiron AS	(-)-trans-Δ9–THC–13C4 (pentyl-2,3,4,5–13C4) (in methanol)	Glass ampule: 1 mL	11/10/2025
Chiron AS	(-)-trans-Δ9–THC-d3 (pentyl-5,5,5-d3) (in methanol)	Glass ampule: 1 mL	11/10/2025
Chiron AS	(±)-MDA hydrochloride (in methanol)	Glass ampule: 1 mL	11/10/2025
Chiron AS	(±)-MDA-d5 hydrochloride (alpha-methyl-d3-ethylamine-1,2-d2) (in methanol).	Glass ampule: 1 mL	11/10/2025
Chiron AS	(±)-MDMA hydrochloride (in methanol)	Glass ampule: 1 mL	11/10/2025
Chiron AS	(±)-Methadone hydrochloride (in methanol)	Glass ampule: 1 mL	11/10/2025
Chiron AS	(±)-trans-11-Nor-9-carboxy-Δ9–THC-d3 (pentyl-5,5,5-d3) (in methanol)	Glass ampule: 1 mL	11/10/2025
Chiron AS	Benzoylecgonine (in methanol)	Glass ampule: 1 mL	11/10/2025
Chiron AS	Benzoylecgonine-d3 tetrahydrate (N-methyl-d3) (in methanol)	Glass ampule: 1 mL	11/10/2025
Chiron AS	Cocaine hydrochloride (in methanol)	Glass ampule: 1 mL	11/10/2025
Chiron AS	Codeine (free base) (in methanol)	Glass ampule: 1 mL	11/10/2025
Chiron AS	Dihydrocodeine-d6 hydrochloride (N-methyl-d3, methoxy-d3 (in methanol).	Glass ampule: 1 mL	11/10/2025
Chiron AS	DL-Amphetamine (free base) (in methanol)	Glass ampule: 1 mL	11/10/2025
Chiron AS	DL-Methamphetamine hydrochloride (in methanol)	Glass ampule: 1 mL	11/10/2025
Chiron AS	Morphine monohydrate (in methanol)	Glass ampule: 1 mL	11/10/2025
Chiron AS	Morphine-d3 hydrochloride (N-methyl-d3) (in methanol)	Glass ampule: 1 mL	11/10/2025
Chromsystems Instruments and Chemicals GmbH.	3PLUS1® Multilevel Plasma Calibrator Set (92025–XT2)	4 Vials: 1 mL each	7/8/2025
Chromsystems Instruments and Chemicals GmbH.	MassCheck® Antiepileptic Drugs XT2 Plasma Control Set Level 1 (0250–XT2).	5 Vials: 1 mL each	7/8/2025
Chromsystems Instruments and Chemicals GmbH.	MassCheck® Antiepileptic Drugs XT2 Plasma Control Set Level 2 (0251–XT2).	5 Vials: 1 mL each	7/8/2025
Cliniqa Corporation	Multi Constituent Calibrator (MCC) Master Calibrator (or other Description) Level 1.	Bottle/vial: 5 mL—2 L	4/30/2025
Cliniqa Corporation	Multi Constituent Calibrator (MCC) Master Calibrator (or other Description) Level 2.	Bottle/vial: 5 mL—2 L	4/30/2025
Cliniqa Corporation	Multi Constituent Calibrator (MCC) Master Calibrator (or other Description) Level 3.	Bottle/vial: 5 mL—2 L	4/30/2025
Cliniqa Corporation	Multi Constituent Calibrator (MCC) Master Calibrator (or other Description) Level 4.	Bottle/vial: 5 mL—2 L	4/30/2025
Cliniqa Corporation	Multi Constituent Calibrator (MCC) Master Calibrator (or other Description) Level 5.	Bottle/vial: 5 mL—2 L	4/30/2025
Cliniqa Corporation	Multi Constituent Calibrator (MCC) Master Calibrator (or other Description) Level 6.	Bottle/vial: 5 mL—2 L	4/30/2025

CHART I—Continued

Supplier name	Product name	Form	Application date
College of American Pathologists	Whole Blood Control for Proficiency Testing Catalog: CT2	250–750 Glass ampoules: 0.5 mL each.	7/8/2025
College of American Pathologists	Whole Blood Control for Proficiency Testing Catalog: CT3	250–750 Glass ampoules: 0.5 mL each.	7/8/2025
College of American Pathologists	Whole Blood Control for Proficiency Testing Catalog: CT3Q	250–750 Glass ampoules: 0.5 mL each.	7/8/2025
College of American Pathologists	Whole Blood Control for Proficiency Testing Catalog: POC15	250–750 Glass ampoules: 0.5 mL each.	7/8/2025
College of American Pathologists	Whole Blood Control for Proficiency Testing Catalog: POC16	250–750 Glass ampoules: 0.5 mL each.	7/8/2025
College of American Pathologists	Whole Blood Control for Proficiency Testing Catalog: WP4	250–750 Glass ampoules: 0.5 mL each.	7/8/2025
College of American Pathologists	Whole Blood Control for Proficiency Testing Catalog: WP6	250–750 Glass ampoules: 0.5 mL each.	7/8/2025
College of American Pathologists	Whole Blood Control for Proficiency Testing Catalog:CT2Q	250–750 Glass ampoules: 0.5 mL each.	7/8/2025
College of American Pathologists (CAP)	2026 DMPM–01	HDPE bottle: 40 ml	7/29/2025
College of American Pathologists (CAP)	2026 DMPM–02	HDPE bottle: 40 ml	7/29/2025
College of American Pathologists (CAP)	2026 DMPM–03	HDPE bottle: 40 ml	7/29/2025
College of American Pathologists (CAP)	2026 DMPM–05	HDPE bottle: 40 ml	7/29/2025
College of American Pathologists (CAP)	2026 DMPM–06	HDPE bottle: 40 ml	7/29/2025
College of American Pathologists (CAP)	2026 DMPM–07	HDPE bottle: 40 ml	7/29/2025
College of American Pathologists (CAP)	2026 FTC–03	HDPE bottle: 20 ml	7/29/2025
College of American Pathologists (CAP)	2026 FTC–04	HDPE bottle: 20 ml	7/29/2025
College of American Pathologists (CAP)	2026 FTC–06	HDPE bottle: 20 ml	7/29/2025
College of American Pathologists (CAP)	2026 FTC–07	HDPE bottle: 20 ml	7/29/2025
College of American Pathologists (CAP)	2026 FTC–08	HDPE bottle: 20 ml	7/29/2025
College of American Pathologists (CAP)	2026 FTC–10	HDPE bottle: 20 ml	7/29/2025
College of American Pathologists (CAP)	2026 FTC–11	HDPE bottle: 20 ml	7/29/2025
College of American Pathologists (CAP)	2026 FTC–12	HDPE bottle: 20 ml	7/29/2025
College of American Pathologists (CAP)	2026 FTC–13	HDPE bottle: 20 ml	7/29/2025
College of American Pathologists (CAP)	2026 FTC–14	HDPE bottle: 20 ml	7/29/2025
College of American Pathologists (CAP)	2026 FTC–15	HDPE bottle: 20 ml	7/29/2025
College of American Pathologists (CAP)	2026 NOB–01	Amber glass vial: 15 mL	7/17/2025
College of American Pathologists (CAP)	2026 NOB–02	Amber glass vial: 15 mL	7/17/2025
College of American Pathologists (CAP)	2026 NOB–03	Amber glass vial: 15 mL	7/17/2025
College of American Pathologists (CAP)	2026 NOB–04	Amber glass vial: 15 mL	7/17/2025
College of American Pathologists (CAP)	2026 NOB–05	Amber glass vial: 15 mL	7/17/2025
College of American Pathologists (CAP)	2026 NOB–06	Amber glass vial: 15 mL	7/17/2025
College of American Pathologists (CAP)	2026 OFD–01	HDPE vial: 2 ml	7/29/2025
College of American Pathologists (CAP)	2026 OFD–02	HDPE vial: 2 ml	7/29/2025
College of American Pathologists (CAP)	2026 OFD–03	HDPE vial: 2 ml	7/29/2025
College of American Pathologists (CAP)	2026 OFD–04	HDPE vial: 2 ml	7/29/2025
College of American Pathologists (CAP)	2026 OFD–05	HDPE vial: 2 ml	7/29/2025
College of American Pathologists (CAP)	2026 OFD–06	HDPE vial: 2 ml	7/29/2025
College of American Pathologists (CAP)	2026 OFD–07	HDPE vial: 2 ml	7/29/2025
College of American Pathologists (CAP)	2026 OFD–08	HDPE vial: 2 ml	7/29/2025
College of American Pathologists (CAP)	2026 OFD–09	HDPE vial: 2 ml	7/29/2025
College of American Pathologists (CAP)	2026 OFD–10	HDPE vial: 2 ml	7/29/2025
College of American Pathologists (CAP)	2026 OFD–11	HDPE vial: 2 ml	7/29/2025
College of American Pathologists (CAP)	2026 OFD–12	HDPE vial: 2 ml	7/29/2025
College of American Pathologists (CAP)	2026 OFD–13	HDPE vial: 2 ml	7/29/2025
College of American Pathologists (CAP)	2026 OFD–14	HDPE vial: 2 ml	7/29/2025
College of American Pathologists (CAP)	2026 OFD–15	HDPE vial: 2 ml	7/29/2025
College of American Pathologists (CAP)	2026 OFD–16	HDPE vial: 2 ml	7/29/2025
College of American Pathologists (CAP)	2026 OFD–17	HDPE vial: 2 ml	7/29/2025
College of American Pathologists (CAP)	2026 OFD–18	HDPE vial: 2 ml	7/29/2025
College of American Pathologists (CAP)	2026 OFD–19	HDPE vial: 2 ml	7/29/2025
College of American Pathologists (CAP)	2026 OFD–20	HDPE vial: 2 ml	7/29/2025
College of American Pathologists (CAP)	2026 SCDD–01	HDPE bottle: 10 mL	7/17/2025
College of American Pathologists (CAP)	2026 SCDD–02	HDPE bottle: 10 mL	7/17/2025
College of American Pathologists (CAP)	2026 SCDD–03	HDPE bottle: 10 mL	7/17/2025
College of American Pathologists (CAP)	2026 SCDD–04	HDPE bottle: 10 mL	7/17/2025
College of American Pathologists (CAP)	2026 SCDD–06	HDPE bottle: 10 mL	7/17/2025
College of American Pathologists (CAP)	2026 T–01	HDPE bottle: 20 ml	7/29/2025
College of American Pathologists (CAP)	2026 T–02	HDPE bottle: 20 ml	7/29/2025
College of American Pathologists (CAP)	2026 T–03	HDPE bottle: 20 ml	7/29/2025
College of American Pathologists (CAP)	2026 T–07	HDPE bottle: 20 ml	7/29/2025
College of American Pathologists (CAP)	2026 T–09	HDPE bottle: 20 ml	7/29/2025
College of American Pathologists (CAP)	2026 T–10	HDPE bottle: 50 ml	7/29/2025
College of American Pathologists (CAP)	2026 T–12	HDPE bottle: 20 ml	7/29/2025
College of American Pathologists (CAP)	2026 T–14	HDPE bottle: 20 ml	7/29/2025
College of American Pathologists (CAP)	2026 T–15	HDPE bottle: 50 ml	7/29/2025
College of American Pathologists (CAP)	2026 THCB–01	Glass vial: 10 ml	7/29/2025
College of American Pathologists (CAP)	2026 THCB–02	Glass vial: 10 ml	7/29/2025
College of American Pathologists (CAP)	2026 THCB–03	Glass vial: 10 ml	7/29/2025
College of American Pathologists (CAP)	2026 THCB–04	Glass vial: 10 ml	7/29/2025
College of American Pathologists (CAP)	2026 THCB–05	Glass vial: 10 ml	7/29/2025
College of American Pathologists (CAP)	2026 THCB–06	Glass vial: 10 ml	7/29/2025
College of American Pathologists (CAP)	2026 UDS–01	HDPE bottle: 10 ml	7/29/2025

CHART I—Continued

Supplier name	Product name	Form	Application date
College of American Pathologists (CAP)	2026 UDS–02	HDPE bottle: 10 ml	7/29/2025
College of American Pathologists (CAP)	2026 UDS–03	HDPE bottle: 10 ml	7/29/2025
College of American Pathologists (CAP)	2026 UDS–04	HDPE bottle: 10 ml	7/29/2025
College of American Pathologists (CAP)	2026 UDS–05	HDPE bottle: 10 ml	7/29/2025
College of American Pathologists (CAP)	2026 UDS–06	HDPE bottle: 10 ml	7/29/2025
College of American Pathologists (CAP)	2026 UDS–07	HDPE bottle: 10 ml	7/29/2025
College of American Pathologists (CAP)	2026 UDS–08	HDPE bottle: 10 ml	7/29/2025
College of American Pathologists (CAP)	2026 UDS–09	HDPE bottle: 10 ml	7/29/2025
College of American Pathologists (CAP)	2026 UDS–10	HDPE bottle: 10 ml	7/29/2025
College of American Pathologists (CAP)	2026 UDS–11	HDPE bottle: 10 ml	7/29/2025
College of American Pathologists (CAP)	2026 UDS–12	HDPE bottle: 10 ml	7/29/2025
College of American Pathologists (CAP)	2026 UDS–13	HDPE bottle: 10 ml	7/29/2025
College of American Pathologists (CAP)	2026 UDS–14	HDPE bottle: 10 ml	7/29/2025
College of American Pathologists (CAP)	2026 UDS–15	HDPE bottle: 10 ml	7/29/2025
College of American Pathologists (CAP)	2026 UT–01	HDPE bottle: 50 ml	7/29/2025
College of American Pathologists (CAP)	2026 UT–02	HDPE bottle: 50 ml	7/29/2025
College of American Pathologists (CAP)	2026 UT–05	HDPE bottle: 50 ml	7/29/2025
College of American Pathologists (CAP)	2026 UT–06	HDPE bottle: 50 ml	7/29/2025
College of American Pathologists (CAP)	2026 UT–07	HDPE bottle: 50 ml	7/29/2025
College of American Pathologists (CAP)	2026 UT–09	HDPE bottle: 50 ml	7/29/2025
College of American Pathologists (CAP)	2026 UT–11	HDPE bottle: 50 ml	7/29/2025
College of American Pathologists (CAP)	2026 UT–12	HDPE bottle: 50 ml	7/29/2025
College of American Pathologists (CAP)	2026 UT–13	HDPE bottle: 50 ml	7/29/2025
College of American Pathologists (CAP)	2026 UT–15	HDPE bottle: 50 ml	7/29/2025
College of American Pathologists (CAP)	2026 UTCO–01	HDPE bottle: 40 ml	7/29/2025
College of American Pathologists (CAP)	2026 ZE–01	Glass vial: 5 ml	7/29/2025
College of American Pathologists (CAP)	2026 ZE–02	Glass vial: 5 ml	7/29/2025
College of American Pathologists (CAP)	2026 ZE–03	Glass vial: 5 ml	7/29/2025
College of American Pathologists (CAP)	2026 ZE–04	Glass vial: 5 ml	7/29/2025
College of American Pathologists (CAP)	2026 ZE–05	Glass vial: 5 ml	7/29/2025
College of American Pathologists (CAP)	2026 ZE–06	Glass vial: 5 ml	7/29/2025
Helena Laboratories	SPIFE Nexus Alkaline Phosphatase (ALP) Kit, Cat. No. 2345, 2346	Kit: 10 gels	4/29/2025
LGC—Dr. Ehrenstorfer	Custom 1-Methylamino-1-(3,4-methylenedioxyphenyl)-propane Hydrochloride 10 ug/mL in Acetonitrile.	Pack: 5 ampules, 1 mL each	9/24/2025
LGC—Dr. Ehrenstorfer	Custom 1-Methylamino-1-(3,4-methylenedioxyphenyl)-propane Hydrochloride 10 ug/mL in Acetonitrile Hydrochloride 10 ug/mL in Acetonitrile.	Amber glass ampule: 1 mL	9/24/2025
LGC—Dr. Ehrenstorfer	Custom Pharmaceutical Mixture 5–17941 (100 ug/mL in Methanol)	Clamshell: 3 vials, 1 mL each.	9/12/2025
LGC Clinical Diagnostics, Inc	Fertility 1 ab Bulk—Level 1	Volumetric glassware: 8,000 mL.	9/5/2024
LGC Clinical Diagnostics, Inc	Fertility 1 ab Bulk—Level 2	Volumetric glassware: 8,000 mL.	9/5/2024
LGC Clinical Diagnostics, Inc	Fertility 1 ab Bulk—Level 3	Volumetric glassware: 8,000 mL.	9/5/2024
LGC Clinical Diagnostics, Inc	Fertility 1 ab Bulk—Level 4	Volumetric glassware: 8,000 mL.	9/5/2024
LGC Clinical Diagnostics, Inc	Fertility 1 ab Bulk—Level 5	Volumetric glassware: 8,000 mL.	9/5/2024
LGC Clinical Diagnostics, Inc	Fertility 1 ab WrkBlk—Level 1	Volumetric glassware: 200–20,000 mL.	9/5/2024
LGC Clinical Diagnostics, Inc	Fertility 1 ab WrkBlk—Level 5	Volumetric glassware: 200–20,000 mL.	9/5/2024
LGC Clinical Diagnostics, Inc	Fertility 1 re Bulk—Level 1	Volumetric glassware: 8,000 mL.	9/5/2024
LGC Clinical Diagnostics, Inc	Fertility 1 re Bulk—Level 2	Volumetric glassware: 8,000 mL.	9/5/2024
LGC Clinical Diagnostics, Inc	Fertility 1 re Bulk—Level 3	Volumetric glassware: 8,000 mL.	9/5/2024
LGC Clinical Diagnostics, Inc	Fertility 1 re Bulk—Level 4	Volumetric glassware: 8,000 mL.	9/5/2024
LGC Clinical Diagnostics, Inc	Fertility 1 re Bulk—Level 5	Volumetric glassware: 8,000 mL.	9/5/2024
LGC Clinical Diagnostics, Inc	Fertility 1 re WrkBlk—Level 1	Volumetric glassware: 200–20,000 mL.	9/5/2024
LGC Clinical Diagnostics, Inc	Fertility 1 re WrkBlk—Level 5	Volumetric glassware: 200–20,000 mL.	9/5/2024
LGC Clinical Diagnostics, Inc	VALIDATE Fertility 1 Test Set 502ab	5 Bottles: 3 mL each	9/5/2024
LGC Clinical Diagnostics, Inc	VALIDATE Fertility 1 Test Set 502re	5 Bottles: 4 mL each	9/5/2024
LGC Clinical Diagnostics, Inc	VALIDATE LCMS Steroids 1003ro Bulk Level 1	Plastic/Nalgene bottles or carboys: 3,600 mL.	10/24/2025
LGC Clinical Diagnostics, Inc	VALIDATE LCMS Steroids 1003ro Bulk Level 2	Plastic/Nalgene bottles or carboys: 3,600 mL.	10/24/2025
LGC Clinical Diagnostics, Inc	VALIDATE LCMS Steroids 1003ro Bulk Level 3	Plastic/Nalgene bottles or carboys: 3,600 mL.	10/24/2025
LGC Clinical Diagnostics, Inc	VALIDATE LCMS Steroids 1003ro Bulk Level 4	Plastic/Nalgene bottles or carboys: 3,600 mL.	10/24/2025
LGC Clinical Diagnostics, Inc	VALIDATE LCMS Steroids 1003ro Bulk Level 5	Plastic/Nalgene bottles or carboys: 3,600 mL.	10/24/2025
LGC Clinical Diagnostics, Inc	VALIDATE LCMS Steroids 1003ro Working Bulk Level 1	Plastic/Nalgene bottles or carboys: 9,000 mL.	10/24/2025

CHART I—Continued

Supplier name	Product name	Form	Application date
LGC Clinical Diagnostics, Inc	VALIDATE LCMS Steroids 1003ro Working Bulk Level 5	Plastic/Nalgene bottles or carboys: 9,000 mL.	10/24/2025
LGC Clinical Diagnostics, Inc	VALIDATE LCMS Steroids Level 1	Plastic dropper bottle: 6 mL	10/24/2025
LGC Clinical Diagnostics, Inc	VALIDATE LCMS Steroids Level 2	Plastic dropper bottle: 6 mL	10/24/2025
LGC Clinical Diagnostics, Inc	VALIDATE LCMS Steroids Level 3	Plastic dropper bottle: 6 mL	10/24/2025
LGC Clinical Diagnostics, Inc	VALIDATE LCMS Steroids Level 4	Plastic dropper bottle: 6 mL	10/24/2025
LGC Clinical Diagnostics, Inc	VALIDATE LCMS Steroids Level 5	Plastic dropper bottle: 6 mL	10/24/2025
LGC Clinical Diagnostics, Inc	VALIDATE LCMS TDM1 Bulk Level 1	Plastic/Nalgene bottles or carboys: 3,600 mL.	10/24/2025
LGC Clinical Diagnostics, Inc	VALIDATE LCMS TDM1 Bulk Level 2	Plastic/Nalgene bottles or carboys: 3,600 mL.	10/24/2025
LGC Clinical Diagnostics, Inc	VALIDATE LCMS TDM1 Bulk Level 3	Plastic/Nalgene bottles or carboys: 3,600 mL.	10/24/2025
LGC Clinical Diagnostics, Inc	VALIDATE LCMS TDM1 Bulk Level 4	Plastic/Nalgene bottles or carboys: 3,600 mL.	10/24/2025
LGC Clinical Diagnostics, Inc	VALIDATE LCMS TDM1 Bulk Level 5	Plastic/Nalgene bottles or carboys: 3,600 mL.	10/24/2025
LGC Clinical Diagnostics, Inc	VALIDATE LCMS TDM1 Level 1	Plastic dropper bottle: 6 mL	10/24/2025
LGC Clinical Diagnostics, Inc	VALIDATE LCMS TDM1 Level 2	Plastic dropper bottle: 6 mL	10/24/2025
LGC Clinical Diagnostics, Inc	VALIDATE LCMS TDM1 Level 3	Plastic dropper bottle: 6 mL	10/24/2025
LGC Clinical Diagnostics, Inc	VALIDATE LCMS TDM1 Level 4	Plastic dropper bottle: 6 mL	10/24/2025
LGC Clinical Diagnostics, Inc	VALIDATE LCMS TDM1 Level 5	Plastic dropper bottle: 6 mL	10/24/2025
LGC Clinical Diagnostics, Inc	VALIDATE LCMS TDM1 Working Bulk Level 1	Plastic/Nalgene bottles or carboys: 9,000 mL.	10/24/2025
LGC Standards	(-)-a-Acetylmethadol Hydrochloride (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	(-)-a-Methadol (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	(+)-19-Norandrost-4-ene-3,17-dione (1mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	(+)-Tramadol-d6 Hydrochloride (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	(R)-Ketamine Hydrochloride (1.0mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	(S)-Ketamine Hydrochloride (1.0mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	(S)-Ketamine-d6 Hydrochloride (1.0mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	(S)-Methadone Hydrochloride (1.0mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	10-Oxo Naloxone (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	17α-Methyl Testosterone (1.0 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	2,3-Thioepoxy Madol (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	3–O-(Codein-2-yl)morphine (1.0mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	4-Hydroxy Nandrolone (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	4-Hydroxy Testosterone (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	5a-Androstane-3a,17b-diol (1.0mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	5a-Dihydro Testosterone Undecanoate (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	6-Acetyl Morphine (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	6alpha-Oxycodol (1mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Allobarbital-d10 (1mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Alphaprodine Hydrochloride (1.0 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Amineptine (1.0mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Aminorex (1 mg/ml in Acetronitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Androstenedione-d3 (1.0 mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Anileridine (1.0 mg/mL in ethyl acetate)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Barbital-d5 (1.0mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Boldenone Undecylenate (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Boldenone-d3 (1.0 mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Boldione (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Buprenorphine N-oxide (1.0mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Butobarbital (1.0 mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Chlordiazepoxide (1.0 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Clobazam-13C6 (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Clonitazene (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Clorazepate Dipotassium (1.0mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Clostebol (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Clotiazepam (1 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Codeine (1.0 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Delorazepam (100 ug/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Diazepam (1mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Diethylpropion Hydrochloride (1.0 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Diethylpropion Hydrochloride (1mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Dihydrocodeine Phosphate (1.0mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Diphenoxylate Hydrochloride (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	D-threo-Methylphenidate Hydrochloride (1.0mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Ecgonidine Methyl Ester (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Ethyl Loflazepate (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Ethyl Morphine 6-b-D-Glucuronide (1.0mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Fencamfamin Hydrochloride (1 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Fentanyl-d5 (100 ug/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Fludiazepam (1 mg/mL in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Hydrocodone (1.0mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Ketamine Hydrochloride (1.0 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	L-Cocaine (1.0 mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Levorphanol L-Tartrate (1.0 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Loprazolam (100 ug/mL in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Lorazepam (1.0 mg/mL in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025

CHART I—Continued

Supplier name	Product name	Form	Application date
LGC Standards	MDPV Hydrochloride (1 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Mephedrone Hydrochloride (1.0 mg/mL in methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Mephedrone-d3 Hydrochloride (100ug/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Meprobamate-d3 (100 ug/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Methandrostenolone-d3 (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Methcathinone Hydrochloride (1.0 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Methyprylon (1.0 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Metribolone (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	m-Hydroxycocaine (1.0 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Midazolam (1.0 mg/mL in methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Midazolam-d6 (1.0 mg/mL in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Morphine (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Morphine 3-b-D-Glucuronide (1.0 mg/mL in Methanol w/0.05% NaOH)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Morphine 6-b-D-Glucuronide (1.0 mg/mL in Water:Methanol 80:20)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Morphine-d3 (100 µg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Nandrolone (1.0 mg/mL in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Nandrolone-d3 (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	N-Benzylpiperazine Dihydrochloride (1.0 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Norbolethone (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Norclostebol (1.0 mg/mL in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Nordazepam-d5 (1.0 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Norhydrocodone-D3.HCl, 1mg/ml in Methanol (as free base)	Glass ampule: 1 mL	8/28/2025
LGC Standards	Oxandrolone (1.0 mg/mL in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Oxazolam (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Oxycodone Hydrochloride (1.0mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Oxycodone N-Oxide (1.0mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Oxymesterone (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Oxymorphone (1.0 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Pentazocine (1mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Phenobarbital (1.0mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Phenobarbital-d5 (100µg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Pipradrol Hydrochloride (1.0 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Piritramide-d10 (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Psilocin (1.0 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Psilocin-d4 (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Psilocybin (1.0mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Racemethorphan hydrobromide (1.0 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	S-(+)-Methamphetamine Hydrochloride (1.0mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Stenbolone (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Synthetic Cannabinoid Mixture 1 (mixture of JWH 250, JWH 200, CP–47497, CP 47497C8 and HU 211, 100 ug/mL of each component in Acetonitrile).	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Synthetic Cannabinoid Mixture 2 (mixture of AM2201, JWH 019, JWH 081, and JWH 122, 100 ug/mL of each component in Acetonitrile).	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Synthetic Cannabinoid Mixture 3 (mixture of AM2233, JWH 015, JWH 203, and JWH 210, RCS–4, and RCS–8, 100 ug/mL of each component in Acetonitrile).	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Tapentadol O-b-D-Glucuronide (1.0mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Temazepam (1.0 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Tenamfetamine Hydrochloride (1.0mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Testosterone (1.0mg/mL in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Testosterone 17-Decanoate (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Testosterone 17–O-Acetate-d3 (1mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Testosterone Cypionate-d3 (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Testosterone-2,2,4,6,6-d5 (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Testosterone-d3 (100 ug/mL in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Tetrahydrofuran Fentanyl (100 ug/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Thebaine (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Thebaine-N-(methyl-d3) (1.0 mg/mL in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Thiopental-d5 (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Tilidine Hydrochloride (1.0 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Tilidine-d6 Hydrochloride (100µg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Tramadol-d6 Hydrochloride (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Trenbolone (1.0 mg/mL in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Trenbolone-d5 (1.0 mg/mL in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Tris(trideuteromethoxy)Mescaline-D9 Hydrochloride (0.1mg/1ml in Methanol).	Glass ampoule: 1 mL	4/16/2025
LGC Standards	Zolpidem (1.0 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC-Lipomed	N-Ethylpentylone.HCl, 1 mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	10/17/2025
LGC-Lipomed	(-)-Delta-8–THC, 1mg/ml in Ethanol	Glass Ampule: 1 ml	7/24/2025
LGC-Lipomed	(-)-Delta-9–THC, 1mg/ml in Methanol	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	(-)-trans-Delta-9–THC (Dronabinol), 1 mg/ml in Ethanol Prod No: LPM–THC–135–1LE.	Glass Ampule: 1 ml	7/23/2025
LGC-Lipomed	(-)-trans-Delta-9–THC–D3 (Dronabinol), 0.1mg/ml in Ethanol	Glass Ampule: 1 ml	8/5/2025
LGC-Lipomed	(-)-trans-Delta-9–THC–D3 (Dronabinol), 1mg/ml in Ethanol	Glass Ampule: 1 ml	8/5/2025
LGC-Lipomed	(as free base) Prod No: LPM–PYR–1854–HC–0.1LM	Glass Ampule: 1 ml	8/12/2025
LGC-Lipomed	0.1 mg/ml in Methanol Prod No: LPM–PHB–1720–FA–0.1LM	Glass Ampule: 1 ml	8/12/2025
LGC-Lipomed	17Alpha-Methyltestosterone, 1mg/ml in Methanol	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	1-Benzylpiperazine.2HCl, 1mg/ml in Acetonitrile/Water: 1/1 (as free base).	Glass Ampule: 1 ml	10/13/2025

CHART I—Continued

Supplier name	Product name	Form	Application date
LGC-Lipomed	25B–NB2OMe.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	25C–NB2OMe.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	25I–NB2OMe-D9.HCl, 0.1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	25I–NB2OMe-D9.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	2C–B.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	2C–C.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	2C–D.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	2C–E.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	2C–I.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	2C–P.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	2C–T–4.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	2C–T–7.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	3,4-Methylenedioxypyrovalerone.HCl, 1mg/ml in Methanol (as free base).	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	3,4-Methylenedioxypyrovalerone-D8.HCl, 0.1 mg/ml in Methanol	Glass Ampule: 1 ml	8/12/2025
LGC-Lipomed	3-Acetylmorphine.amidosulfonate, 1mg/ml in Acetonitrile/Water: 1/1 (as free base).	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	3-Desmethylprodine.HCl (MPPP), 1mg/ml in Acetonitrile (as free base)	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	3-Methylmethcathinone.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	4-Ethylmethcathinone.HCl, 1mg/ml in Methanol (as free base)	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	4-Methylethcathinone.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	4-Methylmethcathinone.HCl (Mephedrone), 1mg/ml in Methanol (as free base).	Glass Ampule: 1 ml	8/5/2025
	(Mephedrone), 1mg/ml in Methanol (as free base)		
LGC-Lipomed	4-MethylmethcathinoneD3.HCl (Mephedrone), 0.1mg/ml in Methanol (as free base).	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	4-MethylmethcathinoneD3.HCl (Mephedrone), 1mg/ml in Methanol (as free base).	Glass Ampule: 1 ml	8/5/2025
LGC-Lipomed	5Alpha-Dihydrotestosterone, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	5F–APINACA (5F–AKB–48), 0.1mg/ml in Methanol	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	5F–APINACA (5F–AKB–48), 1mg/ml in Methanol	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	5F–PB–22, 0.1mg/ml in Acetonitrile	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	5F–PB–22, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	6-Acetylcodeine.HCl, 1mg/ml in Acetonitrile (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	6-Acetylcodeine-D3.HCl, 1mg/ml in Acetonitrile (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	6-Acetylmorphine.HCl.trihydrate, 1 mg/ml in Methanol (as free base) Prod No: LPM–M–43–HC–1LM.	Glass Ampule: 1 ml	7/23/2025
LGC-Lipomed	6-Acetylmorphine-D3.HCl.trihydrate, 0.1 mg/ml in Methanol (as free base) Prod No: LPM–M–44–HC–0.1LM.	Glass Ampule: 1 ml	8/12/2025
LGC-Lipomed	6-Acetylmorphine-D3.HCl.trihydrate, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	6-Acetylmorphine-D6.HCl.trihydrate, 0.1 mg/ml in Methanol (as free base) Prod No: LPM–M–981–HC–0.1LM.	Glass Ampule: 1 ml	8/12/2025
LGC-Lipomed	6-Acetylmorphine-D6.HCl.trihydrate, 0.1mg/ml in Methanol (as free base).	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	6-Acetylmorphine-D6.HCl.trihydrate, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	6-Beta-Hydroxytestosterone, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	AB–CHMINACA, 0.1mg/ml in Acetonitrile	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	AB–CHMINACA, 1mg/ml in Acetonitrile	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	AB–FUBINACA, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	AB–FUBINACA, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Acetylfentanyl-D5, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	AH–7921.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	AKB–48 (APINACA), 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Allobarbital, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Alpha-PVP.HCl, 1mg/ml in Methanol	Glass ampule: 1 mL	9/18/2025
LGC-Lipomed	Alprazolam, 1mg/ml in Methanol	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	Alprazolam-D5, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Alprazolam-D5, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	AM–2201, 0.1mg/ml in Methanol	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	AM–2201, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Amfepramone.HCl, 1mg/ml in Acetonitrile/Water: 1/1(as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Amobarbital sodium salt, 0.1mg/ml in Methanol (as free Acid)	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	Androstenedione, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Anhydroecgonine methylester.HBr, 1mg/ml in Acetonitrile (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Anhydroecgonine methylester-D3.HBr, 0.1mg/ml in Acetonitrile (as free base).	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Anhydroecgonine methylester-D3.HBr, 1mg/ml in Acetonitrile (as free base).	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Anhydroecgonine.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Anhydroecgonine-D3.HCl, 0.1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Anhydroecgonine-D3.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Barbital, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Barbital-D5, 0.1mg/ml in Methanol 1 ml Ampule, Amber Glass	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Barbital-D5, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Benzoylecgonine, 1mg/ml in Methanol	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	Benzoylecgonine-D3.tetrahydrate, 0.1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Benzoylecgonine-D3.tetrahydrate, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Benzoylecgonine-D8, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Benzoylecgonine-D8, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Boldenone, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	8/5/2025

CHART I—Continued

Supplier name	Product name	Form	Application date
LGC-Lipomed	Bromazepam, 1mg/ml in Methanol	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	Bromazepam-D4, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Bromazepam-D4, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Bufotenine.oxalate.monohydrate, 1mg/ml in Methanol (as free base)	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	Buphedrone.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Buprenorphine.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Buprenorphine-3-Beta-D-glucuronide, 0.1mg/ml in Methanol 0.1 mg/ml in 1 ml Methanol.	Glass Ampule: 1 ml	10/17/2025
LGC-Lipomed	Buprenorphine-3-Beta-D-glucuronide, 1mg/ml in Acetonitrile/Water: 1/1	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Buprenorphine-D4.HCl, 0.1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Buprenorphine-D4.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Butabarbital, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/5/2025
LGC-Lipomed	Butalbital, 1 mg/ml in Methanol Prod No: LPM–BUT–871–FA–1LM	Glass Ampule: 1 ml	7/23/2025
LGC-Lipomed	Butalbital, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/5/2025
LGC-Lipomed	Butalbital-D5, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	Butylone.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Butylone-D3.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Cannabidiolic acid (CBDA), 1 mg/ml in Acetonitrile	Glass Ampule: 1 ml	10/17/2025
LGC-Lipomed	Carisoprodol, 1mg/ml in Methanol	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	Carisoprodol-D7, 0.1mg/ml in Methanol	Glass ampule: 1 mL	9/18/2025
LGC-Lipomed	Carisoprodol-D7, 1mg/ml in Methanol	Glass ampule: 1 mL	9/18/2025
LGC-Lipomed	Chlordiazepoxide-D5, 0.1mg/ml in Acetonitrile	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Chlordiazepoxide-D5, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Chlorodehydromethyl-testosterone, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Clobazam, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/5/2025
LGC-Lipomed	Clobazam, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Clonazepam-D4, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Clonazepam-D4, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Clotiazepam, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Cocaethylene-D3, 0.1mg/ml in Acetonitrilee)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Cocaethylene-D3, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Cocaine-D3, 0.1mg/ml in Acetonitrile	Glass Ampule: 1 ml	8/5/2025
LGC-Lipomed	Cocaine-D3, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Cocaine-D3.HCl, 0.1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Cocaine-D3.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Codeine.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	Codeine.monohydrate, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	Codeine-6-Beta-D-glucuronide.TFA, 1 mg/ml in Water (as free base)	Glass Ampule: 1 ml	10/17/2025
LGC-Lipomed	Codeine-6-Beta-D-glucuronide.TFA, 1mg/ml in Water (as free base)	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	Codeine-6-Beta-D-glucuronide-D3.TFA, 0.1mg/ml in Acetonitrile/Water: 1/1 (as free base).	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Codeine-6-Beta-D-glucuronide-D3.TFA, 1mg/ml in Acetonitrile/Water: 1/1 (as free base).	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Codeine-D3.HCl.dihydrate, 0.1mg/ml in Ethanol (as free base)	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	Codeine-D3.HCl.dihydrate, 1 mg/ml in Ethanol (as free base) Prod No: LPM–C–41–HC–1LE.	Glass Ampule: 1 ml	8/12/2025
LGC-Lipomed	Codeine-D6, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/5/2025
LGC-Lipomed	Codeine-D6, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	d,l-11-Hydroxy-delta-9–THC, 1 mg/l in Methanol Prod No: LPM–THC–318–1LM.	Glass Ampule: 1 ml	7/23/2025
LGC-Lipomed	d,l-2,4,5–TMA.HCl, 1mg/ml in Acetonitrile/Water: 1/1 (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	d,l-2,4,5–TMA.HCl, 1mg/ml in Acetonitrile/Water: 1/1 (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	d,l-2,5–DMA.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	d,l-3,4–DMA.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	d,l-Amphetamine.HCl, 1 mg/ml in Methanol (as free base) Prod No: LPM–AMP–95–HC–1LM.	Glass Ampule: 1 ml	7/23/2025
LGC-Lipomed	d,l-Amphetamine.sulfate, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	d,l-Amphetamine-D11.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	d,l-Amphetamine-D5.HCl, 0.1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/5/2025
LGC-Lipomed	d,l-Amphetamine-D5.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	d,l-Amphetamine-D6.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	d,l-BDB.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	d,l-Cathinone.HCl, 1mg/ml in Acetonitrile/Water: 1/1 (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	d,l-cis-3-Methylfentanyl.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	d,l-DOB.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	d,l-DOET.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	d,l-DOM.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	d,l-Fenproporex.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	d,l-MBDB.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	d,l-MBDB–D5.HCl, 0.1mg/ml in Methanol (as free base)	Glass ampoule: 1 mL	12/10/2025
LGC-Lipomed	d,l-MBDB–D5.HCl, 1mg/ml in Methanol (as free base)	Glass ampoule: 1 mL	12/12/2025
LGC-Lipomed	d,l-MDA.HCl, 1mg/ml in Methanol (as free base) Prod No: LPM–MDA–79–HC–1LM.	Glass Ampule: 1 ml	7/23/2025
LGC-Lipomed	d,l-MDA–D5.HCl, 0.1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	d,l-MDA–D5.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	d,l-MDDMA.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	d,l-MDEA–D5.HCl, 0.1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	d,l-MDEA–D5.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	d,l-MDMA.HCl, 1 mg/ml in Methanol (as free base) Prod No: LPM–MDM–94–HC–1LM.	Glass Ampule: 1 ml	7/23/2025

CHART I—Continued

Supplier name	Product name	Form	Application date
LGC-Lipomed	d,l-MDMA–D3.HCl, 0.1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	d,l-MDMA–D3.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	d,l-MDMA–D5.HCl, 0.1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	d,l-MDMA–D5.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	d,l-Metamfepramone.HCl, 1mg/ml in Acetonitrile/Water: 1/1 (as free base).	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	d,l-Methadone-D3.HCl, 0.1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	d,l-Methadone-D3.HCl, 1 mg/ml in Methanol (as free base) Prod No: LPM–MET–700–HC–1LM.	Glass Ampule: 1 ml	8/12/2025
LGC-Lipomed	d,l-Methadone-D9.HCl, 0.1mg/ml in Methanol (as free base)	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	d,l-Methadone-D9.HCl, 1 mg/ml in Methanol (as free base) Prod No: LPM–MET–1197–HC–1LM.	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	d,l-Methamphetamine.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	d,l-Methamphetamine-D14.HCl, 0.1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	d,l-Methamphetamine-D14.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	d,l-Methamphetamine-D5.HCl, 0.1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	d,l-Methamphetamine-D5.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	d,l-Methcathinone.HCl, 1mg/ml in Acetonitrile (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	d,l-Methiopropamine.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	d,l-Methylphenidate.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	d,l-N,N- Dimethylamphetamine.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	d,l-N-Ethylamphetamine.HCl, 1 mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	10/17/2025
LGC-Lipomed	d,l-PMA.HCl, 1mg/ml in Methanol (as free base)	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	d,l-PMA–D3.HCl, 0.1 mg/ml in Methanol (as free base) Prod No: LPM–PMA–1941–HC–0.1LM.	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	d,l-PMA–D3.HCl, 1 mg/ml in Methanol (as free base) Prod No: LPM–PMA–1941–HC–1LM.	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	d,l-PMMA.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	d,l-Propoxyphene-D5.HCl, 0.1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/5/2025
LGC-Lipomed	d,l-threo- Methylphenidate-D10.HCl, 0.1mg/ml in Methanol (as free base).	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	d,l-threo-Ethylphenidate.HCl,1mg/ml in Ethanol (as free base)	Glass ampoule: 1 mL	12/12/2025
LGC-Lipomed	d,l-trans-Tilidine.HCl.hemihydrate, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	d-Amphetamine.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	d-Amphetamine.sulfate, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	d-Cathine.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Delorazepam, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Desmethyldiazepam (Nordazepam), 1 mg/ml in Methanol Prod No: LPM–DIA–108–1LM.	Glass Ampule: 1 ml	7/23/2025
LGC-Lipomed	Desmethyldiazepam-D5 (Nordazepam-D5), 0.1mg/ml in Methanol	Glass ampule: 1 mL	9/25/2025
LGC-Lipomed	Desmethyldiazepam-D5 (Nordazepam-D5), 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Desomorphine, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Diazepam, 1 mg/ml in Methanol Prod No: LPM–DIA–107–1LM	Glass Ampule: 1 ml	7/23/2025
LGC-Lipomed	Diazepam-D3, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Diazepam-D3, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Diazepam-D5, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Dihydrocodeine.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Dihydrocodeine-D6.HCl, 0.1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Dihydrocodeine-D6.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Dihydromorphine-6-Beta-D-glucuronide, 1mg/ml in Acetonitrile/Water: 1/1.	Glass Ampule: 1 ml	7/24/2025
	Acetonitrile/Water: 1/1		
LGC-Lipomed	d-Methamphetamine.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	d-Propoxyphene.HCl, 1 mg/ml in Methanol (as free base) Prod No: LPM–PPO–697–HC–1LM.	Glass Ampule: 1 ml	7/23/2025
LGC-Lipomed	Ecgonine methylester.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/5/2025
LGC-Lipomed	Ecgonine methylester-D3.FB, 0.1mg/ml in Acetonitrile	Glass ampoule: 1 mL	12/10/2025
LGC-Lipomed	Ecgonine methylester-D3.FB,1mg/ml in Acetonitrile	Glass ampoule: 1 mL	12/10/2025
LGC-Lipomed	Ecgonine methylester-D3.HCl, 0.1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Ecgonine methylester-D3.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Ecgonine.HCl, 1 mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	10/17/2025
LGC-Lipomed	Ecgonine-D3.HCl, 1mg/ml in Methanol (as free base)	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	Estazolam, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Ethcathinone.HCl, 1mg/ml in Acetonitrile (as free base)	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	Ethylmorphine.HCl.dihydrate, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Ethylone.HCl, 1mg/ml in Methanol (as free base)	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	Fenethylline.HCl, 1mg/ml in Methanol (as free base)	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	Fenethylline-D3.HCl, 0.1mg/ml in Methanol (as free base)	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	Fenethylline-D3.HCl, 1mg/ml in Methanol (as free base)	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	Fentanyl, 1mg/ml in Methanol Prod No: LPM–FEN–622–FB–1LM	Glass Ampule: 1 ml	7/23/2025
LGC-Lipomed	Fentanyl-D5, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Flephedrone.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Flualprazolam, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Fludiazepam, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Flunitrazepam, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Flunitrazepam-D3, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Flunitrazepam-D3, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Flunitrazepam-D7, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Flunitrazepam-D7, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Fluoxymesterone, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	8/14/2025

CHART I—Continued

Supplier name	Product name	Form	Application date
LGC-Lipomed	Flurazepam, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	GHB.sodium salt, 1 mg/ml in Methanol Prod No: LPM–GHB–538–NA–1LM.	Glass Ampule: 1 ml	7/23/2025
LGC-Lipomed	GHB–D6.sodium salt, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Heroin.HCl.monohydrate, 1mg/ml in Acetonitrile (as free base)	Glass Ampule: 1 ml	7/24/2025
LGC-Lipomed	Heroin-D3 (3,6-Diacetylmorphine-D3), 0.1mg/ml in Acetonitrile	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	Heroin-D3 (3,6-Diacetylmorphine-D3), 1mg/ml in Acetonitrile	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	Heroin-D3.HCl.monohydrate, 0.1mg/ml in Acetonitrile (as free base)	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	Heroin-D3.HCl.monohydrate, 1mg/ml in Acetonitrile (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Heroin-D9 (3,6-Diacetylmorphine-D9), 0.1mg/ml in Acetonitrile	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Heroin-D9 (3,6-Diacetylmorphine-D9), 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Hexobarbital, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	HU–210, 0.1mg/ml in Methanol	Glass ampule: 1 mL	12/16/2025
LGC-Lipomed	HU–210, 1mg/ml in Methanol	Glass ampule: 1 mL	12/16/2025
LGC-Lipomed	Hydrocodone, 1mg/ml in Methanol Prod No: LPM–C–405–FB–1LM	Glass Ampule: 1 ml	7/23/2025
LGC-Lipomed	Hydrocodone-D3, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Hydrocodone-D3, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Hydrocodone-D6, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Hydrocodone-D6, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Hydromorphone, 1 mg/ml in Methanol Prod No: LPM–M–407–FB–1LM	Glass Ampule: 1 ml	7/23/2025
LGC-Lipomed	Hydromorphone-D3, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	Hydromorphone-D3, 1mg/ml in Methanol	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	JWH–018, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	JWH–018, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	JWH–018–D11, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	JWH–018–D11, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	JWH–019, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	JWH–019, 1mg/ml in Methanol	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	JWH–073, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	JWH–073, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	JWH–081, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	JWH–081, 1mg/ml in Methanol	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	JWH–122, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	JWH–122, 1mg/ml in Methanol	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	JWH–200, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	JWH–200, 1mg/ml in Methanol	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	JWH–250, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/5/2025
LGC-Lipomed	JWH–250, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/5/2025
LGC-Lipomed	Ketamine.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	l-Amphetamine.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	7/24/2025
LGC-Lipomed	l-Methamphetamine.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Loprazolam, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Lorazepam, 1 mg/ml in Acetonitrile Prod No: LPM–LOR–142–1LA	Glass Ampule: 1 ml	7/23/2025
LGC-Lipomed	Lorazepam-D4, 0.1mg/ml in Acetonitrile	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Lorazepam-D4, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Lormetazepam, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	Lormetazepam-D3, 0.1mg/ml in Acetonitrile	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	Lormetazepam-D3, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	LPM–AMB–400–NA–1LM	Glass Ampule: 1 ml	7/28/2025
LGC-Lipomed	LPM–AMP–976–HC–0.1LM	Glass Ampule: 1 ml	7/28/2025
LGC-Lipomed	LPM–BUT–1637–FA–1LM	Glass Ampule: 1 ml	7/28/2025
LGC-Lipomed	LPM–CHL–147–FB–1LA	Glass Ampule: 1 ml	7/28/2025
LGC-Lipomed	LPM–CLO–105–1LM	Glass Ampule: 1 ml	7/28/2025
LGC-Lipomed	LPM–COC–156–FB–1LA	Glass Ampule: 1 ml	7/28/2025
LGC-Lipomed	LPM–COC–156–HC–1LM	Glass Ampule: 1 ml	7/28/2025
LGC-Lipomed	LPM–COC–207–FB–1LA	Glass Ampule: 1 ml	7/28/2025
LGC-Lipomed	LPM–DIA–826–0.1LM	Glass Ampule: 1 ml	7/28/2025
LGC-Lipomed	LPM–ETZ–1753–1LM	Glass Ampule: 1 ml	7/28/2025
LGC-Lipomed	LPM–FEN–622–FB–0.1LM	Glass Ampule: 1 ml	7/28/2025
LGC-Lipomed	LPM–M–29–FB–1LA	Glass Ampule: 1 ml	7/28/2025
LGC-Lipomed	LPM–MDE–191–HC–1LM	Glass Ampule: 1 ml	7/28/2025
LGC-Lipomed	LPM–MET–637–HC–1LM	Glass Ampule: 1 ml	7/28/2025
LGC-Lipomed	LPM–MPB–1541–1LM	Glass Ampule: 1 ml	7/28/2025
LGC-Lipomed	LPM–MPH–1675–HC–1LM	Glass Ampule: 1 ml	7/28/2025
LGC-Lipomed	LPM–OXA–860–0.1LA	Glass Ampule: 1 ml	7/28/2025
LGC-Lipomed	LPM–PCP–436–HC–1LM	Glass Ampule: 1 ml	7/28/2025
LGC-Lipomed	LPM–PPO–1360–HC–1LM	Glass Ampule: 1 ml	7/28/2025
LGC-Lipomed	LPM–PYR–1854–HC–1LM	Glass Ampule: 1 ml	7/28/2025
LGC-Lipomed	LPM–SCB–583–FA–1LM	Glass Ampule: 1 ml	7/28/2025
LGC-Lipomed	LPM–TEM–917–0.1LM	Glass Ampule: 1 ml	7/28/2025
LGC-Lipomed	LPM–TRI–124–FB–1LM	Glass Ampule: 1 ml	7/28/2025
LGC-Lipomed	LPM–ZOL–919–TA–1LM	Glass Ampule: 1 ml	7/28/2025
LGC-Lipomed	LSD–D3 (Lysergic acid diethylamide-D3), 0.1mg/ml in	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	LSD–D3 (Lysergic acid diethylamide-D3), 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	MDMB–CHMICA, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Medazepam, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Meperidine.HCl (Pethidine.HCl), 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Meperidine-D4.HCl (Pethidine-D4.HCl), 0.1mg/ml in Methanol (as free base).	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Meperidine-D4.HCl (Pethidine-D4.HCl), 1 mg/ml in Methanol (as free base) Prod No: LPM–MEP–1536–HC–1LM.	Glass Ampule: 1 ml	7/23/2025

CHART I—Continued

Supplier name	Product name	Form	Application date
LGC-Lipomed	Meprobamate, 1 mg/ml in Methanol Prod No: LPM–MPB–1142–1LM	Glass Ampule: 1 ml	7/23/2025
LGC-Lipomed	Meprobamate, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/5/2025
LGC-Lipomed	Meprobamate-D7, 0.1 mg/ml in Methanol Prod No: LPM–MPB–1541–0.1LM.	Glass Ampule: 1 ml	8/12/2025
LGC-Lipomed	Mescaline.HCl, 1mg/ml in Ethanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Metenolone enanthate, 1mg/ml in Isopropanol	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	Methandienone, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Methaqualone, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/5/2025
LGC-Lipomed	Methaqualone-D7, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Methaqualone-D7, 1mg/ml in Methanol	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Methoxetamine.HCl, 1 mg/ml in Methanol (as free base) LPM–MXE–1527–HC–1LM.	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Methylone.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Methylone-D3.HCl, 0.1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Methylone-D3.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Midazolam, 1mg/ml in Methanol	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	Midazolam-D4.maleate, 0.1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Midazolam-D4.maleate, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Morphine.monohydrate, 1mg/ml in Methanol (as free base) Prod No: LPM–M–35–FB–1LM.	Glass Ampule: 1 ml	7/23/2025
LGC-Lipomed	Morphine.sulfate.pentahydrate, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	7/24/2025
LGC-Lipomed	Morphine-3-Beta-D-glucuronide, 1mg/ml in Methanol/Water: 1/1	Glass Ampule: 1 ml	7/24/2025
LGC-Lipomed	Morphine-3-Beta-D-glucuronide-D3, 0.1mg/ml in Methanol/Water: 1/1	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	Morphine-3-Beta-D-glucuronide-D3, 1mg/ml in Methanol/Water: 1/1	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	Morphine-6-Beta-D-glucuronide, 1mg/ml in Water	Glass Ampule: 1 ml	7/24/2025
LGC-Lipomed	Morphine-6-Beta-D-glucuronide-D3, 0.1mg/ml in Acetonitrile/Water: 1/1	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	Morphine-6-Beta-D-glucuronide-D3, 1mg/ml in Acetonitrile/Water: 1/1	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	Morphine-D3.monohydrate, 0.1 mg/ml in Methanol (as free base) Prod No: LPM–M–39–FB–1LM.	Glass Ampule: 1 ml	8/12/2025
LGC-Lipomed	Morphine-D3.monohydrate, 0.1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	MPBP.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	N,N-Dimethyltryptamine, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Nalorphine.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Naloxone-3-Beta-D-glucuronide, 1mg/ml in Methanol/Water: 1/1	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	Nandrolone, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Naphyrone.HCl, 1mg/ml in Methanol (as free base)	Glass ampule: 1 mL	9/25/2025
LGC-Lipomed	N-Ethylpentylone.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	7/24/2025
LGC-Lipomed	Nimetazepam, 1mg/ml in Methanol	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Nitrazepam, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Nitrazepam-D5, 0.1mg/ml in Acetonitrile	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Nitrazepam-D5, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Norbuprenorphine, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/5/2025
LGC-Lipomed	Norbuprenorphine, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Norbuprenorphine-D3, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Norbuprenorphine-D3, 1 mg/ml in Methanol Prod No: LPM–BUP–1355–FB–1LM.	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Norcocaine.HCl, 1mg/ml in Acetonitrile (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Norcodeine, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Norfentanyl.HCl, 0.1mg/ml in Methanol (as free base)	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	Norfentanyl.HCl, 1mg/ml in Methanol (as free base) Prod No: LPM–FEN–632–HC–1LM.	Glass Ampule: 1 ml	7/23/2025
LGC-Lipomed	Norfentanyl-D5.HCl, 0.1mg/ml in Methanol (as free base)	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	Norfentanyl-D5.HCl, 1mg/ml in Methanol (as free base)	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	Norhydrocodone.HCl, 1mg/ml in Acetonitrile/Water: 1/1(as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Norhydrocodone-D3.HCl, 0.1mg/ml in Methanol (as free base)	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	Normeperidine.HCl, 1 mg/ml in Methanol (as free base) Prod No: LPM–MEP–1365–HC–1LM.	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Normeperidine-D4.HCl, 0.1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Normeperidine-D4.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Normorphine.HCl.monohydrate, 1 mg/ml in Methanol (as free base) Prod No: LPM–M–34–HC–1LM.	Glass Ampule: 1 ml	8/12/2025
LGC-Lipomed	Noroxycodone.HCl, 1 mg/ml in Methanol (as free base) Prod No: LPM–C–1598–HC–1LM.	Glass Ampule: 1 ml	7/23/2025
LGC-Lipomed	Noroxymorphone.HCl, 1mg/ml in Methanol/Water: 1/1 (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Oxazepam, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	Oxazepam-D5, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Oxycodone OCD3.HCl.monohydrate, 0.1mg/ml in Methanol (as free base).	Glass Ampule: 1 ml	8/5/2025
LGC-Lipomed	Oxycodone.HCl.monohydrate, 1mg/ml in Methanol (as free base) Prod No: LPM–C–404–HC–1LM.	Glass Ampule: 1 ml	7/23/2025
LGC-Lipomed	Oxycodone-D6.HCl.monohydrate, 0.1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Oxycodone-D6.HCl.monohydrate, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Oxycodone-OCD3.HCl.monohydrate, 1mg/ml in Methanol (as free base).	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Oxymetholone, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Oxymorphone, 1mg/ml in Methanol Prod No: LPM–M–406–FB–1LM	Glass Ampule: 1 ml	7/23/2025
LGC-Lipomed	Oxymorphone-D3, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/5/2025
LGC-Lipomed	Oxymorphone-D3, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	PB–22, 0.1mg/ml in Acetonitrile	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	PB–22, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	10/13/2025

CHART I—Continued

Supplier name	Product name	Form	Application date
LGC-Lipomed	PCP–D5.HCl (Phencyclidine-D5.HCl), 0.1mg/ml in Methanol (as free base).	Glass Ampule: 1 ml	8/5/2025
LGC-Lipomed	PCP–D5.HCl (Phencyclidine-D5.HCl), 1mg/ml in Methanol (as free base).	Glass Ampule: 1 ml	8/5/2025
LGC-Lipomed	Pentedrone.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Pentobarbital.sodium salt, 1mg/ml in Methanol (as free Acid)	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Pentobarbital-D5, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Pentobarbital-D5, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Pentylone.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Pentylone-D3.HCl, 0.1mg/ml in Methanol (as free base)	Glass ampoule: 1 mL	12/10/2025
LGC-Lipomed	Pentylone-D3.HCl, 1mg/ml in Methanol (as free base)	Glass ampoule: 1 mL	12/10/2025
LGC-Lipomed	Phenmetrazine.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Phenobarbital, 1 mg/ml in Methanol Prod No: LPM–PHB–376–FA–1LM	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Phenobarbital-D5 (side chain)	Glass Ampule: 1 ml	8/12/2025
LGC-Lipomed	Phenobarbital-D5 (side chain), 1 mg/ml in Methanol Prod No: LPM–PHB–1720–FA–1LM.	Glass Ampule: 1 ml	7/23/2025
LGC-Lipomed	Phentermine.HCl, 1 mg/ml in Methanol (as free base) Prod No: LPM–PHE–844–HC–1LM.	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Phentermine-D6.HCl, 0.1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Phentermine-D6.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Pholcodine.monohydrate, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Prazepam, 1mg/ml in Methanol	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Prazepam-D5, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Prazepam-D5, 1mg/ml in Methanol	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Pregabalin, 1mg/ml in Methanol	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	Psilocin, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Psilocybin, 1mg/ml in Acetonitrile/Water: 1/1	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Pyrovalerone.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	RCS–4, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	RCS–4, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	S(-)-Cathinone.HCl, 1mg/ml in Acetonitrile/Water: 1/1 (as free base)	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Secobarbital, 1mg/ml in Methanol	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	Secobarbital, 1mg/ml in Methanol	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Secobarbital-D5, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Stanozolol, 1mg/ml in Acetonitrile	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	Sufentanil-D5, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Tapentadol.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	9/18/2025
LGC-Lipomed	Tapentadol-D3.HCl, 0.1 mg/ml in Methanol (as free base) Prod No: LPM–TAP–1809–HC–0.1LM.	Glass Ampule: 1 ml	8/12/2025
LGC-Lipomed	Tapentadol-D3.HCl, 1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Temazepam, 1 mg/ml in Methanol Prod No: LPM–TEM–123–1LM	Glass Ampule: 1 ml	7/23/2025
LGC-Lipomed	Temazepam-D5, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Testosterone, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Testosterone-D3, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Testosterone-D3, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Tetrazepam, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	THCA–A, 1mg/ml in Isopropanol	Glass ampule: 1 mL	9/25/2025
LGC-Lipomed	Thebaine, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Thiopental, 1mg/ml in Methanol	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Thiopental-D5, 1mg/ml in Methanol	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Tramadol.HCl, 1mg/ml in Methanol (as free base) Prod No: LPM–TRA–779–HC–1LM.	Glass Ampule: 1 ml	7/23/2025
LGC-Lipomed	Tramadol-O–CD3.HCl, 0.1mg/ml in Methanol (as free base)	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	trans-Cinnamoylcocaine, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Trenbolone acetate, 1 mg/ml in Isopropanol Prod No: LPM–TBL–1528–1LI.	Glass Ampule: 1 ml	8/12/2025
LGC-Lipomed	Trenbolone acetate, 1mg/ml in Isopropanol	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Trenbolone, 1mg/ml in Acetonitrile	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	Triazolam, 0.1mg/ml in Methanol	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	U–47700, 1mg/ml in Methanol	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	UR–144, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	UR–144, 1mg/ml in Methanol	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	XLR–11, 0.1mg/ml in Methanol	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	XLR–11, 1mg/ml in Methanol	Glass Ampule: 1 ml	10/13/2025
LGC-Lipomed	Zaleplon, 1mg/ml in Methanol	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	Zolpidem-D6.tartrate, 0.1 mg/ml in Methanol (as free base) Prod No: LPM–ZOL–920–TA–0.1LM.	Glass Ampule: 1 ml	8/12/2025
LGC-Lipomed	Zolpidem-D6.tartrate, 1mg/ml in Methanol (as free base)	Glass ampule: 1 mL	9/25/2025
LGC-Lipomed	Zopiclone, 1 mg/ml in Acetonitrile Prod No: LPM–ZOP–921–FB–1LA	Glass Ampule: 1 ml	8/13/2025
LGC-Lipomed	Zopiclone-D4, 0.1mg/ml in Acetonitrile	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	Zopiclone-D4, 1mg/ml in Acetonitrile	Ampule, Amber Glass: 1 mL	11/21/2025
LGC–TRC	ADB–FUBINACA (1 mg/mL in Methanol)	Glass ampoule: 1 mL	11/28/2025
LGC–TRC	Androstanolone-d3 (1.0 mg/ml in Methanol)	Glass ampoule: 1 mL	11/28/2025
LGC–TRC	Calusterone (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	11/28/2025
LGC–TRC	Clobazam-d5 (1 mg/ml in Acetonitrile)	Glass ampoule: 1 mL	11/28/2025
LGC–TRC	L-threo-Methylphenidate Hydrochloride (1.0mg/ml in Methanol)	Glass ampoule: 1 mL	11/28/2025
LGC–TRC	MDMA Hydrochloride (1.0mg/ml in Methanol)	Glass ampoule: 1 mL	11/28/2025
LGC–TRC	MDMA-d3 Hydrochloride (1 mg/ml in Acetonitrile)	Glass ampoule: 1 mL	11/28/2025
LGC–TRC	Nimetazepam-d3 (1.0 mg/ml in Methanol)	Glass ampoule: 1 mL	11/28/2025
LGC–TRC	rac Benzphetamine Hydrochloride (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	11/28/2025

CHART I—Continued

Supplier name	Product name	Form	Application date
LGC–TRC	Thiopental (1 mg/ml in Acetonitrile)	Glass ampoule: 1 mL	11/28/2025
Lin-Zhi International	LZI Fentanyl Calibrator (Urine) Fentanyl, Cutoff Calibrator Ref# 0973	Dropper Bottle: 5 mL	6/2/2025
Lin-Zhi International	LZI Fentanyl Calibrator (Urine) Fentanyl, Cutoff Calibrator Ref# 0983	Dropper bottle: 5 mL	7/3/2025
Lin-Zhi International	LZI Fentanyl Calibrator (Urine) Fentanyl, High Calibrator Ref# 0985	Dropper bottle: 5 mL	7/3/2025
Lin-Zhi International	LZI Fentanyl Calibrator (Urine) Fentanyl, Intermediate Calibrator Ref# 0984.	Dropper bottle: 5 mL	7/3/2025
Lin-Zhi International	LZI Fentanyl Calibrator/Control (Urine) Fentanyl, Low Calibrator/Level 1 Control Ref# 0982.	Dropper bottle: 5 mL	7/3/2025
Lin-Zhi International	LZI Fentanyl Control (Urine) Fentanyl, Level 1 Control Ref# 0977	Dropper Bottle: 5 mL	6/2/2025
Lin-Zhi International	LZI Fentanyl Control (Urine) Fentanyl, Level 2 Control Ref# 0978	Dropper Bottle: 5 mL	6/2/2025
Lin-Zhi International	LZI Fentanyl Control (Urine) Fentanyl, Level 2 Control Ref# 0988	Dropper bottle: 5 mL	7/3/2025
Lin-Zhi International	LZI Fentanyl Level 1 Control, Ref# D26785	Dropper bottle: 5 mL	4/28/2025
Lin-Zhi International	LZI Fentanyl Level 2 Control, Ref# D26786	Dropper bottle: 5 mL	4/28/2025
Lin-Zhi International	LZI Fentanyl Qualitative Calibrator, Ref# D26784	Dropper bottle: 5 mL	4/28/2025
Lipomed Inc	1 mL Meprobamate-D7 solution (0.1 mg/mL methanol)	Amber ampule: 1 mL	5/29/2025
Lipomed Inc	Meprobamate D7 Solution Catalog number: MPB–1541–1LM	Glass ampule: 1 mL	5/14/2025
Lipomed Inc	Meprobamate solution Catalog number: MPB–1142–1LM	Glass ampule: 1 mL	5/14/2025
Lipomed Inc	Normorphine HCl hydrate, 1 mg/ml methanol Catalog number: M–34–HC–1LM.	Glass ampule: 1 mL	5/14/2025
Microgenics Corporation	Cal MD 1 Alqt, Catalog number: 10009246	Plastic tube: 1–50 mL	6/23/2025
Microgenics Corporation	Cal MD 1 Bulk, Catalog number: 1587	Plastic tube: 1–50 mL	6/23/2025
Microgenics Corporation	Cal MD 2 Alqt, Catalog number: 10008921	Plastic tube: 1–50 mL	6/23/2025
Microgenics Corporation	Cal MD 2 Bulk, Catalog number: 10008924	Plastic tube: 1–50 mL	6/23/2025
Microgenics Corporation	Cal MD 3 Alqt, Catalog number: 10009247	Plastic tube: 1–50 mL	6/23/2025
Microgenics Corporation	Cal MD 3 Bulk, Catalog number: 1593	Plastic tube: 1–50 mL	6/23/2025
Microgenics Corporation	Cal MD 4 Alqt, Catalog number: 10008923	Plastic tube: 1–50 mL	6/23/2025
Microgenics Corporation	Cal MD 4 Bulk, Catalog number: 10008925	Plastic tube: 1–50 mL	6/23/2025
Microgenics Corporation	Cal MD Clinical C/O, Catalog number: 10000846	Plastic tube: 1–50 mL	6/23/2025
Microgenics Corporation	Cal MD Low Alqt BCI, Catalog number: 10008920	Plastic tube: 1–50 mL	6/23/2025
Microgenics Corporation	Ctrl MD Clinical High, Catalog number: 10009326	Plastic tube: 1–50 mL	6/23/2025
Microgenics Corporation	Ctrl MD Clinical Low, Catalog number: 10009325	Plastic tube: 1–50 mL	6/23/2025
Microgenics Corporation	Ctrl MD High	Plastic tube: 1–50 mL; Glass vial: 1–30 mL.	6/30/2025
Microgenics Corporation	Ctrl MD Intermediate	Plastic tube: 1–50 mL; Glass vial: 1–30 mL.	6/30/2025
Microgenics Corporation	Ctrl MD Primary Hi Alqt, Catalog number: 10007726	Plastic tube: 1–50 mL	6/23/2025
Microgenics Corporation	Ctrl MD Primary Low Alqt, Catalog number: 10007725	Plastic tube: 1–50 mL	6/23/2025
Microgenics Corporation	Ctrl MD Select High, Catalog number: 10009328	Plastic tube: 1–50 mL	6/23/2025
Microgenics Corporation	Ctrl MD Select Low, Catalog number: 10009327	Plastic tube: 1–50 mL	6/23/2025
Microgenics Corporation	Ctrl Tox L1	Glass vial: 1–25 mL	6/30/2025
Microgenics Corporation	Ctrl Tox L1	Plastic tube: 1–50 mL	6/19/2025
Microgenics Corporation	Ctrl Tox L2	Glass vial: 1–25 mL	6/30/2025
Microgenics Corporation	Ctrl Tox L2	Plastic tube: 1–50 mL	6/19/2025
Microgenics Corporation	Ctrl Tox L3	Glass vial: 1–25 mL	6/30/2025
Microgenics Corporation	Ctrl Tox L3	Plastic tube: 1–50 mL	6/19/2025
Microgenics Corporation	DAI PHENO ANTI REAGENT BULK	HDPE bottles: 30 mL, 125 mL, 500 mL, 1L, 4L.	12/23/2024
Microgenics Corporation	MAS Liquimmune Control Sample Pack, Level 1, Catalog number: LG–S1.	Kit: 3 Glass vials, 5 ml each	8/22/2025
Microgenics Corporation	MAS Omni•IMMUNE Max, Level 1	Kit: 12 bottles, 4 mL each	6/6/2025
Microgenics Corporation	MAS Omni•IMMUNE Max, Level 2	Kit: 12 bottles, 4 mL each	6/6/2025
Microgenics Corporation	MAS Omni•IMMUNE Max, Level 3	Kit: 12 bottles, 4 mL each	6/6/2025
Microgenics Corporation	MAS Omni•IMMUNE Max, Sample Pack	Kit: 4 bottles, 4 mL each	6/6/2025
Microgenics Corporation	MAS Omni•IMMUNE PRO Max, Level 1	Kit: 12 bottles, 4 mL each	6/6/2025
Microgenics Corporation	MAS Omni•IMMUNE PRO Max, Level 2	Kit: 12 bottles, 4 mL each	6/6/2025
Microgenics Corporation	MAS Omni•IMMUNE PRO Max, Level 3	Kit: 12 bottles, 4 mL each	6/6/2025
Microgenics Corporation	MAS Omni•IMMUNE PRO Max, Sample Pack	Kit: 4 bottles, 4 mL each	6/6/2025
Microgenics Corporation	SEK TDM Multi Calibrator Level B	200 plastic bottles: 2 mL each.	12/23/2024
Microgenics Corporation	SEK TDM Multi Calibrator Level C	200 plastic bottles: 2 mL each.	12/23/2024
Microgenics Corporation	SEK TDM Multi Calibrator Level D	200 plastic bottles: 2 mL each.	12/23/2024
Microgenics Corporation	SEK TDM Multi Calibrator Level E	200 plastic bottles: 2 mL each.	12/23/2024
Microgenics Corporation	SEK TDM Multi Calibrator Level F	200 plastic bottles: 2 mL each.	12/23/2024
Microgenics Corporation	UDAT Negative DDE	Glass vial: 1- 25 mL	6/30/2025
Microgenics Corporation	UDAT Negative DDE	Plastic tube: 1–50 mL	6/19/2025
Microgenics Corporation	UDAT Positive DDE	Glass vial: 1–25 mL	6/30/2025
Microgenics Corporation	UDAT Positive DDE	Plastic tube: 1–50 mL	6/19/2025

CHART I—Continued

Supplier name	Product name	Form	Application date
National Laboratory Certification Program ..	000748B, 022146B, 039665B, 065879B, 086495B, 167962B, 189994B, 204201B, 223508B, 326257B, 342610B, 362297B, 388879B, 416496B, 416692B, 433882B, 466557B, 473169B, 534816B, 540208B, 555457B, 560491B, 616284B, 629937B, 674164B, 791989B, 808165B, 822964B, 834011B, 868533B, 886220B, 895562B, 926768B, 940578B, 970440B, 143285B, 162515B, 199760B, 204187B, 317225B, 333143B, 341489B, 348010B, 355663B, 359531B, 367395B, 368690B, 389063B, 469290B, 475478B, 483045B, 496985B, 555622B, 570900B, 576653B, 585957B, 635733B, 639231B, 645544B, 679396B, 784787B, 793643B, 795124B, 806798B, 821428B, 857851B, 861892B, 916526B, 947534B, 989267B, 002986A, 287179A, 718678A, 818336A, 821154A, 893391A, 155057A, 554790A, 812009A, 889510A, 901346A, 938103A, 223328A, 485515A, 616924A, 617472A, 684380A, 898752A, 119337A, 276608A, 428933A, 649901A, 687449A, 728699A, 158060A, 358773A, 389046A, 470393A, 725377A, 921670A, 034905A, 050591A, 311762A, 435964A, 529986A, 716317A, 083960A, 103808A, 319701A, 504864A, 676139A, 778658A, 182558A, 410923A, 505805A, 564854A, 705577A, 766064A, 066780A, 388503A, 419282A, 703514A, 715394A, 773768A, 178093A, 192604A, 253434A, 263834A, 498855A, 936813A, 116696A, 255651A, 436569A, 848494A, 913694A, 976504A, 132812A, 259358A, 331715A, 453220A, 608037A, 642807A.	HDPE Bottle: 35 mL	8/13/2025
National Laboratory Certification Program ..	001249A, 027835A, 030319A, 031215A, 032972A, 045028A, 098349A, 143639A, 146293A, 151718A, 177210A, 211849A, 325597A, 326616A, 329074A, 369009A, 372913A, 386101A, 398816A, 402142A, 416660A, 472099A, 534581A, 576116A, 582362A, 618644A, 642058A, 764131A, 779639A, 789678A, 818507A, 846054A, 925961A, 955839A, 979057A, 002251A, 039767A, 044459A, 052855A, 131153A, 156921A, 189463A, 203800A, 229130A, 253334A, 355362A, 420342A, 440872A, 456611A, 461745A, 464814A, 465233A, 534153A, 534910A, 573090A, 574096A, 577592A, 580395A, 597215A, 620924A, 649927A, 667199A, 708662A, 735570A, 756401A, 781307A, 801348A, 863846A, 920213A, 943102A, 001338B, 027173B, 038705B, 078823B, 128894B, 131909B, 133259B, 145077B, 184325B, 188338B, 188939B, 209909B, 220208B, 224290B, 250754B, 293530B, 313052B, 323873B, 345844B, 346977B, 393206B, 408125B, 456318B, 457915B, 517816B, 568254B, 652003B, 781424B, 785507B, 893164B, 902439B, 908808B, 928191B, 970747B, 971845B, 000402B, 065269B, 073822B, 086729B, 088945B, 123047B, 152713B, 205449B, 232160B, 244650B, 278832B, 283716B, 295306B, 316453B, 341430B, 359561B, 415500B, 416036B, 432847B, 450059B, 457865B, 501988B, 549920B, 571836B, 595222B, 695275B, 709375B, 728251B, 734350B, 825509B, 845492B, 904645B, 914629B, 952576B, 981354B.	HDPE Bottle: 35 mL	8/13/2025
National Laboratory Certification Program ..	001420A, 002034A, 019847A, 046825A, 069432A, 106863A, 125298A, 130785A, 136251A, 142281A, 180198A, 241204A, 245078A, 252189A, 290580A, 329619A, 460489A, 472943A, 568919A, 582322A, 602719A, 606887A, 612695A, 615020A, 748717A, 830622A, 868748A, 887418A, 890295A, 897270A, 906694A, 925366A, 927921A, 967187A, 973838A, 004309A, 018662A, 056361A, 064122A, 163113A, 184110A, 228242A, 251018A, 261736A, 266037A, 279535A, 285644A, 306779A, 405300A, 436595A, 441065A, 496071A, 514158A, 555780A, 608102A, 635375A, 640429A, 657676A, 664073A, 672216A, 734185A, 749633A, 762926A, 767367A, 777431A, 809235A, 840766A, 926298A, 930286A, 956217A, 051635B, 125479B, 160680B, 210036B, 343967B, 359786B, 374204B, 416172B, 442106B, 443824B, 465401B, 473703B, 486996B, 489927B, 491951B, 520594B, 521686B, 540833B, 570333B, 589101B, 597293B, 667722B, 682374B, 692786B, 696196B, 745637B, 755762B, 786770B, 788285B, 794426B, 817555B, 819424B, 846959B, 979232B, 983529B, 010697B, 022117B, 082532B, 116752B, 158992B, 161172B, 177228B, 187457B, 210895B, 241426B, 256719B, 293088B, 343019B, 352986B, 373968B, 390864B, 439681B, 487844B, 517399B, 535038B, 548558B, 582459B, 603382B, 625105B, 677343B, 678234B, 681129B, 692457B, 743355B, 791000B, 861649B, 874492B, 966433B, 992475B, 997312B, 008337B, 044150B, 060118B, 073115B, 075429B, 110423B, 114425B, 119517B, 161266B, 194448B, 235805B, 248623B, 322304B, 386196B, 416931B, 432080B, 483918B, 499219B, 511508B, 512779B, 554565B, 580862B, 701044B, 709526B, 711598B, 763660B, 791308B, 800481B, 847740B, 880122B, 927402B, 942059B, 962277B, 983453B, 985611B.	HDPE Bottle: 35 mL	8/13/2025

CHART I—Continued

Supplier name	Product name	Form	Application date
National Laboratory Certification Program ..	002607A, 005871A, 010267A, 037302A, 058133A, 167539A, 189120A, 198843A, 223547A, 265371A, 273521A, 312350A, 327096A, 345891A, 374572A, 408365A, 426333A, 430747A, 469762A, 541760A, 554350A, 556696A, 603613A, 710392A, 722293A, 758509A, 774160A, 789493A, 800127A, 800441A, 823141A, 868424A, 918975A, 932300A, 973219A, 005559A, 007056A, 060318A, 060822A, 066476A, 079813A, 102425A, 138323A, 145694A, 155454A, 189509A, 229111A, 232779A, 234600A, 304060A, 313103A, 315525A, 351952A, 355146A, 404250A, 406026A, 414442A, 452039A, 498752A, 536594A, 575118A, 580487A, 630920A, 642398A, 690233A, 716200A, 718990A, 830323A, 945302A, 999450A, 000076A, 002689A, 005336A, 049234A, 100803A, 114535A, 181701A, 228001A, 277225A, 278597A, 331643A, 342928A, 389298A, 429917A, 448030A, 491206A, 493791A, 510688A, 569993A, 570360A, 598460A, 600802A, 617482A, 636600A, 640755A, 657521A, 758933A, 823905A, 827065A, 862716A, 875677A, 932736A, 935933A, 976355A, 980632A, 031614A, 051459A, 055192A, 084650A, 120685A, 126722A, 138628A, 143247A, 167291A, 190985A, 278909A, 280854A, 308432A, 341946A, 388325A, 418652A, 436648A, 512595A, 562843A, 586726A, 613405A, 618722A, 654243A, 682929A, 712771A, 718431A, 725334A, 730258A, 748493A, 815920A, 830568A, 868491A, 900074A, 941441A, 959650A, 005666A, 037111A, 071132A, 076812A, 090023A, 092892A, 108325A, 140630A, 179204A, 194898A, 225953A, 235684A, 247574A, 294602A, 306264A, 353302A, 383694A, 389117A, 420372A, 423310A, 429254A, 516093A, 529371A, 569817A, 635297A, 684382A, 724258A, 788430A, 815134A, 831540A, 851045A, 858003A, 873167A, 876730A, 931413A.	HDPE Bottle: 35 mL	8/13/2025
National Laboratory Certification Program ..	003002B, 087649B, 088122B, 097213B, 101887B, 109259B, 180114B, 190602B, 203206B, 204793B, 237410B, 318221B, 358227B, 405127B, 429066B, 464574B, 516853B, 546815B, 595562B, 656679B, 660742B, 662693B, 725552B, 728964B, 744130B, 754517B, 779145B, 808978B, 854621B, 902372B, 928325B, 930057B, 963813B, 993756B, 999305B, 004978B, 038576B, 080314B, 128319B, 129675B, 130198B, 194423B, 219321B, 228240B, 251034B, 286189B, 353998B, 358075B, 367302B, 401038B, 423451B, 457306B, 457699B, 492914B, 543194B, 552087B, 584476B, 587475B, 590681B, 606849B, 644627B, 682369B, 741650B, 758544B, 796495B, 853450B, 898211B, 908182B, 943177B, 999833B, 035550B, 065643B, 147223B, 173202B, 198348B, 257417B, 260894B, 264336B, 273063B, 276178B, 341742B, 345229B, 392939B, 413817B, 425234B, 495163B, 498877B, 527143B, 570511B, 587850B, 605697B, 639581B, 672832B, 717588B, 761034B, 769013B, 785604B, 823221B, 850953B, 885621B, 886279B, 934228B, 958843B, 985085B, 988885B, 016331B, 063957B, 067948B, 088210B, 123687B, 126521B, 167760B, 191425B, 211323B, 226171B, 244664B, 254307B, 279094B, 279789B, 367446B, 369857B, 407954B, 439938B, 540642B, 550860B, 614669B, 674756B, 698083B, 714070B, 721652B, 749981B, 756040B, 782629B, 904051B, 904647B, 932582B, 936878B, 955214B, 974981B, 996596B, 078164B, 094520B, 103792B, 134474B, 152792B, 190116B, 217101B, 257863B, 270842B, 377549B, 408019B, 411878B, 442008B, 460982B, 527654B, 546971B, 601759B, 624614B, 644555B, 655484B, 720991B, 725388B, 742949B, 779193B, 848155B, 854070B, 868649B, 871225B, 881299B, 903977B, 907302B, 924305B, 934078B, 942833B, 967867B.	HDPE Bottle: 35 mL	8/13/2025

CHART I—Continued

Supplier name	Product name	Form	Application date
National Laboratory Certification Program ..	006206A, 031006A, 032097A, 081261A, 084246A, 140135A, 210233A, 234088A, 240026A, 301517A, 307141A, 310037A, 345358A, 358639A, 370474A, 423752A, 471400A, 475502A, 512584A, 521655A, 526587A, 529780A, 572607A, 579690A, 587653A, 615917A, 654272A, 664802A, 696688A, 698228A, 729181A, 768474A, 798477A, 977241A, 981697A, 118988A, 142257A, 179713A, 179964A, 232600A, 286621A, 292618A, 293948A, 327668A, 345555A, 362272A, 365354A, 414624A, 428820A, 464467A, 515361A, 533550A, 634816A, 726842A, 752145A, 762614A, 775255A, 791702A, 817154A, 841712A, 846310A, 860581A, 866703A, 945560A, 950221A, 955729A, 964544A, 977024A, 982060A, 997896A, 020549A, 055873A, 091931A, 103313A, 109157A, 117989A, 123784A, 151693A, 164409A, 175764A, 277493A, 331825A, 346940A, 394608A, 399740A, 418376A, 499323A, 502924A, 508723A, 520961A, 523571A, 531629A, 552589A, 565640A, 623633A, 638624A, 662092A, 706843A, 730464A, 785155A, 819776A, 879645A, 921267A, 949214A, 996663A, 046762A, 100034A, 102666A, 103232A, 108718A, 138437A, 142638A, 148308A, 195427A, 225875A, 259980A, 280661A, 325899A, 333984A, 351003A, 367786A, 371858A, 388872A, 393645A, 398129A, 400359A, 448092A, 479095A, 570180A, 604666A, 607799A, 631374A, 634388A, 641041A, 659497A, 700446A, 748618A, 891470A, 901244A, 942711A.	HDPE Bottle: 35 mL	8/13/2025
National Laboratory Certification Program ..	010070B, 093360B, 099288B, 110882B, 156851B, 239750B, 257778B, 282207B, 288939B, 381045B, 383077B, 398549B, 413633B, 423826B, 479238B, 491081B, 516708B, 531816B, 566564B, 571215B, 576086B, 593527B, 615405B, 740193B, 743791B, 790154B, 802453B, 802705B, 838230B, 858148B, 877893B, 879636B, 900072B, 965444B, 993246B, 026024B, 026847B, 051721B, 063912B, 065871B, 118019B, 136680B, 140934B, 381235B, 389733B, 392446B, 427161B, 456104B, 516761B, 538741B, 548287B, 564163B, 569026B, 574913B, 586831B, 588082B, 626152B, 649482B, 651441B, 659617B, 662769B, 754785B, 777415B, 786123B, 855707B, 936715B, 946177B, 948013B, 963933B, 991376B, 021010A, 030707A, 239326A, 244246A, 337865A, 371198A, 372440A, 381287A, 393670A, 423618A, 436998A, 458904A, 468431A, 492785A, 496858A, 508735A, 515657A, 519381A, 527674A, 563720A, 596068A, 598978A, 670656A, 816957A, 829284A, 834707A, 868325A, 892665A, 917114A, 944490A, 963773A, 972897A, 982749A, 986672A, 989941A, 008075A, 017852A, 025625A, 085275A, 097999A, 102622A, 104451A, 187797A, 235223A, 237010A, 293294A, 293303A, 336061A, 346745A, 409856A, 412993A, 444251A, 454347A, 522107A, 546801A, 570924A, 584379A, 651757A, 704466A, 721935A, 722529A, 728478A, 805525A, 861781A, 909262A, 915497A, 940293A, 940584A, 963339A, 977072A, 001424A, 018549A, 032135A, 054089A, 100890A, 139000A, 154712A, 184394A, 201783A, 223037A, 227969A, 274516A, 289891A, 314567A, 325731A, 345973A, 384796A, 484282A, 539167A, 540312A, 574694A, 621396A, 645207A, 673320A, 675481A, 698635A, 700449A, 729705A, 831751A, 845276A, 931693A, 939711A, 958958A, 975696A, 998134A.	HDPE Bottle: 35 mL	8/13/2025

CHART I—Continued

Supplier name	Product name	Form	Application date
National Laboratory Certification Program ..	014064A, 070455A, 072822A, 077919A, 096657A, 124962A, 259574A, 263776A, 357440A, 365600A, 378595A, 383326A, 405193A, 416442A, 437908A, 444539A, 464994A, 485246A, 494040A, 498674A, 647026A, 736635A, 736929A, 748417A, 755567A, 787193A, 792836A, 802250A, 852899A, 900360A, 902762A, 908964A, 947949A, 974384A, 983525A, 007292A, 009786A, 011918A, 016120A, 038168A, 067225A, 079531A, 081369A, 131969A, 161948A, 182862A, 192080A, 345914A, 357516A, 389524A, 447653A, 451580A, 481153A, 513678A, 544125A, 555636A, 582823A, 596073A, 626277A, 631392A, 718321A, 747102A, 752666A, 764944A, 765184A, 804514A, 806677A, 864601A, 925690A, 927292A, 025155A, 033235A, 049549A, 054034A, 055333A, 106472A, 118226A, 152283A, 234007A, 248041A, 280254A, 305280A, 314206A, 341828A, 348639A, 349011A, 389756A, 389759A, 396694A, 427443A, 487691A, 528175A, 546748A, 547344A, 633832A, 659937A, 694277A, 700514A, 741955A, 805262A, 853449A, 948027A, 953244A, 956598A, 962943A, 025920A, 027135A, 114480A, 115476A, 122523A, 183635A, 194041A, 204620A, 279945A, 281934A, 433932A, 433954A, 474972A, 480948A, 511809A, 526120A, 528097A, 590448A, 593901A, 615205A, 656931A, 706059A, 725830A, 750699A, 772302A, 783058A, 812667A, 828439A, 831789A, 848828A, 875358A, 885148A, 903531A, 907849A, 934986A, 051972A, 084295A, 092982A, 127246A, 144873A, 153363A, 179738A, 245433A, 267209A, 267239A, 268384A, 283952A, 302893A, 341922A, 366295A, 380954A, 431768A, 449924A, 472740A, 496108A, 520809A, 563533A, 610186A, 662154A, 666750A, 743040A, 743538A, 771036A, 831271A, 833772A, 845911A, 851457A, 875709A, 889988A, 905770A.	HDPE Bottle: 35 mL	8/13/2025
National Laboratory Certification Program ..	015148B, 056350B, 068497B, 068841B, 085299B, 088113B, 148813B, 216318B, 258353B, 278737B, 290602B, 342174B, 349555B, 363816B, 378841B, 383732B, 403899B, 425825B, 428748B, 435254B, 490430B, 511164B, 539146B, 592447B, 639188B, 775875B, 794570B, 814647B, 835479B, 852161B, 856746B, 922414B, 942915B, 980973B, 995461B, 005970B, 007113B, 020039B, 041744B, 052781B, 095638B, 103092B, 108093B, 116611B, 137712B, 205143B, 212652B, 313350B, 313731B, 352196B, 372176B, 380826B, 480873B, 549776B, 574513B, 587920B, 601385B, 626117B, 634280B, 694610B, 697129B, 704426B, 749265B, 816141B, 864803B, 884678B, 919924B, 931313B, 952073B, 985493B, 002168B, 091094B, 123006B, 136411B, 138459B, 148032B, 209330B, 253424B, 260107B, 282451B, 290338B, 346617B, 382639B, 445840B, 454896B, 489818B, 523851B, 543156B, 547523B, 562232B, 583813B, 594916B, 623448B, 640119B, 684220B, 684485B, 718954B, 742612B, 808392B, 834188B, 920223B, 934971B, 966650B, 974890B, 999564B, 016991B, 084133B, 107773B, 132664B, 140291B, 154688B, 179523B, 184408B, 184929B, 214543B, 230517B, 246989B, 309057B, 328136B, 356755B, 371493B, 373624B, 380166B, 471772B, 541159B, 570310B, 592389B, 612733B, 636707B, 663165B, 668464B, 674714B, 684429B, 752346B, 756252B, 778652B, 813551B, 822312B, 833656B, 903755B, 068902B, 129408B, 148954B, 158395B, 161710B, 175855B, 185324B, 231810B, 234867B, 265506B, 329791B, 368936B, 379924B, 396559B, 417733B, 478661B, 487350B, 488452B, 516316B, 544066B, 582266B, 611803B, 673201B, 681808B, 697475B, 735696B, 773267B, 802300B, 838980B, 858879B, 887888B, 888149B, 890755B, 909314B, 986916B.	HDPE Bottle: 35 mL	8/13/2025

CHART I—Continued

Supplier name	Product name	Form	Application date
National Laboratory Certification Program ..	017433B, 017794B, 084500B, 101389B, 106040B, 141643B, 158480B, 164272B, 177758B, 253127B, 273524B, 301629B, 319519B, 368693B, 405795B, 456287B, 484201B, 535222B, 574190B, 577129B, 588516B, 599060B, 626474B, 643825B, 733276B, 751873B, 815188B, 818970B, 820321B, 837004B, 865225B, 929563B, 932571B, 957085B, 988665B, 008300B, 020955B, 048067B, 048586B, 122737B, 162828B, 166724B, 173251B, 183621B, 194965B, 273974B, 354675B, 355375B, 407080B, 414483B, 462906B, 473949B, 474305B, 597795B, 598394B, 617129B, 651745B, 718596B, 751654B, 754559B, 775606B, 851317B, 864538B, 912644B, 918278B, 935659B, 937963B, 959217B, 969407B, 987184B, 013040A, 042753A, 090506A, 103995A, 116292A, 152529A, 180585A, 202706A, 279567A, 336881A, 404722A, 404794A, 432772A, 446473A, 463980A, 503028A, 522915A, 556437A, 596439A, 599504A, 650995A, 652080A, 660807A, 668824A, 678286A, 696520A, 713748A, 765514A, 778427A, 821933A, 868611A, 871672A, 871840A, 890969A, 957414A, 032127A, 038866A, 057538A, 114154A, 156524A, 166013A, 169311A, 184029A, 206832A, 261215A, 271448A, 345295A, 350467A, 353002A, 364606A, 377739A, 390882A, 414211A, 427846A, 488084A, 554944A, 586620A, 644720A, 654539A, 720771A, 745258A, 788267A, 805560A, 821531A, 823897A, 840565A, 851174A, 879955A, 966286A, 985558A.	HDPE Bottle: 35 mL	8/13/2025
National Laboratory Certification Program ..	020384A, 022514A, 073773A, 077307A, 101061A, 112787A, 113934A, 221524A, 222169A, 344282A, 345454A, 382658A, 399299A, 409663A, 422937A, 443649A, 450388A, 453675A, 472094A, 481939A, 488379A, 510953A, 559989A, 601421A, 639428A, 688400A, 780138A, 820038A, 822796A, 843747A, 852287A, 907466A, 914112A, 936481A, 996819A, 021015A, 106941A, 153757A, 170127A, 219620A, 243009A, 245620A, 262466A, 267026A, 273002A, 284518A, 293098A, 304173A, 357980A, 362650A, 368667A, 372428A, 373763A, 465213A, 632670A, 637010A, 654256A, 667111A, 676396A, 685528A, 715997A, 729778A, 738401A, 746709A, 820035A, 824394A, 862464A, 899745A, 976984A, 990488A, 000698B, 005823B, 008668B, 009201B, 014868B, 035268B, 040795B, 093659B, 110364B, 235929B, 250025B, 284776B, 289781B, 334117B, 360362B, 365813B, 406620B, 416031B, 429433B, 436806B, 478435B, 532508B, 536440B, 660586B, 660715B, 666837B, 708785B, 726285B, 744732B, 774145B, 774646B, 814238B, 829662B, 889478B, 966310B, 123477B, 139407B, 153268B, 214442B, 235636B, 248028B, 320549B, 382536B, 418025B, 479495B, 517581B, 529280B, 580007B, 593081B, 620945B, 633779B, 637763B, 647421B, 647863B, 653460B, 702767B, 704973B, 751674B, 752439B, 755787B, 763707B, 803866B, 838175B, 847350B, 871386B, 879837B, 894329B, 904256B, 950064B, 963760B.	HDPE Bottle: 35 mL	8/13/2025
National Laboratory Certification Program ..	037106B, 064669B, 121593B, 175568B, 184654B, 190581B, 220221B, 234541B, 243913B, 251933B, 312685B, 451855B, 469650B, 482602B, 562752B, 633520B, 637702B, 656601B, 669256B, 703740B, 705237B, 724503B, 754388B, 759014B, 763713B, 828140B, 832428B, 852540B, 853172B, 878380B, 888424B, 889409B, 891234B, 920600B, 929262B, 006435B, 022475B, 057975B, 069059B, 071614B, 094628B, 109877B, 141409B, 203883B, 254945B, 281629B, 308778B, 341348B, 351807B, 356969B, 388686B, 436827B, 457296B, 465716B, 476139B, 495813B, 535278B, 593565B, 606005B, 609170B, 616608B, 625412B, 664929B, 698418B, 751564B, 786646B, 861767B, 901399B, 990896B, 992257B, 067740B, 078286B, 088864B, 096404B, 099168B, 118997B, 171831B, 177252B, 200941B, 208656B, 221471B, 225547B, 282454B, 300382B, 356362B, 444961B, 458435B, 492844B, 521133B, 577803B, 616481B, 637395B, 648786B, 655158B, 659453B, 666321B, 676368B, 739389B, 747694B, 763463B, 820524B, 855516B, 890690B, 896779B, 993870B, 003330B, 008663B, 008973B, 053985B, 066982B, 083150B, 113023B, 145688B, 167253B, 176429B, 221441B, 263850B, 296679B, 372537B, 377640B, 428944B, 454311B, 470693B, 495033B, 516375B, 533182B, 538284B, 593454B, 622069B, 625845B, 705271B, 731910B, 760440B, 762685B, 805687B, 867966B, 895987B, 909977B, 967691B, 984212B.	HDPE Bottle: 35 mL	8/13/2025

CHART I—Continued

Supplier name	Product name	Form	Application date
National Laboratory Certification Program ..	040826A, 052946A, 054338A, 101202A, 145345A, 151289A, 168310A, 204415A, 230085A, 270947A, 283433A, 414966A, 426423A, 436865A, 449014A, 449143A, 449215A, 451210A, 483623A, 562787A, 592758A, 597446A, 599811A, 661841A, 694951A, 701824A, 711740A, 728471A, 774161A, 788362A, 810255A, 866775A, 869369A, 871219A, 977467A, 028735A, 035118A, 075272A, 076547A, 089441A, 089633A, 096802A, 172073A, 259781A, 270806A, 321625A, 325690A, 350232A, 411793A, 450765A, 486819A, 563260A, 579818A, 591467A, 607282A, 624678A, 652701A, 699573A, 711491A, 715428A, 729140A, 771556A, 799742A, 838530A, 844041A, 855547A, 868513A, 882175A, 963272A, 65733A, 083318B, 097153B, 112864B, 120304B, 154929B, 184979B, 235136B, 260884B, 269738B, 270105B, 292616B, 363773B, 395431B, 404299B, 515262B, 552528B, 553217B, 604151B, 609472B, 696552B, 731845B, 741227B, 747141B, 760020B, 763677B, 785318B, 814115B, 819068B, 843696B, 847131B, 852064B, 905874B, 926529B, 936154B, 946776B, 003840B, 054021B, 057907B, 158728B, 201571B, 253068B, 259551B, 389566B, 523985B, 541941B, 542929B, 551906B, 562803B, 571097B, 571967B, 588134B, 608694B, 625732B, 656666B, 716335B, 745469B, 752927B, 764848B, 810619B, 859259B, 891730B, 943186B, 943972B, 946645B, 950528B, 952199B, 966997B, 970967B, 994669B, 998558B, 004421B, 021501B, 029943B, 031233B, 047450B, 075949B, 076140B, 115350B, 124299B, 133903B, 170676B, 174509B, 210376B, 298568B, 320140B, 350155B, 350399B, 364976B, 380599B, 391717B, 475430B, 514141B, 565435B, 565633B, 569655B, 639511B, 732980B, 762516B, 839143B, 852208B, 861253B, 877995B, 898353B, 954458B, 970987B.	HDPE Bottle: 35 mL	8/13/2025
National Laboratory Certification Program ..	045784B, 052798B, 057593B, 098212B, 100893B, 101142B, 180904B, 216010B, 273557B, 276954B, 288342B, 368630B, 388064B, 435990B, 438949B, 471911B, 482770B, 502619B, 532590B, 536276B, 551023B, 575720B, 623191B, 634009B, 647236B, 662633B, 675205B, 685451B, 689710B, 731533B, 744103B, 820031B, 855502B, 862411B, 931507B, 027777B, 119490B, 137163B, 158033B, 162620B, 244094B, 275356B, 291164B, 302291B, 312676B, 379494B, 381497B, 399175B, 423577B, 433740B, 434559B, 452118B, 536280B, 541933B, 560683B, 589996B, 602983B, 630257B, 659372B, 678582B, 700844B, 741401B, 756887B, 823112B, 834359B, 875111B, 876818B, 877156B, 881128B, 998279B, 037014B, 039673B, 045770B, 058136B, 065317B, 066839B, 132937B, 170901B, 175168B, 210176B, 229910B, 241586B, 273502B, 284310B, 284718B, 289955B, 306823B, 399116B, 475395B, 499112B, 545017B, 548515B, 593510B, 651653B, 660732B, 664479B, 694851B, 721298B, 733106B, 770235B, 786980B, 907019B, 920045B, 990726B, 996913B, 021162B, 087866B, 183065B, 189337B, 205052B, 234816B, 260972B, 271462B, 308292B, 323664B, 345750B, 394883B, 437939B, 466877B, 495588B, 517011B, 518096B, 519701B, 550619B, 614606B, 648570B, 682661B, 703108B, 724890B, 732560B, 732619B, 778313B, 792989B, 808760B, 843703B, 876417B, 888383B, 904377B, 910460B, 957244B, 055473A, 062795A, 091960A, 095654A, 103689A, 121192A, 152490A, 343605A, 380438A, 431234A, 440090A, 443804A, 493914A, 498294A, 549495A, 553148A, 583854A, 592585A, 614725A, 634559A, 663404A, 691749A, 740783A, 745137A, 753250A, 767767A, 778930A, 796137A, 804117A, 818517A, 838861A, 895186A, 905662A, 934214A, 979252A.	HDPE Bottle: 35 mL	8/13/2025

CHART I—Continued

Supplier name	Product name	Form	Application date
National Laboratory Certification Program ..	074055A, 103111A, 119335A, 253010A, 284037A, 285200A, 307883A, 312834A, 321193A, 331790A, 337173A, 387539A, 404275A, 449403A, 476817A, 527683A, 531288A, 605622A, 613189A, 634257A, 651887A, 652077A, 672726A, 677614A, 696727A, 718250A, 833229A, 834573A, 843020A, 898432A, 951122A, 976028A, 979580A, 984005A, 985648A, 021619A, 040036A, 042253A, 047178A, 067336A, 118948A, 168728A, 177066A, 249348A, 265410A, 268548A, 278997A, 308487A, 323939A, 329064A, 460527A, 583497A, 617274A, 618834A, 626872A, 658023A, 674192A, 684034A, 710223A, 721689A, 730015A, 792299A, 799879A, 848331A, 864583A, 867060A, 873822A, 877391A, 967406A, 979251A, 000665A, 025017A, 055959A, 067706A, 122536A, 146733A, 154141A, 172901A, 189669A, 270190A, 317074A, 381166A, 389562A, 394605A, 404688A, 478269A, 480736A, 489585A, 513162A, 520168A, 526012A, 571094A, 574081A, 582332A, 607700A, 625252A, 685985A, 807835A, 851074A, 854031A, 854264A, 891374A, 934897A, 959220A, 990476A, 018312A, 025641A, 031396A, 083193A, 099900A, 104132A, 111257A, 141712A, 150760A, 192893A, 202322A, 226723A, 251858A, 264258A, 268600A, 317802A, 354305A, 388382A, 469706A, 540684A, 554382A, 581932A, 583177A, 593106A, 699066A, 716424A, 728547A, 775320A, 784436A, 822127A, 862509A, 904228A, 911402A, 912819A, 934539A.	HDPE Bottle: 35 mL	8/13/2025
National Laboratory Certification Program ..	12666–143–30301	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	12666–143–30302	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	12666–143–30303	HDPE Vial: 3 mL HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	12666–143–30304	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	12666–143–30305	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	12666–143–30306	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	127972A, 129253A, 157500A, 162396A, 164373A, 195102A, 251623A, 292781A, 297839A, 305609A, 349662A, 351685A, 418387A, 425259A, 443116A, 469054A, 497169A, 598078A, 650309A, 681409A, 689544A, 705767A, 741096A, 757116A, 792683A, 805477A, 822731A, 856956A, 861441A, 883543A, 903124A, 903264A, 911065A, 958405A, 999965A, 092669A, 093912A, 113643A, 120299A, 187578A, 224713A, 282085A, 290486A, 303537A, 403406A, 407127A, 410750A, 413786A, 418464A, 422026A, 569177A, 597899A, 604333A, 607705A, 611430A, 616383A, 626203A, 758029A, 799149A, 822057A, 827055A, 849915A, 866988A, 885741A, 889674A, 946229A, 950892A, 965105A, 976156A, 988441A, 011680A, 017661A, 080304A, 095217A, 109225A, 114025A, 138442A, 206042A, 228759A, 233184A, 308871A, 340469A, 413044A, 448867A, 478672A, 501400A, 505846A, 536930A, 590200A, 604209A, 631483A, 634395A, 725480A, 741966A, 765032A, 766257A, 796397A, 798459A, 818295A, 843407A, 848811A, 849883A, 911465A, 921657A, 952764A, 017944A, 040220A, 050432A, 079752A, 082110A, 086038A, 092088A, 098069A, 137512A, 156757A, 171216A, 211808A, 226869A, 233495A, 318540A, 327851A, 354016A, 395600A, 485757A, 486285A, 510005A, 514619A, 547594A, 566208A, 569696A, 585093A, 708168A, 709648A, 756379A, 780888A, 845265A, 862932A, 885795A, 910079A, 928497A.	HDPE Bottle: 35 mL	8/13/2025
National Laboratory Certification Program ..	3001526A, 3018238A, 3096101A, 3110680A, 3113769A, 3154844A, 3173916A, 3223482A, 3243510A, 3251713A, 3266043A, 3327699A, 3335519A, 3376571A, 3377786A, 3416295A, 3429118A, 3502245A, 3550307A, 3583264A, 3632642A, 3633818A, 3761575A, 3777806A, 3808198A, 3840016A, 3845334A, 3870626A, 3882358A, 3917156A.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3001561B, 3111394B, 3164261B, 3181381B, 3217659B, 3227574B, 3228185B, 3246578B, 3256519B, 3266885B, 3274430B, 3287200B, 3424866B, 3432366B, 3437934B, 3460352B, 3481298B, 3534668B, 3592630B, 3623211B, 3629152B, 3759816B, 3771088B, 3805172B, 3848708B, 3890789B, 3891851B, 3899493B, 3900343B, 3947408B.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3001667B, 3004957B, 3031723B, 3083566B, 3150408B, 3262567B, 3270737B, 3288994B, 3290699B, 3336123B, 3347362B, 3371622B, 3502194B, 3566045B, 3573387B, 3608174B, 3672038B, 3681979B, 3729211B, 3794001B, 3800765B, 3805195B, 3821092B, 3852132B, 3873873B, 3879475B, 3923970B, 3931439B, 3987782B, 3988045B.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3002885A, 3032516A, 3059502A, 3075601A, 3265588A, 3308788A, 3330657A, 3342909A, 3365597A, 3371721A, 3416858A, 3436675A, 3439719A, 3441349A, 3457316A, 3492077A, 3573177A, 3576706A, 3596782A, 3619408A, 3636601A, 3681393A, 3709882A, 3743512A, 3746323A, 3774507A, 3805268A, 3806370A, 3875820A, 3904297A.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3003529A, 3016329A, 3020530A, 3100060A, 3249119A, 3288976A, 3296457A, 3305000A, 3352118A, 3354787A, 3443033A, 3456936A, 3475272A, 3517958A, 3585346A, 3601671A, 3602096A, 3684145A, 3712181A, 3733342A, 3740081A, 3752980A, 3768699A, 3772330A, 3815885A, 3818589A, 3848435A, 3936065A, 3948826A, 3997458A.	HDPE Vial: 3 mL	3/6/2025

CHART I—Continued

Supplier name	Product name	Form	Application date
National Laboratory Certification Program ..	3005594A, 3016355A, 3023157A, 3035514A, 3111073A, 3131838A, 3133767A, 3150842A, 3161299A, 3164878A, 3187011A, 3193620A, 3195470A, 3237729A, 3282426A, 3401793A, 3447639A, 3463783A, 3513508A, 3656013A, 3661234A, 3705959A, 3717940A, 3762813A, 3776672A, 3796275A, 3813144A, 3867683A, 3883090A, 3972739A.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3005883A, 3073389A, 3076401A, 3089690A, 3188478A, 3202906A, 3236799A, 3287040A, 3412094A, 3416181A, 3444322A, 3449332A, 3472844A, 3489572A, 3494862A, 3497108A, 3533455A, 3632861A, 3639069A, 3652583A, 3668064A, 3691540A, 3721917A, 3863022A, 3864728A, 3867894A, 3878930A, 3886649A, 3925271A, 3934297A.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3007068A, 3051651A, 3082943A, 3131111A, 3151718A, 3163593A, 3165852A, 3189585A, 3207235A, 3284335A, 3346441A, 3432748A, 3445386A, 3498509A, 3556658A, 3593957A, 3594024A, 3629943A, 3685516A, 3738840A, 3739632A, 3791378A, 3800013A, 3822762A, 3848422A, 3874346A, 3895574A, 3916052A, 3916261A, 3927510A.	HDPE Vial: 3 mL	3/6/2025
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National Laboratory Certification Program ..	3008973B, 3100443B, 3115009B, 3159703B, 3218595B, 3249504B, 3269672B, 3301958B, 3307598B, 3336923B, 3406713B, 3460251B, 3471241B, 3536399B, 3539176B, 3549507B, 3583097B, 3589775B, 3630389B, 3705792B, 3751918B, 3755548B, 3764678B, 3778759B, 3832537B, 3896484B, 3903120B, 3949462B, 3991305B, 3996884B.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3009600A, 3031020A, 3032934A, 3038639A, 3074315A, 3089928A, 3090809A, 3096337A, 3243223A, 3248521A, 3312725A, 3362289A, 3521717A, 3528430A, 3553561A, 3566355A, 3581050A, 3593952A, 3614765A, 3614805A, 3617959A, 3632040A, 3672984A, 3679343A, 3703755A, 3759819A, 3763942A, 3792773A, 3865884A, 3876296A.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3010304B, 3025326B, 3078460B, 3115817B, 3138994B, 3188021B, 3227363B, 3237238B, 3247720B, 3323070B, 3377569B, 3446404B, 3454987B, 3488568B, 3514486B, 3552661B, 3576522B, 3581447B, 3604192B, 3630116B, 3647127B, 3664750B, 3688368B, 3693418B, 3707739B, 3724205B, 3729976B, 3753367B, 3753846B, 3904709B.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3010418A, 3041985A, 3072104A, 3093023A, 3148452A, 3159815A, 3185731A, 3205915A, 3257074A, 3264094A, 3456439A, 3518514A, 3542534A, 3560869A, 3576394A, 3589917A, 3590551A, 3614060A, 3619161A, 3632860A, 3682429A, 3688481A, 3722693A, 3744342A, 3779857A, 3816604A, 3900965A, 3926308A, 3935189A, 3962414A.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3011561A, 3016349A, 3028033A, 3040588A, 3041461A, 3049999A, 3057399A, 3069276A, 3094499A, 3098662A, 3106809A, 3109485A, 3110758A, 3143343A, 3157460A, 3173247A, 3173735A, 3200753A, 3204816A, 3223181A, 3226146A, 3226393A, 3231838A, 3232362A, 3253939A, 3254555A, 3269806A, 3311940A, 3318480A, 3326919A, 3340327A, 3343495A, 3347294A, 3359788A, 3367959A, 3372567A, 3372771A, 3372775A, 3376958A, 3511322A, 3533282A, 3566880A, 3569519A, 3587528A, 3590989A, 3600383A, 3606015A, 3614978A, 3653049A, 3655349A, 3660205A, 3661971A, 3667601A, 3672435A, 3673190A, 3676936A, 3677036A, 3677911A, 3681151A, 3682004A, 3684617A, 3686876A, 3687842A, 3689103A, 3717560A, 3723195A, 3733223A, 3737827A, 3746190A, 3763303A, 3763680A, 3765489A, 3766764A, 3798667A, 3806633A, 3807874A, 3848321A, 3857100A, 3858494A, 3860624A, 3887617A, 3908793A, 3912976A, 3915438A, 3923336A, 3946249A, 3946891A, 3960819A, 3982610A, 3986290A.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3012164A, 3028858A, 3047759A, 3064683A, 3098352A, 3122968A, 3144589A, 3158504A, 3210485A, 3256135A, 3285326A, 3356526A, 3374191A, 3379877A, 3421652A, 3448389A, 3483864A, 3521336A, 3527033A, 3534663A, 3570676A, 3694196A, 3737270A, 3744955A, 3792333A, 3864328A, 3879755A, 3889849A, 3905323A, 3923993A.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3012928A, 3107715A, 3151473A, 3167204A, 3169700A, 3404495A, 3410159A, 3419668A, 3429456A, 3439515A, 3451900A, 3477555A, 3509677A, 3530532A, 3604662A, 3619597A, 3647490A, 3681149A, 3704067A, 3713678A, 3714438A, 3809460A, 3813614A, 3825421A, 3854787A, 3861027A, 3894183A, 3917584A, 3930330A, 3985400A.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3016707A, 3043599A, 3066343A, 3072567A, 3092950A, 3169068A, 3170077A, 3229867A, 3233703A, 3247776A, 3257763A, 3293091A, 3310725A, 3344792A, 3360359A, 3375880A, 3411473A, 3543435A, 3549713A, 3622398A, 3652679A, 3670107A, 3710967A, 3715797A, 3723645A, 3794547A, 3803731A, 3847733A, 3887552A, 3927095A.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3020724B, 3068816B, 3093998B, 3142895B, 3164819B, 3165350B, 3186749B, 3238252B, 3344018B, 3359791B, 3360777B, 3376684B, 3472813B, 3508578B, 3560740B, 3606041B, 3680246B, 3689404B, 3690182B, 3693175B, 3713958B, 3734229B, 3748433B, 3785687B, 3815477B, 3820402B, 3821647B, 3897005B, 3897999B, 3927383B.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3021219A, 3023186A, 3086733A, 3183679A, 3308343A, 3349847A, 3350664A, 3358810A, 3412053A, 3499706A, 3506812A, 3528745A, 3560766A, 3637005A, 3645598A, 3693016A, 3742855A, 3760817A, 3761522A, 3763868A, 3786560A, 3822983A, 3831473A, 3850334A, 3876575A, 3898313A, 3969590A, 3985727A, 3988177A, 3994387A.	HDPE Vial: 3 mL	3/6/2025

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Supplier name	Product name	Form	Application date
National Laboratory Certification Program ..	3023523A, 3051357A, 3093271A, 3133012A, 3142602A, 3190390A, 3221282A, 3240233A, 3255293A, 3314116A, 3322683A, 3362689A, 3413976A, 3435316A, 3481683A, 3511738A, 3526090A, 3548126A, 3590508A, 3601231A, 3631781A, 3665199A, 3702464A, 3714833A, 3738664A, 3739140A, 3743106A, 3819163A, 3916445A, 3953054A.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3029689A, 3096300A, 3138534A, 3140906A, 3142275A, 3228996A, 3249275A, 3321921A, 3346358A, 3359278A, 3409480A, 3444581A, 3453800A, 3591139A, 3597481A, 3600495A, 3643302A, 3670536A, 3684303A, 3684351A, 3713947A, 3737530A, 3792369A, 3801851A, 3865773A, 3915873A, 3952118A, 3967932A, 3976950A, 3998618A.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3030692A, 3050404A, 3078848A, 3141019A, 3220907A, 3237827A, 3281412A, 3356783A, 3393221A, 3415748A, 3432054A, 3441998A, 3450733A, 3476839A, 3486417A, 3534469A, 3603256A, 3615282A, 3622773A, 3630797A, 3805670A, 3819402A, 3820186A, 3843535A, 3844702A, 3870160A, 3914649A, 3945943A, 3948137A, 3973675A.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3033655A, 3148732A, 3158615A, 3166410A, 3182571A, 3195724A, 3205849A, 3256279A, 3261299A, 3319856A, 3339323A, 3352621A, 3434751A, 3527434A, 3531401A, 3542663A, 3561629A, 3634729A, 3641383A, 3728378A, 3754081A, 3770816A, 3821409A, 3829473A, 3839234A, 3888691A, 3889962A, 3899960A, 3931049A, 3982759A.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3036095A, 3058266A, 3067134A, 3077253A, 3100715A, 3155045A, 3251374A, 3277984A, 3411888A, 3477837A, 3485813A, 3492014A, 3496509A, 3509733A, 3524999A, 3583845A, 3591371A, 3616636A, 3650222A, 3660650A, 3766063A, 3795050A, 3828634A, 3848460A, 3864851A, 3891313A, 3899174A, 3899835A, 3936845A, 3950812A.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3037408A, 3040347A, 3044188A, 3063574A, 3073540A, 3119606A, 3187449A, 3236090A, 3245391A, 3288255A, 3290954A, 3298897A, 3303332A, 3318047A, 3532772A, 3572072A, 3585782A, 3600997A, 3613741A, 3633514A, 3639066A, 3674866A, 3717326A, 3830995A, 3847077A, 3866622A, 3893252A, 3925151A, 3929107A, 3959298A.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3046892A, 3068147A, 3091284A, 3146895A, 3180453A, 3252445A, 3253516A, 3299519A, 3315217A, 3353243A, 3428709A, 3430744A, 3506382A, 3508890A, 3525949A, 3649462A, 3676287A, 3692936A, 3847688A, 3862078A, 3873514A, 3875896A, 3909373A, 3913200A, 3925872A, 3950262A, 3952457A, 3966539A, 3969132A, 3998769A.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3047214B, 3059446B, 3075462B, 3087247B, 3140711B, 3175259B, 3187385B, 3194697B, 3203074B, 3263404B, 3323755B, 3400102B, 3403561B, 3416679B, 3417550B, 3445008B, 3472972B, 3543431B, 3582265B, 3595428B, 3694531B, 3729663B, 3742377B, 3749390B, 3758536B, 3790884B, 3796602B, 3837347B, 3964403B, 3973081B.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3056468A, 3060389A, 3067677A, 3089939A, 3090368A, 3128487A, 3131048A, 3213020A, 3244116A, 3293189A, 3384729A, 3453724A, 3488820A, 3493463A, 3620499A, 3653258A, 3663616A, 3716679A, 3716984A, 3728381A, 3736956A, 3754682A, 3757874A, 3789566A, 3797087A, 3817090A, 3818675A, 3824392A, 3868999A, 3948831A.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3063984B, 3069837B, 3088589B, 3104298B, 3112383B, 3138088B, 3139808B, 3170439B, 3185297B, 3223363B, 3289529B, 3303908B, 3319607B, 3403199B, 3436529B, 3597148B, 3604470B, 3624106B, 3632206B, 3642572B, 3652629B, 3679184B, 3693998B, 3696224B, 3725661B, 3825069B, 3839338B, 3839535B, 3845283B, 3912852B.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3064074B, 3084328B, 3095680B, 3118068B, 3137565B, 3159024B, 3183994B, 3199215B, 3202427B, 3215566B, 3226641B, 3248858B, 3261455B, 3345736B, 3363433B, 3395764B, 3413880B, 3519492B, 3562005B, 3594280B, 3611395B, 3625777B, 3635526B, 3636762B, 3646254B, 3714935B, 3725057B, 3836015B, 3908082B, 3961930B.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3073287A, 3076151A, 3132290A, 3158106A, 3192850A, 3197787A, 3202479A, 3240032A, 3285442A, 3323025A, 3378085A, 3417366A, 3433920A, 3449269A, 3459500A, 3488327A, 3546931A, 3550334A, 3576142A, 3654086A, 3691492A, 3736040A, 3773050A, 3843648A, 3851418A, 3862048A, 3896474A, 3916434A, 3935786A, 3989510A.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3083202A, 3107453A, 3115422A, 3155646A, 3253665A, 3373400A, 3392808A, 3404301A, 3404444A, 3466365A, 3478874A, 3513958A, 3551738A, 3587072A, 3600256A, 3605299A, 3643249A, 3681391A, 3683982A, 3717874A, 3727571A, 3826732A, 3843814A, 3846661A, 3851708A, 3891507A, 3932641A, 3949867A, 3953051A, 3995831A.	HDPE Vial: 3 mL	3/6/2025
National Laboratory Certification Program ..	3091191A, 3110756A, 3120543A, 3134482A, 3169652A, 3172928A, 3184518A, 3240486A, 3258786A, 3271735A, 3283951A, 3371600A, 3447571A, 3457571A, 3669166A, 3673703A, 3678508A, 3681083A, 3691860A, 3703355A, 3818629A, 3887683A, 3899815A, 3914520A, 3928682A, 3946169A, 3953024A, 3966471A, 3973841A, 3976420A.	HDPE Vial: 3 mL	3/6/2025
o2si smart solutions	Sports Performance Supplement Internal Standard, 0.5–50 ug/mL, 1 mL.	Amber Glass Ampule: 1 mL	9/12/2025
o2si smart solutions	Sports Performance Supplement Internal Standard, 10–100 ug/mL, 1 mL.	Glass Ampule: 1 ml	8/12/2025
o2si smart solutions	Sports Supplement Adulterant Kit, 10–50 ug/mL, 1 mL G34–140492-Kit-2.	Kit: 2 Ampules, 1 mL each ..	8/22/2025
o2si smart solutions	Sports Supplement Adulterant Kit, 100 ug/mL, 1 mL G34–140492-Kit ...	Kit: 2 Ampules, 1 mL each ..	8/22/2025
o2si smart solutions	Sports Supplement Adulterant Solution, 10–50 ug/mL, 1 mL G34–140492–02.	Amber Ampule: 1 mL	8/22/2025

CHART I—Continued

Supplier name	Product name	Form	Application date
o2si smart solutions	Sports Supplement Adulterant Solution, 100 ug/mL, 1 mL G34–140492–03.	Amber Ampule: 1 mL	8/22/2025
o2si smart solutions	Weight Loss Adulterant Solution, 5, 10, and 20 ug/mL, 1 mL	Glass Ampule: 1 ml	8/12/2025
o2si smart solutions	Weight Loss Supplement Internal Standard, 10–200ug.mL, 1 ml	Amber ampule: 1 mL	4/28/2025
o2si smart solutions	Weight Loss Supplement Internal Standard, 10–200ug/mL, 1 ml	Amber Glass Ampule: 1 mL	9/12/2025
Restek Corporation	Cannabinoids 11 (1000) standard	Glass Vial, 0.5 mL	5/15/2025
Restek Corporation	Cannabinoids 11 (1000) standard	Glass Vial, 0.7 mL	5/15/2025
Restek Corporation	Cannabinoids 11 (1000) standard	Glass Vial: 0.6 mL	5/15/2025
Restek Corporation	Custom Meprobamate Standard	Glass Ampoule: 5 mL	8/14/2025
Restek Corporation	Product and Reactor Chloral Hydrate Standard	Glass ampule: 2.3 mL	11/11/2025
Restek Corporation	Product and Reactor Samples Standard—Rev 2	Glass vial: 0.8 mL	4/28/2025
Restek Corporation	Product and Reactor Samples Standard—Rev 2	Glass ampule: 2.3 mL	5/8/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13042	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13115	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13129	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13139	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13147	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13174	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13219	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13238	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13265	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13268	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13274	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13315	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13393	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13396	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13440	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13471	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13576	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13642	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13657	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13658	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13707	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13709	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13739	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13752	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13837	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13853	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13886	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13896	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13917	HDPE bottles: 25 mL each	4/16/2025
RTI International	EQAP Round: RTI-#25–4 Sample: S13981	HDPE bottles: 25 mL each	4/16/2025
Siemans Healthcare Diagnostics, Inc	Advia Chemistry Toxicology Calibrator 1	Kit: 1 vial, 5 mL	12/23/2024
Siemans Healthcare Diagnostics, Inc	Advia Chemistry Toxicology Calibrator 2	Kit: 1 vial, 5 mL	12/23/2024
Siemans Healthcare Diagnostics, Inc	Advia Chemistry Toxicology Calibrator 3	Kit: 1 vial, 5 mL	12/23/2024
Siemans Healthcare Diagnostics, Inc	Advia Chemistry Toxicology Calibrator 4	Kit: 1 vial, 5 mL	12/23/2024

The Assistant Administrator has found that each of the compounds, mixtures, and preparations described in Chart II, below, is not consistent with the criteria stated in 21 U.S.C. 811(g)(3)(B) and in 21 CFR 1308.23. Accordingly, the Assistant Administrator has determined that the chemical preparations or mixtures generally described in Chart II, below, and specifically described in the application materials received by DEA, are not exempt from application of any part of the CSA or from application of any part of the CFR, with regard to the requested exemption pursuant to 21 CFR 1308.23, as of the date that was provided in the determination letters to the individual requesters.

CHART II

Supplier name	Product name	Form	Application date
Cayman Chemical Company	para-methyl Acetyl fentanyl (hydrochloride) (exempt preparation) 1 mg/mL in methanol.	Glass vial: 1 mL	4/28/2025
Cayman Chemical Company	ortho-methyl Acetyl fentanyl (hydrochloride) (exempt preparation) 1 mg/mL in methanol.	Glass vial: 1 mL	4/28/2025
Cayman Chemical Company	meta-methyl Acetyl fentanyl (hydrochloride) (exempt preparation) 1 mg/mL in methanol.	Glass vial: 1 mL	4/28/2025
Cayman Chemical Company	meta-Methylfentanyl-d5 (hydrochloride) (exempt preparation) 1 mg/mL in methanol.	Glass vial: 1 mL	4/28/2025
Cayman Chemical Company	para-Methylfentanyl-d5 (hydrochloride) (exempt preparation) 1 mg/mL in methanol.	Glass vial: 1 mL	4/28/2025
Cayman Chemical Company	ortho-Fluorofentanyl-d5 (hydrochloride) (exempt preparation) 1 mg/mL in methanol.	Glass vial: 1 mL	4/28/2025
Cayman Chemical Company	meta-Fluorofentanyl-d5 (hydrochloride) (exempt preparation) 1 mg/mL in methanol.	Glass vial: 1 mL	4/28/2025
Restek Corporation	Cannabinoids 11 (1000) Standard	Glass Vial: 0.8 mL	5/12/2025
Bionostics, Inc	Intermediate Process Product State 1 (SAF03103)	Nalgene bottle: 20 L	4/1/2025

CHART II—Continued

Supplier name	Product name	Form	Application date
Bionostics, Inc	Intermediate Process Product State 2 (SAA03027)	3500 Glass ampoules: 0.5 mL each.	4/1/2025
LGC–TRC	p-Fluoro Fentanyl (1.0mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC–TRC	Acetyl Fentanyl (1.0 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC–TRC	4-Fluoroisobutyrylfentanyl (1.0mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC–TRC	Alfentanil Hydrochloride (1 mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC–TRC	Alfentanil-d3 Hydrochloride (1.0 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC–TRC	Remifentanil-13C6 Hydrochloride (1.0mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC–TRC	Remifentanil-13C6 Hydrochloride (1mg/ml in Acetonitrile)	Glass ampoule: 1 mL	4/16/2025
LGC–TRC	Carfentanil (1.0mg/ml in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC–TRC	Clonazepam (1.0 mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC–TRC	Alprazolam (1mg/mL in Methanol)	Glass ampoule: 1 mL	4/16/2025
LGC-Lipomed	LSD (d-Lysergic acid N,N-diethylamide), 0.1mg/ml in Acetonitrile	Glass Ampule: 1 ml	7/24/2025
LGC-Lipomed	LSD (d-Lysergic acid N,N-diethylamide), 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	7/24/2025
LGC-Lipomed	Sufentanil, 1mg/ml in Methanol	Glass Ampule: 1 ml	8/5/2025
LGC-Lipomed	Iso-LSD, 0.1mg/ml in Acetonitrile	Glass Ampule: 1 ml	8/14/2025
LGC-Lipomed	Iso-LSD, 1mg/ml in Acetonitrile	Glass Ampule: 1 ml	8/14/2025
Cayman Chemical Company	Methylfentanyl Isomer Mixture (100 µg/mL ea. in methanol)	Glass Ampule: 1 mL	10/1/2025
Cayman Chemical Company	Methylfentanyl Isomer Mixture (50 µg ea. in methanol)	Glass Ampule: 1 mL	10/1/2025
Cayman Chemical Company	Fluorofentanyl Isomer Mixture (100 µg ea. in methanol)	Glass Ampule: 1 mL	10/1/2025
Cayman Chemical Company	Fluorofentanyl Isomer Mixture (50 µg ea. in methanol)	Glass Ampule: 1 mL	10/1/2025
Absolute Standards, Inc	N-desethyl Etonitazene PT, 1–100 ug/mL, in Ethanol	Glass Ampule: 1 ml	10/15/2025
Microgenics Corporation	Ctrl MD Clin Low AlqtdCtrl MD Clinical Hi Alqt, Catalog number: 10007727.	Glass bottle: 16–36 L; Plastic Bottle: 20–105 L.	3/3/2025
Microgenics Corporation	Ctrl MD Clinical Hi Alqt, Catalog number: 10007728	Glass bottle: 16–36 L; Plastic Bottle: 20–105 L.	3/3/2025
Microgenics Corporation	Ctrl MD Low BCI, Catalog number: 1552	Glass bottle: 8–36 L; Plastic Bottle: 10–105 L.	3/3/2025
Microgenics Corporation	Ctrl MD High BCI, Catalog number: 1554	Glass bottle: 4–36 L; Plastic Bottle: 5–105 L.	3/3/2025
Microgenics Corporation	Ctrl MD Low Bulk BCI, Catalog number: 1590	Glass bottle: 8–36 L; Plastic Bottle: 10–105 L.	3/3/2025
Microgenics Corporation	Ctrl MD High Bulk BCI, Catalog number: 1596	Glass bottle: 4–36 L; Plastic Bottle: 5–80 L.	3/3/2025
Microgenics Corporation	Cal Opiate 300ng BCI, Catalog number: 1601	Glass bottle: 36 L; Plastic Bottle: 43 L.	3/3/2025
Microgenics Corporation	Cal Opiate 1000ng BCI, Catalog number: 1603	Glass bottle: 16–36 L; Plastic Bottle: 20–40 L.	3/3/2025
Microgenics Corporation	Ctrl Opiate 225ng BCI, Catalog number: 1605	Plastic Bottle: 50–60 L	3/3/2025
Microgenics Corporation	Ctrl Opiate 375ng BCI, Catalog number: 1607	Glass bottle: 36 L; Plastic Bottle: 50–680 L.	3/3/2025
LGC-Lipomed	LAMPA, 1mg/ml in Acetonitrile	Ampule, Amber Glass: 1 mL	11/21/2025
LGC-Lipomed	Benzodiazepines mixture 8, 0.25mg/ml in Acetonitrile	Ampule, Amber Glass: 1 mL	11/21/2025
LGC–TRC	Alfentanil Hydrochloride (1 mg/ml in Methanol)	Glass ampoule: 1 mL	11/28/2025
LGC–TRC	Carfentanil (1mg/ml in Methanol)	Glass ampoule: 1 mL	11/28/2025
LGC–TRC	p-Fluoro Fentanyl (1.0mg/ml in Methanol)	Glass ampoule: 1 mL	11/28/2025
LGC-Lipomed	Fentanyl-D5, 1mg/ml in Methanol	Glass ampule: 1 mL	12/16/2025
LGC-Lipomed	Acetylfentanyl.HCl, 1mg/ml in Methanol (as free base)	Glass ampule: 1 mL	12/16/2025
LGC-Lipomed	Butyrylfentanyl, 1mg/ml in Methanol	Glass ampule: 1 mL	12/16/2025
LGC-Lipomed	Acetylfentanyl-D5, 1mg/ml in Methanol	Glass ampule: 1 mL	12/16/2025
LGC-Lipomed	Remifentanil.HCl, 1mg/ml in Methanol (as free base)	Glass ampule: 1 mL	12/16/2025
LGC-Lipomed	Furanylfentanyl, 1mg/ml in Methanol	Glass ampule: 1 mL	12/16/2025
LGC-Lipomed	Sufentanil-D5, 1mg/ml in Methanol	Glass ampule: 1 mL	12/16/2025
LGC-Lipomed	Fentanyl.citrate, 1mg/ml in Methanol (as free base)	Glass ampule: 1 mL	12/16/2025

Opportunity for Comment

Pursuant to 21 CFR 1308.23(e), any interested person may submit written comments on or objections to any chemical preparation in this order that has been approved or denied as exempt. If any comments or objections raise significant issues regarding any finding of fact or conclusion of law upon which this order is based, the Assistant Administrator will immediately suspend the effectiveness of any applicable part of this order until she may reconsider the application in light of the comments and objections filed. Thereafter, the Assistant Administrator shall reinstate, revoke, or amend his original order as she determines appropriate.

Approved Exempt Chemical Preparations Are Posted on DEA's Website

A list of all current exemptions, including those listed in this order, is available on DEA's website at *http://www.DEAdiversion.usdoj.gov/schedules/exempt/exempt_chemlist.pdf.* The dates of applications of all current exemptions are posted for easy reference.

Signing Authority

This document of the Drug Enforcement Administration was signed on March 4, 2026, by Assistant Administrator Cheri Oz. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters the legal effect of this

document upon publication in the **Federal Register**.

Heather Achbach,

Federal Register Liaison Officer, Drug Enforcement Administration.

[FR Doc. 2026–05486 Filed 3–19–26; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Proposed Extension of Information Collection; Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this the Occupational Safety & Health Administration (OSHA)-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 May 19, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 60 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 60-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: Nicole Bouchet by telephone at 202–693–0213, or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: This information collection activity will be used to garner customer and stakeholder feedback in accordance with the commitment to improving service delivery. The feedback sought is information that provides useful insights on perceptions and opinions, but are not used as statistical surveys that yield quantitative results that can be generalized to the population of study. These collections will: provide insights into customer or stakeholder perceptions, experiences, and expectations; provide an early warning of issues with service; focus attention on areas where communication, training, or changes, in operations might improve delivery of products or services; provide ongoing, collaborative, and actionable communications between OSHA and its customers and stakeholders.

These collections will also allow feedback to contribute directly to the improvement of program management. Feedback collected under this generic clearance will provide useful information, but it will not yield data that can be generalized to the overall population.

This type of generic clearance for feedback information will not be designed to yield reliably actionable results such as, for example, monitoring trends over time or documenting program performance. Those sorts of data usages require more rigorous designs that address: The target population to which generalizations will be made; the sampling frame; the sample design (including stratification and clustering); the precision requirements or power calculations that justify the proposed sample size; the expected response rate; methods for assessing potential nonresponse bias; the protocols for data collection; and any testing procedures that were or will be undertaken prior fielding the study.

Depending on the degree of influence the results are likely to have, such collections may still be eligible for submission for other generic mechanisms that are designed to yield quantitative results.

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.

OSHA 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. OSHA notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Type of Review: New Information Collection.

Agency: DOL—OSHA.

Title of Collection: Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery.

OMB Number: 1218–0NEW.

Affected Public: Individuals and Households; Private Sector; not-for-profit institutions; State, Local and Tribal Governments.

Number of Respondents: 40,000.

Number of Responses: 40,000.

Annual Burden Hours: 4,000 hours.

Annual Respondent or Recordkeeper Cost: $0.

(Authority: 44 U.S.C. 3507(a)(1)(D).)

Nicole Bouchet,

Senior Paperwork Analyst.

[FR Doc. 2026–05493 Filed 3–19–26; 8:45 am]

BILLING CODE 4510–04–P

DEPARTMENT OF LABOR

Office of Workers' Compensation Programs

[OMB Control No. 1240–0046]

Proposed Extension of Information Collection; FECA Medical Report Forms, Claim for Compensation

AGENCY: Office of Workers' Compensation Programs, Division of Federal Employees' Compensation, (OWCP/DFEC) Labor.

ACTION: Request for public comments.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance request for comment to provide the general public and Federal agencies with an opportunity to comment on proposed collections of information in accordance with the Paperwork Reduction Act of 1995. This request helps to ensure that: 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 on respondents can be properly assessed. Currently, the Office of Workers' Compensation Programs, Division of Federal Employees' Compensation, (OWCP/DFEC) is soliciting comments on the information collection for the FECA Medical Report Forms, Claim for Compensation, OWCP

Forms: CA–7, CA–16, CA–17, CA–20, CA–1332, CA–1090, CA–1305, CA–1331/CA–1087, & OWCP–5s.

DATES: All comments must be received on or before May 19, 2026.

ADDRESSES: You may submit comment 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–2026–0100, 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/DFEC, Office of Workers' Compensation Programs, Division of Federal Employees' Compensation, U.S. Department of Labor, 200 Constitution Ave. NW, Room S–3323, Washington, DC 20210.
- OWCP/DFEC 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, Division of Federal Employees' Longshore, and Harbor Workers' Compensation, OWCP/DFELHWC, at *suggs.anjanette@dol.gov@dol.gov* (email); (202) 354–9660.

SUPPLEMENTARY INFORMATION:

I. Background

The Office of Worker's Compensation Programs (OWCP) administers the Federal Employees' Compensation Act (FECA), which provides for continuation of pay or compensation for work related injuries or disease from federal employment. 5 U.S.C. 8149, Congress gives the Secretary of Labor authority to prescribe the rules and regulations necessary for the administration and enforcement of the FECA.The relevant statutory provision allowing for an individual to make a claim for compensation benefits is found at 5 U.S.C. 8102, Compensation for disability or death of employee.

The information collected by these forms is used by claims examiners for OWCP to determine eligibility for and the computation of benefits. The claim forms, with the medical evidence, are used to determine whether or not the claimant is entitled to compensation for disability for work or permanent impairment of a scheduled member; the appropriate period, rate of pay, compensation rate, any concurrent employment or dual benefits, and third party credit. The OWCP–5 forms are also used by rehabilitation specialists and nurses to assist partially disabled employees to return to suitable employment. Without the requested information, entitlements to an eligible beneficiary could be denied or delayed, or benefits could be authorized at an incorrect rate, resulting in an underpayment or overpayment of compensation.

See: *https://www.dol.gov/agencies/owcp/FECA/regs/statutes/feca.*

See: eCFR: 20 CFR part 10—Claims for Compensation Under the Federal Employees' Compensation Act, as Amended.

II. Desired Focus of Comments

OWCP/DFEC is soliciting comments concerning the proposed information collection related to the Request for Employment Information. OWCP/DFEC 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/DFEC'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/DFEC located at 200 Constitution Ave. NW, Room S–3323, Washington, DC 20210. Questions about the information collection requirements may be directed to the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

III. Current Actions

This information collection request concerns the FECA Medical Report Forms, Claim for Compensation, OWCP Forms: CA–7, CA–16, CA–17, CA–20, CA–1332, CA–1090, CA–1305, CA–1331/CA–1087, & OWCP–5s. OWCP/DFEC 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: Extension, with change, of a currently approved collection.

Agency: Office of Workers' Compensation Programs, Division of Federal Employees' Compensation, OWCP/DFEC.

OMB Number: 1240–0046.

Affected Public: Private Sector—Business or other For-profits.

Number of Respondents: 279,100.

Frequency: On Occasion.

Number of Responses: 279,100.

Annual Burden Hours: 26,648.

Annual Respondent or Recordkeeper Cost: $173,740.

OWCP/DFEC 1240–0046: OWCP/DFEC FECA Medical Report Forms, Claim for Compensation.

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,

Certifying Officer.

[FR Doc. 2026–05498 Filed 3–19–26; 8:45 am]

BILLING CODE 4510–CH–P

OFFICE OF MANAGEMENT AND BUDGET

Office of Federal Procurement Policy

Cost Accounting Standards Board Meeting Agenda

AGENCY: Cost Accounting Standards Board, Office Federal Procurement Policy, Office of Management and Budget.

ACTION: Notice of agenda for closed Cost Accounting Standards Board meetings.

SUMMARY: The Office of Federal Procurement Policy (OFPP), Cost Accounting Standards Board (CAS

Board) is publishing this notice to advise the public of its recent and upcoming meetings. The meetings are closed to the public.

ADDRESSES: New Executive Office Building, 725 17th Street NW, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: John L. McClung, Manager, Cost Accounting Standards Board (telephone: 202–881–9758; email: *john.l.mcclung2@omb.eop.gov*).

SUPPLEMENTARY INFORMATION: The CAS Board is issuing this notice to inform the public of the discussion topics for meetings held on November 20, 2025, December 18, 2025, and January 29, 2026, and for upcoming monthly meetings scheduled for February, and March 2026. The list of agenda items for these meetings is set forth below. While CAS Board meetings are closed to the public, the CAS Board welcomes comments and inquiries, which may be directed to the manager using the contact information provided above.

Agenda for CAS Board Meetings During the First and Second Quarter, Fiscal Year 2026

1. *Conformance of Cost Accounting Standards (CAS) to Generally Accepted Accounting Principles (GAAP).* 41 U.S.C. 1501(c)(2) requires the CAS Board to review and conform CAS, where practicable, to GAAP. The CAS Board will review and discuss public comments received to the proposed rules to eliminate CAS 404, 408, 409, and 411 (90 FR 43994) and issuance of a final rule. The CAS Board will also discuss recently opened cases related to CAS 407, 415 and 416: the three remaining standards that the Board identified in its 2018 Staff Discussion Paper (84 FR 9143) on CAS–GAAP Harmonization as suitable for conformance. The CAS Board has significantly accelerated work on conformance, in furtherance of the Administration's prioritization on deregulation and reducing unnecessary transaction costs for contracting parties.

2. *Regulatory CAS Thresholds and application of CAS to Indefinite Delivery Contracts.* The CAS Board will discuss proposed rulemaking to increase the current regulatory threshold for full CAS coverage, which is $50 million (48 CFR 9903.201–2), and the threshold for disclosure requirements, which is $50 million (48 CFR 9903.202–1.), and to address the application of CAS to indefinite delivery contracts considering public comments received from the Staff Discussion Paper (85 FR 51491) on that topic.

3. *Cost impact of accounting changes.* The CAS Board will continue discussions on the current handling of cost impact in Part 30 of the Federal Acquisition Regulation (FAR), including the need for additional clarity of the meaning of increased costs in the aggregate, as that language is used in 41 U.S.C 1503(b), and the handling of cost impacts for unilateral cost accounting practice changes. The Board expects coverage on cost impact of accounting changes to be removed from the FAR by rulemaking and addressed in CAS through rulemaking by the CAS Board.

4. *Pension Harmonization for Extraordinary Events.* The CAS Board will discuss an ANPRM to modify CAS 412 and CAS 413. The ANPRM would be a follow-on to rulemaking issued in 2011 required by the Pension Protection Act (PPA) of 2006. The purpose of the ANPRM is to reconcile the application of the PPA and the CAS adjustment of pension costs for extraordinary events (*i.e.,* curtailment of pension plan benefits, termination of plans, and the accounting of pension plan assets or liabilities following the sale or closing of a corporate segment).

5. *Review of Court and Board Decisions Related to CAS.* 41 U.S.C 1501(c)(3) requires the CAS Board to annually review disputes brought before the Boards of Contract Appeals (BCAs) or Federal courts involving its standards and consider whether greater clarity in CAS could avoid such disputes. The CAS Board will discuss decisions by the BCAs and Courts involving its standards since the last review conducted in 2024.

This notice is published pursuant to 41 U.S.C. 1501(d), which requires the CAS Board to publish agendas of its meetings in the **Federal Register**.

Kevin R. Rhodes,

Administrator, Office of Federal Procurement Policy, and Chair, Cost Accounting Standards Board.

[FR Doc. 2026–05513 Filed 3–19–26; 8:45 am]

BILLING CODE 3110–01–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[NASA Document Number: 26–015]

Name of Information Collection: NASA Front Door

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of new information collection.

SUMMARY: NASA, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995 (PRA).

DATES: Comments are due by May 19, 2026.

ADDRESSES: Written comments and recommendations for this information collection should be sent within 60 days of publication of this notice at *http://www.regulations.gov* and search for NASA Docket [2026–0034].

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to NASA PRA Clearance Officer, Stayce Hoult, NASA Headquarters, 300 E Street SW, JC0000, Washington, DC 20546, phone 256–714–8575, or email *hq-ocio-pra-program@mail.nasa.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

The National Aeronautics and Space Administration (NASA) is committed to effectively performing the Agency's communication function in accordance with the Space Act Section 203 (a)(3) to ''provide for the widest practicable and appropriate dissemination of information concerning its activities and the results thereof,'' and to enhance public understanding of, and participation in, the nation's aeronautical and space program in accordance with the NASA Strategic Plan.

The NASA Front Door (NFD) is an online/web-based tool that will serve as a centralized digital hub to help facilitate engagement between individuals, organizations, and the workforce of NASA, providing personalized support, guidance, and efficient access to NASA's extensive programs, opportunities, resources, and expertise. The information collection will consist of general contact information, interest/intake information and when appropriate, demographic information as part of registration profile. The information will be reviewed by NASA representatives to route individuals, organizations and the workforce of NASA to relevant NASA services, opportunities, resources, and/or expertise.

II. Methods of Collection

Online/web-based tool built on a Salesforce platform.

III. Data

Title: NASA Front Door.

OMB Number: 2700–xxxx.

Type of review: New Information Collection.

Affected Public: Individuals (*e.g.,* eligible students, educators, and awardee principal investigators; invited guests, etc.), organizations, and the workforce of NASA interested in accessing publicly available NASA services,

Estimated Annual Number of Activities: 10 activities.

Estimated Number of Respondents per Activity: 60,000.

Annual Responses: 600,000 responses.

Estimated Time per Response: 15 minutes.

Estimated Total Annual Burden Hours: 150,000 hours.

IV. Request for Comments

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of NASA, including whether the information collected has practical utility; (2) the accuracy of NASA's estimate of the burden (including hours and cost) 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 automated collection techniques or the use of other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the request for OMB approval of this information collection. They will also become a matter of public record.

Stayce Hoult,

PRA Clearance Officer, National Aeronautics and Space Administration.

[FR Doc. 2026–05505 Filed 3–19–26; 8:45 am]

BILLING CODE 7510–13–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–335 and 50–389; EISX–429–00–000–1765783975; NRC–2021–0197]

Florida Power & Light Company; St. Lucie Plant, Units 1 and 2; Final Environmental Impact Statement

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC, the Commission) has published a final environmental impact statement (EIS), which is a supplement to NUREG–1437 and is issued as ''Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 11, Second Renewal, Regarding Subsequent License Renewal for St. Lucie Plant, Units 1 and 2, Final Report.'' This final EIS evaluates the environmental impacts of the proposed subsequent license renewal (SLR) of Renewed Facility Operating License Nos. DPR–67 and NPF–16 for an additional 20 years of operation for St. Lucie Plant (St. Lucie), Units 1 and 2, respectively. St. Lucie is located in St. Lucie County, Florida, approximately 7 miles southeast of the city of Fort Pierce, Florida.

DATES: ''Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 11, Second Renewal, Regarding Subsequent License Renewal for St. Lucie Plant, Units 1 and 2, Final Report'' is available as of March 13, 2026.

ADDRESSES: Please refer to Docket ID NRC–2021–0197 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–2021–0197. 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 listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may access 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.* ''Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 11, Second Renewal, Regarding Subsequent License Renewal for St. Lucie Plant, Units 1 and 2, Final Report'' is available in ADAMS under Accession No. ML26070A148.
- *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, Monday through Friday, except Federal holidays.
- *Public Library:* A copy of ''Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 11, Second Renewal, Regarding Subsequent License Renewal for St. Lucie Plant, Units 1 and 2, Final Report'' will be available for public review at the Morningside Branch of the St. Lucie County Library, 2410 SE Morningside Blvd., Port St. Lucie, Florida 34952 and at the Kilmer Branch of the St. Lucie County Library, 101 Melody Lane, Fort Pierce, Florida 34950.

FOR FURTHER INFORMATION CONTACT: Lance Rakovan, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–2589; email: *Lance.Rakovan@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

In accordance with section 51.118 of title 10 of the *Code of Federal Regulations,* ''Final environmental impact statement—notice of availability,'' the NRC is making available to the public ''Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 11, Second Renewal, Regarding Subsequent License Renewal for St. Lucie Plant, Units 1 and 2, Final Report'' regarding the proposed SLR of Renewed Facility Operating License Nos. DPR–67 and NPF–16 for St. Lucie, Units 1 and 2, respectively, for an additional 20 years of operation. A notice of availability of the draft EIS was published in the **Federal Register** (FR) on January 9, 2026 (91 FR 1005). The U.S. Environmental Protection Agency also issued its notice of availability of the draft EIS on January 9, 2026 (91 FR 997). The public comment period on the draft EIS ended on February 23, 2026, and the comments received on the draft EIS are addressed in the final EIS.

II. Discussion

The draft EIS was issued in December 2025. The final EIS addresses the comments received on the draft EIS. As discussed in Chapter 4 of the final EIS, the NRC staff has determined that the adverse environmental impacts of SLR for St. Lucie (*i.e.,* the continued operation of St. Lucie for a period of 20 years beyond the expiration dates of the renewed facility operating licenses) are not so great that preserving the option of SLR for energy-planning decision-makers would be unreasonable. This

recommendation is based on: (1) the analysis and findings in NUREG–1437, Revision 2, ''Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Final Report,'' dated August 2024; (2) information in the environmental report, as supplemented, and other documents submitted by FPL; (3) consultation with Federal, State, and local governmental agencies and Indian Tribes; (4) the NRC staff's independent environmental review; and (5) the NRC staff's consideration of public comments received during the scoping process and on the draft EIS.

Dated: March 16, 2026.

For the Nuclear Regulatory Commission.

Kimyata Savoy,

Acting Deputy Director, Division of Rulemaking, Environmental, and Financial Support, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2026–05488 Filed 3–19–26; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 05200051, 05200052, 05200053, and 05200054; NRC–2026–0100]

Fermi America LLC (dba Fermi America); Project Matador Advanced Energy and Intelligence Campus AP1000 Units 1–4, Project Matador Nuclear Units 1–4; Notice of Intent To Conduct Scoping Process and Prepare an Environmental Impact Statement

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice; request for comment.

SUMMARY: Pursuant to the National Environmental Policy Act (NEPA) of 1969, the U.S. Nuclear Regulatory Commission (NRC) announces its intent to prepare an environmental impact statement (EIS) to evaluate the potential environmental impacts associated with Fermi America's Combined License (COL) application for the proposed construction and operation of four AP1000 advanced passive pressurized-water reactors—designated as Project Matador Nuclear (PMN) Units 1–4 (PMN Units 1–4). PMN Units 1–4 would be located at the Project Matador Advanced Energy and Intelligence Campus (Project Matador campus). The NRC is initiating a 30-day public scoping period to gather input on the scope of the EIS. The NRC invites public comments to identify potential alternatives, environmental concerns, relevant information and analyses, and specific issues to be addressed in the EIS. The NRC encourages the public to provide feedback related to the scope of the proposed Federal action, whether to issue combined licenses to Fermi America for the construction and operation of four AP1000 reactors, PMN Units 1–4, at the Project Matador campus.

DATES: The public may submit comments on the scope of the EIS by April 20, 2026. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date. Further information regarding the proposed applications can be found in Section V of this notice, ''Virtual Project Information and Engagement.''

ADDRESSES: You may submit comments by any of the following methods; however, the NRC encourages electronic comment submission through the Federal rulemaking website:

- *Federal rulemaking website:* Go to *https://regulations.gov* and search for Docket ID NRC–2026–0100. 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 listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *Email comments to: FermiAmerica Environmental@nrc.gov.*
- *Mail comments to:* Office of Administration, Mail Stop: TWFN–5–A85, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, ATTN: Program Management, Announcements and Editing Staff.

For additional direction on obtaining information and submitting comments, see ''Obtaining Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Lance Rakovan, Office of Nuclear Material Safety and Safeguards at the U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–2589; email: *Lance.Rakovan@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2026–0100 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to *https://regulations.gov* and search for Docket ID NRC–2026–0100.
- *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.
- *NRC Public Project Website:* Information regarding the project and engagement opportunities, is available at *https://www.nrc.gov/reactors/new-reactors/large-lwr/col/fermi-energy-intel-campus.*

B. Submitting Comments

The NRC encourages electronic comment submission through the Federal rulemaking website (*https://www.regulations.gov*). Please include Docket ID NRC–2026–0100 in your comment submission in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at *https://www.regulations.gov* as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Background

On June 17, 2025, Fermi America submitted the initial portion of its COL application for four AP1000 reactors, PMN Units 1–4 (ADAMS Package Accession No. ML25169A395). The proposed reactors would be located at the Project Matador campus in Carson County, Texas, adjacent to the U.S. Department of Energy's Pantex Plant.

The initial submittal included general, financial, and environmental information. The NRC acknowledged receipt of the initial submittal in a letter dated July 7, 2025 (ADAMS Accession No. ML25182A087).

On August 20, 2025, Fermi America provided a second submittal of the COL application (ADAMS Accession No. ML25232A199), which included non-site-specific technical chapters of the Final Safety Analysis Report. In an acceptance letter dated September 5, 2025 (ADAMS Accession No. ML25240A918), the NRC acknowledged, among other things, Fermi America's commitment to participate in the pilot program for environmental review under the NEPA. This pilot involves the preparation of an applicant-prepared draft EIS, under NRC supervision.

In accordance with NEPA, as amended, and 42 U.S.C. 4336a(f), project sponsors (applicants) may prepare environmental documents under the supervision of a lead agency. The lead agency is required to independently evaluate the environmental document, which for this action will be a draft EIS, and assume responsibility for its content. In compliance with NRC regulations under part 51 of title 10 of the *Code of Federal Regulations* (10 CFR), ''Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions,'' the applicant-prepared draft EIS and supporting documents will include all information required by 10 CFR 51.45, ''Environmental report.''

III. Discussion

Proposed Action

The proposed Federal action is NRC's decision on whether to issue COLs to Fermi America, under the provisions of 10 CFR part 52, for the construction and operation of four AP1000 reactors, PMN Units 1–4, located at the Project Matador campus, in Carson County, Texas. The infrastructure at the Project Matador campus may include up to 30 million square feet of hyperscale computing space and approximately 11 gigawatts (GWs) of total energy generation capacity. PMN Units 1–4 would provide a baseload power source directly integrated into Project Matador's behind-the-meter data infrastructure.

Purpose and Need for the Proposed Action

The purpose of PMN Units 1–4 would be to provide onsite energy generation for the Project Matador campus. The units would provide 4 GWs of reliable carbon-free baseload power directly used to support the Project Matador campus. The proposed construction and operation of four AP1000 nuclear reactors at the Project Matador campus would enable the deployment of advanced nuclear energy technology to meet the growing demand for hyperscale data center-aligned, non-interruptible, and scalable power in the United States.

The need for the proposed action is driven by increasing national demand for highly reliable and resilient energy to support large-scale digital infrastructure, including Artificial Intelligence (AI) and data center operations. In addition to addressing critical energy reliability and scalability requirements, the proposed facility is expected to contribute to regional economic development and workforce expansion. The proposed Federal action would support Federal policy objectives related to grid decarbonization, the expansion of AI infrastructure, and the enhancement of national energy security.

As part of its review, the NRC will evaluate the reasonably foreseeable environmental effects associated with the construction, operation, and decommissioning of the proposed AP1000 reactors, in accordance with the NEPA and applicable NRC regulations.

Preliminary Alternatives

The EIS will evaluate a range of reasonable alternatives that are technically and economically feasible and that meet the purpose and need of the proposed action. The NRC staff is currently evaluating potential alternatives for the Fermi America pilot project to determine which alternatives will be carried forward for detailed evaluation.

At a minimum, the No-Action Alternative will be carried forward for full analysis. Reasonable alternatives that are technically and economically feasible and that demonstrate the potential to meet the project's purpose and need will be identified for further evaluation.

Under the No-Action Alternative, the NRC would not approve the COL application submitted by Fermi America for the construction and operation of PMN Units 1–4 located at the Project Matador campus.

Summary of Expected Impacts

The draft EIS will identify, describe and analyze the potential environmental effects of the proposed action and reasonable alternatives. Environmental resources that are determined to be potentially affected will be carried forward for full analysis.

Potential impacts on resources include reasonably foreseeable environmental effects (whether beneficial or adverse; short term or long term) on air quality; geology; water resources, including surface and groundwater; ecological resources, including terrestrial and aquatic; land use; socioeconomics; radiological and nonradiological health and waste; uranium fuel cycle; decommissioning; cultural resources; and transportation. The analysis will consider past, present and reasonably foreseeable actions that have been identified as potentially impacting the project baseline environment.

Once the NRC completes its review of the applicant-prepared draft EIS, it will publish the draft EIS in a future **Federal Register** notice for governmental agency and public review and comment. Persons submitting comments during this scoping process will receive a copy of the draft EIS. Others who would like to receive a copy when it is issued should notify the NRC per the **FOR FURTHER INFORMATION CONTACT** section.

NEPA Lead and Cooperating Agency Roles

The NRC is the lead Federal agency for the NEPA of 1969, as amended (42 U.S.C. 4321, *et seq.*), process for the proposed action. The NRC may invite other Federal agencies, or State, Tribal, or local agencies of similar qualifications to become cooperating agencies in the preparation of the EIS for the proposed action. For purposes of NEPA, a cooperating agency means any Federal agency (and a State, Tribal, or local agency with agreement of the lead agency) that has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal or a reasonable alternative.

Anticipated Permits, Authorizations, and Consultations

Federal permits, authorizations, or consultations may be required for the proposed actions, including consultation or review under the Endangered Species Act, 16 U.S.C. 1531 *et seq.*; National Historic Preservation Act (NHPA), 54 U.S.C. 300101 *et seq.;* Executive Order 13175 (Consultation

and Coordination With Indian Tribal Governments); consistency review under the Coastal Zone Management Act, 16 U.S.C. 1451 *et seq.;* and possibly reviews under other laws and regulations determined to be applicable to the proposed action. To the extent possible, the draft EIS will concurrently integrate analyses required by other Federal environmental review requirements. The draft EIS will list all Federal permits, licenses, and other authorizations that must be obtained in implementing the proposed action.

Specific to NHPA, the regulations in 36 CFR 800.8, ''Coordination with the National Environmental Policy Act,'' allow agencies to use the NEPA process to fulfill the requirements of Section 106 of the NHPA, as amended (54 U.S.C. 300101, *et seq.*). Therefore, pursuant to 36 CFR 800.8(c), the NRC intends to use its NEPA process and documentation required for the preparation of the EIS on the proposed action to comply with Section 106 of the NHPA in lieu of the procedures set forth at 36 CFR 800.3 through 800.6.

IV. Request for Comment

This notice informs the public of the NRC's intention to conduct environmental scoping and prepare an EIS related to the Fermi America COL application and provides the public with an opportunity to participate in the environmental scoping process. The NRC considers stakeholder engagement and transparency in its activities to be cornerstones for effective regulation.

The NRC intends to gather the information necessary to prepare an EIS related to the Fermi America COL applications. This notice is being published in accordance with NEPA and the NRC's regulations at 10 CFR part 51.

As part of its environmental review, the NRC will first conduct a scoping process for the EIS and, as soon as practicable thereafter, will publish a draft EIS for public comment. Participation in this scoping process by members of the public and local, State, Tribal, and Federal government agencies is encouraged. The scoping process for the draft EIS will be used to accomplish the following:

a. Define the proposed action that is to be the subject of the EIS;

b. Determine the scope of the EIS and identify the significant issues to be analyzed in depth;

c. Identify and eliminate from detailed study those issues that are peripheral or are not significant or that have been covered by prior environmental review;

d. Identify any other environmental assessments and EISs that have been, are being, or will be prepared that are related to, but are not part of, the scope of the proposed action;

e. Identify other environmental review and consultation requirements related to the proposed action;

f. Identify parties consulting with the NRC under the NHPA, as set forth in 36 CFR 800.8(c)(1)(i);

g. Identify any cooperating agencies and, as appropriate, allocate assignments for preparation and schedules for completing the EIS to the NRC and any cooperating agencies; and

h. Describe how the EIS will be prepared, including applicant and contractor participation.

In accordance with 10 CFR 51.28, ''Scoping—participants,'' the NRC invites the following entities to participate in scoping:

a. The applicant, Fermi America;

b. Any Federal agency that has jurisdiction by law or special expertise with respect to any environmental impact involved or that is authorized to develop and enforce relevant environmental standards;

c. Affected State and local government agencies, including those authorized to develop and enforce relevant environmental standards;

d. Any affected Native American Indian Tribe;

e. Any person who requests or has requested an opportunity to participate in the scoping process; and

f. Any person who has petitioned or intends to petition for leave to intervene under 10 CFR 2.309.

Comments may be broad in nature or focused on specific areas of concern but should be directly relevant to the proposed Federal action, the NEPA process, or expected resource impacts. The scoping process allows the public and interested parties to shape the EIS impact analysis, focusing on the areas of greatest importance and identifying areas requiring less attention. Comments on the proposed action will be accepted and considered at any time during the EIS process and may be directed to the NRC as described under the **ADDRESSES** section. However, commenters should be aware that their comments should be timely for them to be fully considered (*e.g.,* scoping comments received well after the close of the scoping period would be considered but would be received too late to be useful for scoping purposes).

V. Virtual Project Information and Engagement

The NRC is announcing that it will maintain project information and engagement opportunities for the Fermi America COL application located at the NRC project website (*https://www.nrc.gov/reactors/new-reactors/large-lwr/col/fermi-energy-intel-campus*). Project information and engagement will include: (1) information including an overview by the NRC of the environmental review process, the proposed scope of Fermi America's COL application, and the proposed environmental review schedule; and (2) information regarding the opportunity for interested government agencies, organizations, and individuals to submit comments or suggestions on environmental issues or the proposed scope of the EIS.

Participation in the scoping process for the PMN Units 1–4 EIS does not entitle participants to become parties to the proceeding to which the EIS relates. Matters related to participation in any hearing are outside the scope of matters to be discussed as part of the EIS process.

Dated: March 17, 2026.

For the Nuclear Regulatory Commission.

Daniel Barnhurst,

Chief, Environmental Project Management Branch 3, Division of Rulemaking, Environmental, and Financial Support, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2026–05487 Filed 3–19–26; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2026–0001]

Sunshine Act Meetings

TIME AND DATE: Weeks of March 23 and 30 and April 6, 13, 20, and 27, 2026. 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.*

PLACE: 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.

STATUS: Public.

Members of the public may request to receive the information in these notices 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.*

MATTERS TO BE CONSIDERED:

Week of March 23, 2026

There are no meetings scheduled for the week of March 23, 2026.

Week of March 30, 2026—Tentative

There are no meetings scheduled for the week of March 30, 2026.

Week of April 6, 2026—Tentative

There are no meetings scheduled for the week of April 6, 2026.

Week of April 13, 2026—Tentative

There are no meetings scheduled for the week of April 13, 2026.

Week of April 20, 2026—Tentative

Tuesday, April 21, 2026

10:00 a.m. Meeting with the Advisory Committee on the Medical Uses of Isotopes (Public Meeting) (Contact: Ally Mara: 301–415–2509)

Additional Information: The meeting will be held in the Commissioners' Hearing Room, 11555 Rockville Pike, Rockville, Maryland. The public is invited to attend the Commission's meeting in person or watch live via webcast at the Web address—*https://video.nrc.gov/.*

Week of April 27, 2026—Tentative

There are no meetings scheduled for the week of April 27, 2026.

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 NRC is holding the meetings under the authority of the Government in the Sunshine Act, 5 U.S.C. 552b.

Dated: March 18, 2026.

For the Nuclear Regulatory Commission.

Wesley W. Held,

Policy Coordinator, Office of the Secretary.

[FR Doc. 2026–05543 Filed 3–18–26; 4:15 pm]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–261; SEIS–429–00–000–1764730803; NRC–2025–0076]

Duke Energy Progress, LLC; H.B. Robinson Steam Electric Plant, Unit No. 2; Final Environmental Impact Statement

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC, the Commission) has published a final environmental impact statement (EIS), which is a supplement to NUREG–1437 and is issued as ''Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 13, Second Renewal, Regarding Subsequent License Renewal for H.B. Robinson Steam Electric Plant, Unit No. 2, Final Report.'' This final EIS evaluates the environmental impacts of the proposed subsequent license renewal of Renewed Facility Operating License No. DRP–23 for an additional 20 years of operation for H.B. Robinson Steam Electric Plant, Unit No. 2 (RNP). RNP is located in Darlington County, South Carolina, approximately 5 miles west-northwest of Hartsville, South Carolina.

DATES: ''Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 13, Second Renewal, Regarding Subsequent License Renewal for H.B. Robinson Steam Electric Plant, Unit No. 2, Final Report'' is available as of March 12, 2026.

ADDRESSES: Please refer to Docket ID NRC–2025–0076 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–2025–0076. 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 listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may access 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.* ''Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 13, Second Renewal, Regarding Subsequent License Renewal for H.B. Robinson Steam Electric Plant, Unit No. 2, Final Report'' is available in ADAMS under Accession No. ML26062A118.
- *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, Monday through Friday, except Federal holidays.
- *Public Library:* A copy of ''Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 13, Second Renewal, Regarding Subsequent License Renewal for H.B. Robinson Steam Electric Plant, Unit No. 2, Final Report'' will be available for public review at the Hartsville Memorial Library, 147 West College Ave., Hartsville, South Carolina 29550.

FOR FURTHER INFORMATION CONTACT: Karen Loomis, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–5142; email: *Karen.Loomis@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

In accordance with section 51.118 of title 10 of the *Code of Federal Regulations,* ''Final environmental impact statement—notice of availability,'' the NRC is making available for public inspection ''Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 13, Second Renewal, Regarding Subsequent License Renewal for H.B. Robinson Steam Electric Plant, Unit No. 2, Final Report'' regarding the proposed subsequent license renewal of Renewed Facility Operating License No. DRP–23 for an additional 20 years of operation for RNP. A notice of availability of the draft EIS was published in the **Federal Register** (FR) on January 9, 2026 (91 FR 1007). The U.S. Environmental Protection Agency also issued its notice of availability of the draft EIS on January 9, 2026 (91 FR 997). The public comment period on the draft EIS ended on February 23, 2026,

and the comments received on the draft EIS are addressed in the final EIS.

II. Discussion

The draft EIS was issued for public comment on January 9, 2026. The final EIS addresses the comments received on the draft EIS. As discussed in Chapter 4 of the final EIS, the NRC staff has determined that the adverse environmental impacts of subsequent license renewal for RNP (*i.e.,* the continued operation of RNP for a period of 20 years beyond the expiration date of the renewed license) are not so great that preserving the option of subsequent license renewal for energy-planning decision-makers would be unreasonable. This recommendation is based on: (1) the analysis and findings in NUREG–1437, Revision 2, ''Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Final Report,'' dated August 2024; (2) information provided in the environmental report, and other documents submitted by Duke Energy Progress, LLC; (3) the NRC staff's consultation with Federal, State, and local governmental agencies and Indian Tribes; (4) the NRC staff's independent environmental review; and (5) the NRC staff's consideration of public comments received during the scoping process and on the draft EIS.

Dated: March 16, 2026.

For the Nuclear Regulatory Commission.

Kimyata Savoy,

Acting Deputy Director, Division of Rulemaking, Environmental, and Financial Support, Office of Nuclear Material Safety, and Safeguards.

[FR Doc. 2026–05489 Filed 3–19–26; 8:45 am]

BILLING CODE 7590–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105036; File No. SR–NYSEAMER–2026–17]

Self-Regulatory Organizations; NYSE American LLC; Notice of Filing of Proposed Change To Amend Section 1003 of the NYSE American Company Guide

March 17, 2026.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on March 6, 2026, NYSE American LLC (''NYSE American'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items II and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Section 1003 of the NYSE American Company Guide (the ''Company Guide'') to establish that an issuer must maintain a certain market capitalization in order to remain listed on the Exchange. The proposed rule change is available on the Exchange's website at *www.nyse.com* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

Section 1003 of the Company Guide sets forth minimum quantitative and qualitative continued listing standards for securities listed on the Exchange. Issuers of common stock are required to maintain certain quantitative minimum standards related to stockholders' equity,[4] publicly held shares,[5] public shareholders [6] and aggregate market value of publicly held shares.[7] In addition, Section 1003 also sets forth qualitative continued listing standards related to, among other things, operations contrary to public interest [8] and reduction of operations.[9]

While the Exchange believes that its existing rules provide meaningful assurance that only financially sound and quality issuers remain listed on the Exchange, it has noticed a recent increase in companies that have a very small market capitalization. The Exchange believes that an issuer having a small market capitalization is potentially susceptible to manipulation and more likely to experience trading volatility in its shares because, at smaller sizes, less capital is required to undertake manipulative trading activity. As such, the Exchange now proposes to amend Section 1003 to specify that an issuer must maintain a certain market capitalization in order to remain listed on the Exchange.

Minimum Market Capitalization

Section 1003(b)(i) of the Company Guide enumerates circumstances where a class of common stock has sufficiently limited distribution of shares so as to warrant suspension and delisting. While reduced value of publicly held shares is grounds for suspension and delisting,[10] Section 1003(b)(i) does not contain a minimum market capitalization requirement. The Exchange now proposes to adopt new Section 1003(b)(i)(D) to specify that an issuer's class of common stock will be subject to immediate suspension and delisting if it has an average market capitalization over a consecutive 30 trading-day period of less than $5,000,000.[11] The Exchange further proposes that an issuer falling below this standard will not be eligible to submit a compliance plan pursuant to Section 1009 of the Company Guide.

The Exchange believes it is appropriate to adopt a minimum market capitalization standard for continued listing because, in its experience, a company with a sustained market capitalization below $5,000,000 is likely to be financially distressed and is increasingly susceptible to manipulation due to its small size. In

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] See Section 1003(a) of the Company Guide.

[5] See Section 1003(b)(i)(A) of the Company Guide.

[6] See Section 1003(b)(i)(B) of the Company Guide.

[7] See Section 1003(b)(i)(C) of the Company Guide.

[8] See Section 1003(f)(iii) of the Company Guide.

[9] See Section 1003(c) of the Company Guide.

[10] Section 1003(b)(i)(C) states that a class of common stock will be subject to suspension and delisting if its aggregate market value of shares publicly held is less than $1,000,000 for more than 90 consecutive days.

[11] The footnote to Section 1003 specifies how a company's market capitalization is calculated for purposes of the requirements contained in Section 1003. The Exchange notes that the New York Stock Exchange (''NYSE'') has a comparable requirement contained in Section 802.01B of the NYSE Listed Company Manual where it will delist a security that is determined to have average global market capitalization over a consecutive 30 trading-day period of less than $15,000,000. Given that issuers listed on the Exchange tend to be smaller than those listed on the NYSE, the Exchange believes it is appropriate to establish a lower minimum market capitalization threshold of $5,000,000.

the Exchange's experience, having a market capitalization below $5,000,000 is frequently a leading indicator that a company has other financial concerns that often require a substantial amount of regulatory oversight. Accordingly, the Exchange does not believe that a company fitting this profile is appropriate for continued listing on the Exchange. The Exchange proposes to specify that a company subject to suspension and delisting for falling below proposed Section 1003(b)(i)(D) will not be eligible to follow the procedures to regain compliance set forth in Section 1009 of the Company Guide, but notes that all issuers retain the right to appeal an Exchange delisting decision. In the Exchange's experience, a company trading at a sustained market capitalization below $5,000,000 is unlikely to regain financial stability and it is therefore appropriate to subject it to immediate suspension and delisting.

The Exchange proposes that the aforementioned minimum market capitalization standard would become effective immediately upon Commission approval of this proposal.

The Exchange proposes to amend Section 1009 of the Company Guide to add the proposed rule in Section 1003(b)(i)(D) to the list of continued listing standards for which noncompliance does not entitle an issuer to a compliance period.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Securities Exchange Act of 1934 (the ''Act'') generally [12] and furthers the objectives of Section 6(b)(5) of the Act [13] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and in general to protect investors and the public interest.

In particular, the Exchange believes that establishing a minimum market capitalization for securities listed on the Exchange is designed to protect investors and the public interest and to remove impediments to and perfect the mechanism of a free and open market and a national market system because the Exchange believes that companies with a small market capitalization are more susceptible to trading volatility and market manipulation in their shares. By adopting clear standards that prohibit such companies from remaining listed on the Exchange, the Exchange is therefore protecting investors and the public interest.

The Exchange has observed that the challenges facing companies with market capitalizations below $5 million generally are not temporary and therefore immediate suspension from trading is warranted as a compliance period is unlikely to provide a sustained path to regaining compliance with Exchange rules. Further, a market capitalization below $5 million can be a leading indicator of other financial concerns that often require substantial regulatory oversight from the Exchange.

The Exchange believes it is appropriate to amend Section 1009 to state that noncompliance with Section 1003(b)(i)(D) will not entitle an issuer to a compliance period. The Exchange believes it is consistent with Section 6(b)(5) of the Act to make this explicit statement so that listed issuers are on notice of the consequences of certain instances of noncompliance.

The Exchange believes that the proposed amendments are consistent with Section 6(b)(7) of the Act [14] in that they provide a fair procedure for disciplining an issuer seeking access to Exchange listing services. In this regard, the Exchange notes that noncompliance with the proposed rules may accelerate an issuer's suspension and delisting, but any such issuer nonetheless retains the right to appeal the Exchange's determination.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange notes that the proposed amendment would establish a minimum market capitalization for issuers listed on the Exchange. The Exchange believes that issuers with a very small market capitalization are more likely to experience trading volatility and potentially be the subject of manipulation in their shares. The Exchange believes it is appropriate to address these concerns with the adoption of clear continued listing standards. The Exchange does not believe its proposed rules would impose any burden on competition as all exchanges that list equity securities maintain a set of continued listing standards appropriate for companies listed on their respective exchange.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) by order approve or disapprove the proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include file number SR–NYSEAMER–2026–17 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–NYSEAMER–2026–17. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection.

[12] 15 U.S.C. 78f(b).

[13] 15 U.S.C. 78f(b)(5).

[14] 15 U.S.C. 78f(b)(7).

All submissions should refer to file number SR–NYSEAMER–2026–17 and should be submitted on or before April 10, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[15]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05481 Filed 3–19–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105032; File No. SR–PEARL–2026–13]

Self-Regulatory Organizations; MIAX PEARL, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Exchange Rule 2613(a), Usage of Data Feeds

March 17, 2026.

Pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 9, 2026, MIAX PEARL, LLC (''MIAX Pearl'' or the ''Exchange''),[3] filed with the Securities and Exchange Commission (''Commission'') a proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Exchange Rule 2613(a), Usage of Data Feeds, to specify the Exchange's source of market data for Texas Stock Exchange LLC (''TXSE'').

The text of the proposed rule change is available on the Exchange's website at *https://www.miaxglobal.com/markets/us-equities/pearl-equities/rule-filings,* and at MIAX Pearl's principal office.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, MIAX Pearl included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. MIAX Pearl has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to update and amend the use of data feeds table in Exchange Rule 2613, which sets forth on a market-by-market basis the specific securities information processor (''SIP'') and proprietary data feeds that the Exchange utilizes for the handling, execution, and routing of orders, and for performing the regulatory compliance checks related to each of those functions. Specifically, the Exchange proposes to amend the table in Rule 2613(a) to specify that, with respect to TXSE, the Exchange will receive the SIP feed as its primary source of data for order handling, order execution, order routing, and regulatory compliance. The Exchange will not have a secondary source for data from TXSE.[4]

The Exchange will issue an alert to announce the operative date of the proposed rule change.

2. Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Act,[5] in general, and furthers the objectives of Section 6(b)(5),[6] in particular, because it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to, and perfect the mechanism of, a free and open market and a national market system and, in general, to protect investors and the public interest. The Exchange believes its proposal to amend the table in Exchange Rule 2613(a) to include the data feed source for TXSE will ensure that Rule 2613 correctly identifies and publicly states on a market-by-market basis all of the specific SIP and proprietary data feeds that the Exchange utilizes for the handling, execution, and routing of orders, and for performing the regulatory compliance checks for each of those functions. The proposed rule change also removes impediments to and perfects the mechanism of a free and open market and protects investors and the public interest by providing additional specificity, clarity, and transparency in the Exchange's rules.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed change is not designed to address any competitive issue, but rather would provide the public and market participants with up-to-date information about the data feeds the Exchange will use for the handling, execution, and routing of orders, as well as for regulatory compliance.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Pursuant to Section 19(b)(3)(A) of the Act[7] and Rule 19b–4(f)(6)[8] thereunder, the Exchange has designated this proposal as one that effects a change that: (i) does not significantly affect the protection of investors or the public interest; (ii) does not impose any significant burden on competition; and (iii) by its terms, does not become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest.

At any time within 60 days of the filing of this proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of

[15] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] All references to ''MIAX Pearl'' in this filing are to MIAX Pearl Equities, the equities trading facility of MIAX PEARL, LLC. *See* Exchange Rule 1901.

[4] TXSE is preparing for its launch as a fully registered national securities exchange. Continuous trading is expected to commence between July 2, 2026 and July 17, 2026. *See* Member Readiness and Launch Guide, *available at https://www.txse.com/trading-membership/member-readiness-and-launch-guide.*

[5] 15 U.S.C. 78f(b).

[6] 15 U.S.C. 78f(b)(5).

[7] 15 U.S.C. 78s(b)(3)(A).

[8] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Exchange to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–PEARL–2026–13 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–PEARL–2026–13. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection.

All submissions should refer to file number SR–PEARL–2026–13 and should be submitted on or before April 10, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[9]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05477 Filed 3–19–26; 8:45 am]

BILLING CODE 8011–01–P

[9] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105034; File No. SR–NYSEAMER–2025–72]

Self-Regulatory Organizations; NYSE American LLC; Notice of Filing of Amendment Nos. 1, 2 and 3 and Order Instituting Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change, as Modified by Amendment Nos. 1, 2, and 3, To Amend Sections 1003 and 1009 of the NYSE American Company Guide

March 17, 2026.

I. Introduction

On December 3, 2025, NYSE American LLC (''NYSE American'' or the ''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend Section 1003 of the NYSE American Company Guide (''Company Guide''). The proposed rule change was published for comment in the **Federal Register** on December 17, 2025.[3] On January 22, 2026, the Exchange filed Amendment No. 1 to the proposed rule change, which superseded the original proposed rule change in its entirety.[4] On January 28, 2026, pursuant to Section 19(b)(2) of the Act,[5] the Commission designated a longer period within which to take action on the proposed rule change.[6]

On February 25, 2026, the Exchange filed Amendment No. 2 to the proposed rule change, which superseded the original proposed rule change, as modified by Amendment No. 1, in its entirety.[7] On March 6, 2026, the Exchange filed Amendment No. 3 to the proposed rule change, which superseded the original proposed rule change, as modified by Amendment Nos. 1 and 2, in its entirety.[8] The Commission is publishing this notice and order to solicit comments on the proposed rule change, as modified by Amendment Nos. 1, 2, and 3, from interested persons and is instituting proceedings pursuant to Section 19(b)(2)(B) of the Act[9] to determine whether to approve or disapprove the proposed rule change, as modified by Amendment Nos. 1, 2, and 3.

II. Description of the Proposed Rule Change, as Modified by Amendment Nos. 1, 2, and 3[10]

Section 1003 of the Company Guide sets forth minimum quantitative and qualitative continued listing standards for securities listed on the Exchange.[11] Currently, Section 1003(f)(v) of the Company Guide states that the Exchange will consider initiating suspension and delisting procedures when a class of common stock is selling for a substantial period of time at a low price per share and its issuer fails to effect a reverse stock split to raise the per share trading price.[12] The Exchange states that, in applying this rule, Exchange staff seeks to have proactive

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 104386 (Dec. 12, 2025), 90 FR 58648. Comments received on the proposed rule change are available at: *https://www.sec.gov/rules-regulations/public-comments/sr-nyseamer-2025-72*.

[4] In Amendment No. 1, the Exchange: (1) clarified the Exchange's authority to suspend or delist a security; (2) specified that an issuer subject to delisting under the proposal, and under Sections 1003(f)(vi) and (vii) of the Company Guide, would not be eligible to follow the procedures in Section 1009 of the Company Guide; (3) provided additional description of certain aspects of the proposal; and (4) made other technical and non-substantive changes. The full text of Amendment No. 1 can be found on the Commission's website at *https://www.sec.gov/comments/sr-nyseamer-2025-72/srnyseamer202572-696287-2176995.pdf* (''Amendment No. 1'').

[5] 15 U.S.C. 78s(b)(2).

[6] *See* Securities Exchange Act Release No. 104704, 91 FR 4696 (Feb. 2, 2026). The Commission designated March 17, 2026 as the date by which the Commission shall approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change. *See id.*

[7] In Amendment No. 2, the Exchange: (1) provided additional explanation of certain aspects of the proposal; and (2) made other technical and non-substantive changes. The full text of Amendment No. 2 can be found on the Commission's website at *https://www.sec.gov/comments/sr-nyseamer-2025-72/srnyseamer202572-715787-2239694.pdf* (''Amendment No. 2'').

[8] In Amendment No. 3, the Exchange: (1) removed the proposed addition of Section 1003(b)(i)(D) of the Company Guide by which an issuer that is determined to have an average market capitalization over a consecutive 30 trading-day period of less than $5,000,000 would be subject to immediate suspension and delisting (''Minimum Market Capitalization''); (2) removed a proposed modification to Section 1009 of the Company Guide with regard to the Minimum Market Capitalization criteria; and (3) made other technical and non-substantive changes. The full text of Amendment No. 3 can be found on the Commission's website at *https://www.sec.gov/comments/sr-nyseamer-2025-72/srnyseamer202572-719747-2253335.pdf* (''Amendment No. 3'').

[9] 15 U.S.C. 78s(b)(2)(B).

[10] All capitalized terms not otherwise defined in this order shall have the meanings set forth in the Company Guide.

[11] *See* Amendment No. 3, *supra* note 8, at 4. Specifically, Section 1003 of the Company Guide requires issuers of common stock to maintain certain quantitative minimum standards related to stockholders' equity, publicly held shares, public shareholders, and aggregate market value of publicly held shares. In addition, Section 1003 also sets forth qualitative continued listing standards related to, among other things, operations contrary to public interest and reduction of operations. *See id.*

[12] *See id.* at 4–5.

discussions with any issuer whose stock is trading below $1.00 to notify such issuer of the Exchange's policy to initiate suspension and delisting procedures when a stock trades below $0.10 per share.[13] The Exchange states that it has noticed a recent increase in companies that have a very low trading price per share,[14] and that an issuer that trades at a low price per share is potentially susceptible to manipulation and more likely to experience trading volatility in its shares.[15] According to the Exchange, at such low prices, less capital is required to undertake manipulative trading activity.[16] Therefore, the Exchange proposes to amend Section 1003 relating to the price criteria for continued listing to increase the price at which the Exchange would take immediate delisting action and codify such price in Exchange rules.[17]

The Exchange proposes to amend Section 1003(f)(v) of the Company Guide to specify that if a security's closing price per share is less than $0.25 (the ''Minimum Trading Price'') on any trading day, the Exchange shall immediately suspend trading and commence delisting proceedings with respect to such security in accordance with the provisions of Section 1009 of the Company Guide.[18] The Exchange states that it believes that securities that trade below the Minimum Trading Price are more susceptible to trading volatility and market manipulation and are unlikely to recover to any meaningful degree.[19] The Exchange also proposes to modify Section 1009 of the Company Guide to state that such security would not be eligible to follow the procedures outlined in Section 1009 of the Company Guide with respect to the Minimum Trading Price criteria.[20] The Exchange states that all issuers retain the right to appeal an Exchange delisting decision.[21]

The Exchange proposes that these changes would be effective on October 1, 2026.[22] The Exchange states that providing a transition period before the rule is effective would afford issuers time to implement reverse stock splits to increase their share price before the new requirement is in place.[23]

The Exchange also proposes to clarify in Section 1003(f)(v) of the Company Guide that, consistent with its general authority under Section 1002(e) of the Company Guide to suspend trading in the event of any condition that makes further dealings on the Exchange unwarranted, it may suspend trading or delist a security where, in the Exchange's opinion, the trading price has experienced a precipitous decline and is at an abnormally low level from which it is unlikely to recover, even if such security has not fallen below the Minimum Trading Price.[24] The Exchange states that, in its experience, under those conditions a security's trading price is generally unable to recover.[25]

III. Proceedings To Determine Whether To Approve or Disapprove SR–NYSEAMER–2025–72, as Modified by Amendment Nos. 1, 2, and 3 and Grounds for Disapproval Under Consideration

The Commission is instituting proceedings pursuant to Section 19(b)(2)(B) of the Act[26] to determine whether the proposed rule change, as modified by Amendment Nos. 1, 2, and 3 should be approved or disapproved. Institution of such proceedings is appropriate at this time in view of the legal and policy issues raised by the proposed rule change. Institution of proceedings does not indicate that the Commission has reached any conclusions with respect to any of the issues involved. Rather, as described below, the Commission seeks and encourages interested persons to provide additional comment on the proposed rule change to inform the Commission's analysis of whether to approve or disapprove the proposed rule change, as modified by Amendment Nos. 1, 2, and 3.

Pursuant to Section 19(b)(2)(B) of the Act,[27] the Commission is providing notice of the grounds for disapproval under consideration. The Commission is instituting proceedings to allow for additional analysis of, and input from commenters with respect to, the proposed rule change's consistency with the Act, and in particular, Section 6(b)(5) of the Act,[28] which requires, among other things, that the rules of a national securities exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest, and not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers; and Section 6(b)(7) of the Act,[29] which requires, among other things, that the rules of an exchange provide fair procedure for the prohibition or limitation by the exchange of any person with respect to access to services offered by the exchange.

The development and enforcement of meaningful listing standards[30] for an exchange is of critical importance to financial markets and the investing public. Among other things, such listing standards help ensure that exchange-listed companies will have sufficient public float, investor base, and trading interest to provide the depth and liquidity to promote fair and orderly markets. Meaningful listing standards also are important given investor expectations regarding the nature of securities that have achieved an exchange listing, and the role of an exchange in overseeing its market and assuring compliance with its listing standards.[31]

[13] *See id.* at 5.

[14] *See id.*

[15] *See id.*

[16] *See id.*

[17] *See id.*

[18] *See id.*

[19] *See id.* at 6.

[20] *See id.* In addition, the Exchange proposes to amend Section 1009 of the Company Guide to specify that an issuer subject to delisting under Sections 1003(f)(vi) and 1003(f)(vii) of the Company Guide would not be eligible to follow the procedures in Section 1009. *See id.* Section 1003(f)(vi) prohibits one or more reverse stock splits with a cumulative ratio of 200 shares or more to one in a two-year period; and Section 1003(f)(vii) prohibits a reverse stock split that results in an issuer's security falling below any of the continued listing requirements of Section 1003. *See id.* at 5. Currently, an issuer subject to delisting under Section 1003(f)(vi) or Section 1003(f)(vii) of the Company Guide is not eligible to follow the procedures in Section 1009 of the Company Guide. *See id.* at 6.

[21] *See id.* at 5. The procedures for appealing an Exchange delisting decision are set forth in Part 12 of the Company Guide. *See id.* at 5, n.10.

[22] *See id.* at 5.

[23] *See id.* The Exchange also states that its rules prohibiting (1) one or more reverse stock splits with a cumulative ratio of 200 shares or more to one in a two-year period and (2) a reverse stock split that results in a company becoming non-compliant with any of the requirements of Section 1003 of the Company Guide would remain in place. *See id.*

[24] *See id. See also* proposed Section 1003(f)(v) of the Company Guide.

[25] *See* Amendment No. 3, *supra* note 8, at 5.

[26] 15 U.S.C. 78s(b)(2)(B).

[27] *Id.*

[28] 15 U.S.C. 78f(b)(5).

[29] 15 U.S.C. 78f(b)(7).

[30] This reference to ''listing standards'' refers to both initial and continued listing standards.

[31] *See, e.g.,* Securities Exchange Act Release Nos. 88716 (Apr. 21, 2020), 85 FR 23393 (Apr. 27, 2020) (SR–NASDAQ–2020–001) (Order Approving a Proposed Rule Change To Modify the Delisting Process for Securities With a Bid Price at or Below $0.10 and for Securities That Have Had One or More Reverse Stock Splits With a Cumulative Ratio of 250 Shares or More to One Over the Prior Two-Year Period); 88389 (Mar. 16, 2020), 85 FR 16163 (Mar. 20, 2020) (SR–NASDAQ–2019–089) (Notice of Filing of Amendment No. 1 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 1, To Amend Rule 5815 To Preclude Stay During Hearing Panel

Continued

As discussed above, currently, the Exchange will consider initiating suspension and delisting procedures when a class of common stock is selling for a substantial period of time at a low price per share and its issuer fails to effect a reverse stock split to raise the per share trading price.[32] The company will be subject to suspension and delisting when a stock trades below $0.10.[33] The Exchange's proposal would allow the Exchange to immediately suspend and delist a security if a security's closing price per share is less than the Minimum Trading Price (*i.e.,* $0.25).[34] Thus, the proposal would accelerate the timeframe within which the Exchange would delist a security in instances where the security trades below the Minimum Trading Price and result in immediate suspension from trading on the Exchange. In addition, the proposal would clarify that the Exchange would consider suspension and delisting of a security where, in the Exchange's opinion, the trading price has experienced a precipitous decline and is at an abnormally low level from which it is unlikely to recover.[35]

One commenter states that the proposal to establish a Minimum Trading Price ''does not provide a stable, objective, and predictable trigger for suspension and delisting.'' [36] The commenter also states that the Exchange fails to provide empirical evidence to support the Minimum Trading Price or objective, quantitative criteria under which the Exchange will consider trading price to have experienced a precipitous decline and be at an abnormally low level from which it is ''generally unlikely to recover.'' [37] In addition, the commenter states that ''the absence of clear guardrails around the Exchange's discretion raises serious fair-process concerns.'' [38]

Another commenter states that the Exchange has not demonstrated, through ''reasoned and evidence-based analysis,'' that its proposal is necessary to protect investors and promote fair and orderly markets.[39] Specifically, the commenter states that the Exchange does not demonstrate that the Minimum Trading Price ''is a reliable predictor of sustained financial distress, manipulation risk, or future non-compliance with existing listing standards.'' [40] The commenter also states that the Minimum Trading Price criteria would ''materially impair capital formation for small public companies,'' including those that are currently above the proposed criteria.[41] In addition, the commenter states that the proposed effective date would provide an insufficient transition period and that there should be a delayed effective date of no less than twelve months to allow issuers, investors, and lenders time to make necessary adjustments.[42]

The Commission asks that commenters address the sufficiency of the Exchange's statements in support of the proposal, which are set forth in Amendment No. 3, in addition to any other comments they may wish to submit about the proposed rule change, as modified by Amendment Nos. 1, 2, and 3. In particular, the Commission seeks comment on whether the proposal to provide that the Exchange will immediately suspend and delist a security if a security's closing price per share is less than the Minimum Trading Price, and to clarify that the Exchange may suspend and delist a security when the trading price has experienced a precipitous decline and is at an abnormally low lever from which it is unlikely to recover, is designed to be consistent with the requirements of Sections 6(b)(5) and 6(b)(7) of the Act [43] or raises any new or novel concerns not previously contemplated by the Commission.

IV. Procedure: Request for Written Comments

The Commission requests that interested persons provide written submissions of their data, views, and arguments with respect to the issues identified above, including the issues raised by commenters and the Exchange's response, as well as any other concerns they may have with the proposal. In particular, the Commission invites the written views of interested persons concerning whether the proposed rule change, as modified by Amendment Nos. 1, 2, and 3, is consistent with Sections 6(b)(5), 6(b)(7), or any other provision of the Act, or the rules and regulations thereunder. Although there do not appear to be any issues relevant to approval or disapproval that would be facilitated by an oral presentation of data, views, and arguments, the Commission will consider, pursuant to Rule 19b–4 under the Act,[44] any request for an opportunity to make an oral presentation.[45]

Interested persons are invited to submit written data, views, and arguments regarding whether the proposed rule change, as modified by Amendment Nos. 1, 2, and 3, should be approved or disapproved by April 10, 2026. Any person who wishes to file a rebuttal to any other person's

Review of Staff Delisting Determinations in Certain Circumstances). *See also* Securities Exchange Act Release No. 81856 (Oct. 11, 2017), 82 FR 48296, 48298 (Oct. 17, 2017) (SR–NYSE–2017–31) (Notice of Filing of Amendment No. 1 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 1, To Amend the Listed Company Manual To Adopt Initial and Continued Listing Standards for Subscription Receipts) (stating that ''[a]dequate standards are especially important given the expectations of investors regarding exchange trading and the imprimatur of listing on a particular market'' and that ''[o]nce a security has been approved for initial listing, maintenance criteria allow an exchange to monitor the status and trading characteristics of that issue . . . so that fair and orderly markets can be maintained'').

[32] *See supra* note 12 and accompanying text.

[33] *See supra* note 13 and accompanying text.

[34] *See supra* note 18 and accompanying text.

[35] *See supra* note 24 and accompanying text.

[36] Letter from John M. Schaible, Executive Chairman, AtlasClear Holdings, Inc., dated Feb. 13, 2026, at 1.

[37] *See id.* at 2. The commenter states that while the Minimum Trading Price would be ''a nominal anchor, [ ] suspension and delisting remain fundamentally discretionary and unbounded by articulated, objective standards.'' *Id.* at 3.

[38] *Id.* at 4–5. The commenter states that issuers are unable to reliably forecast when their securities will become noncompliant and that while issuers retain the right to appeal delisting decisions under Part 12 of the Company Guide, an appeal cannot cure the harm that could be caused by immediate suspension and delisting and there is a lack of transparency regarding historical outcomes of appeals for minimum price delistings. *See id.* at 4–5. The commenter also states that the proposal fails to consider reasonable alternatives, such as including a 30-trading-days average closing price test and granting compliance periods. *See id.* at 3–4.

[39] *See* Letter from Small Public Company Coalition, dated Mar. 12, 2026, at 2–5.

[40] *Id.* at 5. The commenter states that an accompanying analysis conducted by Professor Craig M. Lewis based on data from the Center for Research in Security Prices shows that a substantial proportion of companies that fell below a $0.25 trading price subsequently recovered and remain listed. *See id.* at 5–6. *See also id.* at 23–26.

[41] *See id.* at 7–9. The commenter states that the proposal does not analyze more targeted alternatives or demonstrate this deficiency ''warrants categorical removal while other continued listing failures receive cure periods, graduated supervision, or discretionary review.'' *Id.* at 15.

[42] *See id.* at 18–20. Another commenter states that, consistent with other continued listing provisions, the Exchange should implement a delayed effective date or impose a defined transition or grandfathering period, and provide impacted issuers with an opportunity to submit a plan of compliance. *See* Letter from Power REIT, dated Jan. 28, 2026, at 1–2. The commenter specifically referenced the Minimum Market Capitalization aspect of the proposal as filed, which the Exchange removed in Amendment No. 3. *See supra* note 8.

[43] 15 U.S.C. 78f(b)(5), (b)(7).

[44] 17 CFR 240.19b–4.

[45] Section 19(b)(2) of the Act, as amended by the Securities Acts Amendments of 1975, Public Law 94–29 (June 4, 1975), grants to the Commission flexibility to determine what type of proceeding—either oral or notice and opportunity for written comments—is appropriate for consideration of a particular proposal by a self-regulatory organization. *See* Securities Acts Amendments of 1975, Senate Comm. on Banking, Housing & Urban Affairs, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

submission must file that rebuttal by April 24, 2026. The Commission asks that commenters address the sufficiency of the Exchange's statements in support of the proposal, in addition to any other comments they may wish to submit about the proposed rule change.

Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–NYSEAMER–2025–72 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–NYSEAMER–2025–72. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NYSEAMER–2025–72 and should be submitted by April 10, 2026. Rebuttal comments should be submitted by April 24, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[46]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05479 Filed 3–19–26; 8:45 am]

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[46] 17 CFR 200.30–3(a)(57).

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0562]

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Extension: Rule 17d–1

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget (''OMB'') a request for extension of the previously approved collection of information discussed below.

Section 17(d) (15 U.S.C. 80a–17(d)) of the Investment Company Act of 1940 (15 U.S.C. 80a *et seq.*) (the ''Act'') prohibits first- and second-tier affiliates of a fund, the fund's principal underwriters, and affiliated persons of the fund's principal underwriters, acting as principal, to effect any transaction in which the fund or a company controlled by the fund is a joint or a joint and several participant in contravention of the Commission's rules. Rule 17d–1 (17 CFR 270.17d–1) prohibits an affiliated person of or principal underwriter for any fund (a ''first-tier affiliate''), or any affiliated person of such person or underwriter (a ''second-tier affiliate''), acting as principal, from participating in or effecting any transaction in connection with a joint enterprise or other joint arrangement in which the fund is a participant, unless prior to entering into the enterprise or arrangement ''an application regarding [the transaction] has been filed with the Commission and has been granted by an order.'' In reviewing the proposed affiliated transaction, the rule provides that the Commission will consider whether the proposal is (i) consistent with the provisions, policies, and purposes of the Act, and (ii) on a basis different from or less advantageous than that of other participants in determining whether to grant an exemptive application for a proposed joint enterprise, joint arrangement, or profit-sharing plan.

Rule 17d–1 also contains a number of exceptions to the requirement that a fund must obtain Commission approval prior to entering into joint transactions or arrangements with affiliates. For example, funds do not have to obtain Commission approval for certain employee compensation plans, certain tax-deferred employee benefit plans, certain transactions involving small business investment companies, the receipt of securities or cash by certain affiliates pursuant to a plan of reorganization, certain arrangements regarding liability insurance policies and transactions with ''portfolio affiliates'' (companies that are affiliated with the fund solely as a result of the fund (or an affiliated fund) controlling them or owning more than five percent of their voting securities) so long as certain other affiliated persons of the fund (*e.g.,* the fund's adviser, persons controlling the fund, and persons under common control with the fund) are not parties to the transaction and do not have a ''financial interest'' in a party to the transaction. The rule excludes from the definition of ''financial interest'' any interest that the fund's board of directors (including a majority of the directors who are not interested persons of the fund) finds to be not material, as long as the board records the basis for its finding in their meeting minutes.

Thus, the rule contains two filing and recordkeeping requirements that constitute collections of information. First, rule 17d–1 requires funds that wish to engage in a joint transaction or arrangement with affiliates to meet the procedural requirements for obtaining exemptive relief from the rule's prohibition on joint transactions or arrangements involving first- or second-tier affiliates. Second, rule 17d–1 permits a portfolio affiliate to enter into a joint transaction or arrangement with the fund if a prohibited participant has a financial interest that the fund's board determines is not material and records the basis for this finding in their meeting minutes. These requirements of rule 17d–1 are designed to prevent fund insiders from managing funds for their own benefit, rather than for the benefit of the funds' shareholders.

Based on an analysis of past filings, Commission staff estimates that 71 funds file applications under section 17(d) and rule 17d–1 per year. The staff understands that funds that file an application generally obtain assistance from outside counsel to prepare the application. The cost burden of using outside counsel is discussed below. The Commission staff estimates that each applicant will spend an average of 75 hours to comply with the Commission's applications process. The Commission staff therefore estimates the annual burden hours per year for all funds under rule 17d–1's application process to be 5,325 hours at a cost of

$2,651,850.[1] The Commission, therefore, requests authorization to increase the inventory of total burden hours per year for all funds under rule 17d–1 from the current authorized burden of 3,225 hours to 5,325 hours. The increase is due to an increase in the number of affected entities.

As noted above, the Commission staff understands that funds that file an application under rule 17d–1 generally use outside counsel to assist in preparing the application. The staff estimates that, on average, funds spend an additional $58,400 for outside legal services in connection with seeking Commission approval of affiliated joint transactions. Thus, the staff estimates that the total annual cost burden imposed by the exemptive application requirements of rule 17d–1 is $4,146,400.[2]

We estimate that funds currently do not rely on the exemption from the term ''financial interest'' with respect to any interest that the fund's board of directors (including a majority of the directors who are not interested persons of the fund) finds to be not material. Accordingly, we estimate that annually there will be no transactions under rule 17d–1 that will result in this aspect of the collection of information.

Based on these calculations, the total annual hour burden is estimated to be 5,325 hours and the total annual cost burden is estimated to be $2,651,850.

The estimate of average burden hours is made solely for the purposes of the Paperwork Reduction Act. The estimate is not derived from a comprehensive or even a representative survey or study of the costs of Commission rules. Complying with these collections of information requirement is necessary to obtain the benefit of relying on rule 17d–1. Responses will not be kept confidential. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

The public may view and comment on this information collection request at: *https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202601-3235-002* or email comment to *MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov* within 30 days of the day after publication of this notice, by April 20, 2026.

Dated: March 17, 2026.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05462 Filed 3–19–26; 8:45 am]

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[1] This estimate is based on the following calculation: 75 hours per applicant × $498 wage rate = $37,350. $37,350 × 71 exemption requests per year = $2,651,850; this blended rate is based on the following: $652 (hourly rate for a chief compliance officer); $573 (hourly rate for an assistant general counsel); and $268 (hourly rate for a paralegal); the Commission's estimates of the relevant wage rates are based on the salary information for the securities industry compiled by Securities Industry and Financial Markets Association's Office Salaries in the Securities Industry 2013, as modified by Commission staff (''SIFMA Wage Report''); the estimated figures are modified by firm size, employee benefits, overhead, and adjusted to account for the effects of inflation.

[2] This estimated burden is based on the estimated wage rate of $584/hour, for 100 hours, for outside legal services; the Commission's estimates of the relevant wage rates for external time costs, such as outside legal services, take into account staff experience, a variety of sources including general information websites, and adjustments for inflation. The estimate is based on the following calculation: $58,400 × 71 exemption requests per year = $4,146,400.

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0452]

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Extension: Notice of Exempt Preliminary Roll-Up Communication

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget this request for extension of the previously approved collection of information discussed below.

Rule 14a–6(n) (17 CFR 240.14a–6(n)) requires any person that engages in a proxy solicitation subject to Exchange Act Rule 14a–2(b)(4) (17 CFR 240.14a–2(b)(4)) to file a Notice of Exempt Preliminary Roll-Up Communication (''Notice'') (17 CFR 240.14a–104) with the Commission. The Notice provides information regarding ownership interest and any potential conflicts of interest to be included in statements submitted by or on behalf of a person engaging in the solicitation. The information collected is mandatory and is made publicly available on the Commission's Electronic Data Gathering, Analysis, and Retrieval (''EDGAR'') system. We estimate that the Notice takes approximately 0.25 hours per response and is filed once per year by approximately 6 respondents. We estimate that 100% of the burden is carried out internally by the filer. Based on our estimates, we calculate a total annual reporting burden of 2 hours ((0.25 hours per response × 100%) × 6 responses per year), when rounded to the nearest dollar. Because we estimate that 100% of the burden will be carried internally by the filer, we estimate that there is no cost burden associated with the Notice.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

The public may view and comment on this information collection request at: *https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202512-3235-024* or send an email comment to *MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov* within 30 days of the day after publication of this notice by April 20, 2026.

Dated: March 17, 2026.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05449 Filed 3–19–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105027; File No. SR–NasdaqTX–2026–007]

Self-Regulatory Organizations; Nasdaq Texas, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Expand the Exchange's Co-Location Services

March 17, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 5, 2026, Nasdaq Texas, LLC (''Nasdaq Texas'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to expand its colocation services by introducing in its future expansion area current options for a cabinet offering, and certain cabinet power, and additional services, as described below.

The text of the proposed rule change is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/nasdaqtx/rulefilings,* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to expand its colocation services by introducing in its future expansion area current options for a cabinet offering, and certain cabinet power, and additional services, as described below.

The Exchange's data center consists of the original data center campus (''NY11''), its expansion area (''NY11–4''), as well as a future expansion area (''NY11–5''). Currently, colocation customers in NY11 as well as those in expansion area NY11–4 can select from among the Exchange's colocation offerings, including options for cabinet, cabinet power, and additional services as provided under Rule General 8, Section 1. The Exchange proposes to introduce in NY11–5 the same cabinet option that is currently available in NY11–4.[3] The Exchange will file a proposal to establish fees for such cabinet service in NY11–5.[4]

NY11–5: Cabinet Power and Power Distribution Units

Rule General 8, Section 1(c) provides that the following cabinet power options are available only in NY11: 2x20 amp 110 volt, 2x30 amp 110 volt, 2x20 amp 208 volt, 2x30 amp 208 volt, 2x60 amp 208 volt, Phase 3 2x20 amp 208 volt, Phase 3 2x30 amp 208 volt, Phase 3 2x40 amp 208 volt, Phase 3 2x50 amp 208 volt, Phase 3 2x60 amp 208 volt, and 2x30 amp 48 volt DC.[5] Rule General 8, Section 1(c) further provides that the following (five) cabinet power options are available only in NY11–4: Phase 1 20 amp 240 volt, Phase 1 32 amp 240 volt, Phase 1 40 amp 240 volt, Phase 3 20 amp 415 volt, and Phase 3 32 amp 415 volt.[6] The Exchange proposes to make these same five cabinet power options available in NY11–5. Specifically, the Exchange proposes to make the following cabinet power options available in NY11–5: Phase 1 20 amp 240 volt, Phase 1 32 amp 240 volt, Phase 1 40 amp 240 volt, Phase 3 20 amp 415 volt, and Phase 3 32 amp 415 volt.[7] The Exchange will file a proposal to establish fees for the proposed cabinet power options for NY11–5. Although different cabinet power options will be offered throughout the data center due to differing power configurations, the cabinet power options being introduced in NY11–5 are not inherently preferable to the existing cabinet power options because data center customers have varying power-related preferences depending on their capacity needs, and the Exchange does not anticipate material differences in equipment performance based on the power distribution. As between the various cabinet power options, customers choose power based on their preference and capacity needs.

The Exchange also proposes to make certain power distribution units (''PDUs'')[8] available in NY11–5. The Exchange currently offers the following standardized PDUs exclusively in NY11–4 as a convenience to customers: Phase 1, Phase 3,[9] as well as a switch monitored PDU add on (''Switch Monitored PDU Add On''), the latter which allows customers to connect remotely to their PDU and control the power sockets.[10] The Exchange proposes to offer the three aforementioned PDU options currently available only in NY11–4, specifically Phase 1, Phase 3, as well as the Switch Monitored PDU Add On, in NY11–5.[11]

[3] *See* proposed Rule General 8, Section 1(a). The Exchange does not offer customers the option of providing their own traditional cabinets because cabinet rows throughout the data center are built to a uniform footprint designed to support standardized cooling, power distribution, and structural load requirements. *See id.*

[4] To effect this change and pending the submission of a fee filing for the service proposed herein, the Exchange proposes certain technical, non-substantive amendments to Rule General 8, Section 1(a) as follows. First, the Exchange proposes to insert, in the column titled ''NY11–4 Installation Fee'' and immediately following ''–4,'' a forward slash followed by a hyphen and the number five (''/–5.''). The Exchange further proposes to insert, where the row titled ''Cabinet'' intersects the proposed column titled ''NY11–4/–5 Installation Fee'' and immediately following the figure ''$5,490,'' a forward slash and the acronym ''TBD'' as follows: ''/TBD.'' The Exchange believes these non-substantive changes are appropriate to introduce the proposed cabinet service in NY11–5 as well as to indicate that the fees for that service have yet to be determined.

[5] *See* Rule General 8, Section 1(c). As discussed above, these cabinet power options are available in NY11 only. *See id.*

[6] *See* Rule General 8, Section 1(c).

[7] *See* proposed Rule General 8, Section 1(c). To effect these changes, the Exchange proposes certain technical changes to Rule General 8, Section 1(c) as follows. The Exchange proposes to insert, in the columns titled ''NY11–4 Installation Fee'' (immediately after ''NY11–4'') and ''NY11–4 Ongoing Monthly Fee ($550 per kVA)'' (also immediately after ''NY11–4'') the following: ''/–5.'' The Exchange further proposes a conforming change to the footnote designated with a single asterisk (*). That footnote currently provides in part as follows: ''*NY11–4 only.'' As a conforming change to that footnote, the Exchange proposes to add, immediately after ''NY11–4'' and before the word ''only'' the following: ''and NY11–5.'' This change is appropriate to indicate these power options are available only in NY11–4 and, as proposed, NY11–5. That footnote further provides that one of the options designated with a single asterisk must be selected for Cabinets in NY11–4. The Exchange proposes to amend that footnote to add, immediately after ''NY11–4'' the following: ''and NY11–5.'' This change is appropriate to make clear that one of the power options designated with a single asterisk must be selected for Cabinets in NY11–4 and NY11–5. Finally, the Exchange further proposes to enter ''/TBD'' throughout Rule General 8, Section 1(c) as appropriate to indicate that installation fees as well as ongoing (per kVA) monthly fees for the various power circuit options being introduced into NY11–5 under this proposal have yet to be determined. The Exchange believes these conforming changes are appropriate to indicate that the products proposed herein are designated for NY11–5 and that their respective fees have yet to be established.

[8] PDUs are devices fitted with multiple outputs designed to distribute electric power.

[9] *See* Rule General 8, Section 1(d). Phase 1 PDUs are compatible with the following power options: Phase 1 20 amp 240 volt, Phase 1 32 amp 240 volt, and Phase 1 40 amp 240 volt. Phase 3 PDUs are compatible with the following power options: Phase 3 20 amp 415 volt and Phase 3 32 amp 415 volt. Phase 1 and Phase 3 are available in NY11 and NY11–4. Phase 3 PDUs provide greater power density than Phase 1 PDUs by delivering power over three wires as opposed to one wire.

[10] *See* Rule General 8, Section, 1(d).

[11] *See* proposed Rule General 8, Section 1(d). To effect this change, the Exchange proposes the following technical changes to Rule General 8, Section 1(d) (''Additional Charges/Services''). The Exchange proposes to amend the footnote designated with a single asterisk as follows. First, the Exchanges proposes to insert, immediately after ''NY11–4 and before ''only'' the following: ''and NY11–5.'' Thus, as proposed, the footnote would read ''*NY11–4 and NY11–5 only.'' The Exchange further proposes to amend that footnote to insert, immediately after ''*NY11–4 and NY11–5 only'' the following two sentences: ''Fees shown are for NY11–4 only. Fees for NY11–5 have yet to be established.'' The Exchange believes these changes are appropriate to (1) indicate that the proposed products are being introduced into NY11–5, and (2) indicate that the proposed fees for such products in NY11–5 have yet to be determined.

All offered PDU options are optional, and customers may choose to provide their own PDU, as appropriate for their power choices. As with all other proposed services, the Exchange will file a proposal to establish fees for such PDU options in NY11–5.

Implementation

Although the timing is subject to change, the Exchange anticipates opening NY11–5 Exchange access during the first quarter of 2026. In concert with this filing, the Exchange will allow customers to place orders for all services proposed herein. Customers would not be fee liable for the services proposed for NY11–5 herein until such customers are granted access to their NY11–5 spaces for their immediate use, whether for trading or otherwise. Allowing customers to place orders in advance of opening its doors in NY11–5 will allow the Exchange to plan ahead for capacity and demand for services, as well as procure necessary equipment. As discussed above, the Exchange will file a proposal to establish fees for all services described in this proposed rule change.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[12] in general, and furthers the objectives of Section 6(b)(5) of the Act,[13] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest. Today, the Exchange offers various cabinet, power, and additional service options throughout the data center for colocation customers. Due to varying power configurations, certain services are available only in NY11–4. The proposal would make these same service options available in NY11–5. Specifically, the proposal would introduce in NY11–5 a cabinet option, as well as options for power, power installation and additional products and services currently available in NY11–4.

The Exchange believes that the proposal would remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general protect investors and the public interest because it would extend to NY11–5 certain connectivity services and products currently available in NY11–4, including a cabinet offering, several options for power and additional products and services, such as power cords and PDUs. The proposal provides customers with greater optionality with respect to offered colocation services, thereby enhancing their ability to tailor their colocation operations to the requirements of their business needs. Providing consistent offerings across NY11–4 and NY11–5 thus enhances customer choice and allows the Exchange to better meet demand for colocation services. In general, the proposal is consistent with the Act because in lieu of collocating directly with the Exchange, market participants may choose not to collocate at all or to collocate indirectly through a vendor.

The Exchange also believes that the proposal will not be unfairly discriminatory, consistent with the objectives of Section 6(b)(5) of the Act[14] because the proposed services for NY11–5, including the expanded cabinet, cabinet power, power installation, and additional service options, would be offered equally to all customers. Although the proposed optionality for NY11–5 would only be offered in NY11–4 and NY11–5 due to differing power configurations throughout the data center, any customer may order such proposed cabinets and additional colocation services on the same terms as any other customer. Use of all colocation services remains entirely voluntary.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The Exchange notes that this proposal does not concern itself with the speed at which customers can trade or the Equalization Project[15] because its scope is limited to offering certain data center customer colocation services in NY11–5 that are currently available in NY11–4 and does not extend to data communications networks.[16]

Nothing in the proposal imposes any burden on the ability of other exchanges to compete. The Exchange operates in a highly competitive market in which exchanges and other vendors offer colocation services as a means to facilitate the trading and other market activities of those market participants who believe that colocation enhances the efficiency of their operations. As part of its colocation offerings, the Exchange currently offers similar cabinet and power options as do other exchanges.

Nothing in the proposal burdens intra-market competition because the Exchange's colocation services, including those proposed herein for NY11–5 are available to any customer, and customers that wish to order the proposed services, including additional options for cabinet, cabinet power, and additional services can do so on a non-discriminatory basis. Use of any colocation service is completely voluntary, and each market participant is able to determine whether to use colocation services based on the requirements of its business operations.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(iii)[17] of the Act and Rule 19b–4(f)(6) thereunder[18] in that it effects a change that: (i) does not significantly affect the protection of investors or the public interest; (ii) does not impose any significant burden on competition; and (iii) by its terms, does not become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest.

A proposed rule change filed under Rule 19b–4(f)(6)[19] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[20] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may

[12] 15 U.S.C. 78f(b).

[13] 15 U.S.C. 78f(b)(5).

[14] *Id.*

[15] The Equalization Project is an Exchange initiative to equalize cross connects across the Exchange's entire data center campus. *See* Securities Exchange Act Release No. 34–101078 (Sep. 18, 2024), 89 FR 77937 (Sept. 24, 2024) (SR–NASDAQ–2024–054).

[16] *See supra* note 15 and accompanying text.

[17] 15 U.S.C. 78s(b)(3)(A)(iii).

[18] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Exchange to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[19] 17 CFR 240.19b–4(f)(6).

[20] 17 CFR 240.19b–4(f)(6)(iii).

become operative immediately upon filing. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest because it will allow the Exchange to allow users seeking to subscribe to colocation services in NY11–5 to do so without delay, and the proposed rule change does not introduce any novel regulatory issues as the proposed services are the same as those currently available in NY11–4. Accordingly, the Commission designates the proposed rule change to be operative upon filing.[21]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–NasdaqTX–2026–007 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–NasdaqTX–2026–007. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NasdaqTX–2026–007 and should be submitted on or before April 10, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[22]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05472 Filed 3–19–26; 8:45 am]

BILLING CODE 8011–01–P

[21] For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[22] 17 CFR 200.30–3(a)(12), (59).

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0376]

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Extension: Schedule 14D–1F–Tender Offer Statement

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget this request for extension of the previously approved collection of information discussed below.

Schedule 14D–1F (17 CFR 240.14d–102) is a form that may be used by any person (the ''bidder'') making a cash tender or exchange offer for securities of any issuer (the ''target'') incorporated or organized under the laws of Canada or any Canadian province or territory that is a foreign private issuer, where less than 40% of the outstanding class of the target's securities that is the subject of the offer is held by U.S. holders. Schedule 14D–1F is designed to facilitate cross-border transactions in the securities of Canadian issuers. The information required to be filed with the Commission provides security holders with material information regarding the bidder as well as the transaction so that they may make informed investment decisions. The information collected is mandatory and is made publicly available on the Commission's Electronic Data Gathering, Analysis, and Retrieval (''EDGAR'') system. We estimate that Schedule 14D–1F takes approximately 3.5 hours per response to prepare and is filed once per year by approximately 2 bidders. We estimate that 100% of the burden is carried out internally by the bidder. Based on our estimates, we calculate a total annual reporting burden of 7 hours ((3.5 hours per response × 100%) × 2 responses per year). Because we estimate that 100% of the burden will be carried internally by the bidder, we estimate that there is no cost burden associated with Schedule 14D–1F.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

The public may view and comment on this information collection request at: *https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202512-3235-025* or send an email comment to *MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov* within 30 days of the day after publication of this notice by April 20, 2026.

Dated: March 17, 2026.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05450 Filed 3–19–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0325]

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Extension: Form F–4—Registration Statement

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget this request for extension of the previously approved collection of information discussed below.

Form F–4 (17 CFR 239.34) is used by foreign issuers to register securities in business combinations, reorganizations and exchange offers pursuant to federal securities laws pursuant to the Securities Act of 1933 (15 U.S.C. 77a, *et seq.*). The information collected is

intended to ensure the adequacy of information available to investors in connection with business combination transactions. The information required by Form F–4 is mandatory, and Form F–4 is publicly available on the Commission's Electronic Data Gathering, Analysis, and Retrieval (''EDGAR'') system. We estimate that Form F–4 takes approximately 1,435.79 hours per response and is filed by approximately 60 respondents. We estimate that 25% of the 1,435.79 hours per response (358.95 hours) is carried internally by the registrant for a total annual reporting burden of 21,537 hours (358.95 hours per response × 60 responses). We estimate that 75% of the 1,435.79 hours per response is carried externally by outside professionals retained by the issuer at an estimated rate of $600 per hour for a total annual cost burden of $38,766,330 ($600 per hour × (75% × 1,435.79 total burden hours per response) × 60 responses annually).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

The public may view and comment on this information collection request at: *https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202512-3235-011* or send an email comment to *MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov* within 30 days of the day after publication of this notice by April 20, 2026.

Dated: March 17, 2026.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05460 Filed 3–19–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0258]

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Extension: Form F–1—Registration Statement

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget this request for extension of the previously approved collection of information discussed below.

Form F–1 (17 CFR 239.31) is used by certain foreign private issuers to register securities pursuant to the Securities Act of 1933 (15 U.S.C. 77a *et seq.*). The information collected is intended to ensure the adequacy of information available to investors in connection with securities offerings. The information required by Form F–1 is mandatory, and Form F–1 is publicly available on the Commission's Electronic Data Gathering, Analysis, and Retrieval (''EDGAR'') system. We estimate that Form F–1 takes approximately 1,610.36 hours per response and is filed once per year by approximately 270 respondents, for a total of approximately 270 responses annually. We estimate that 25% of the 1,610.36 hours per response is carried internally by the issuer for a total annual reporting burden of 108,699 hours ((1,610.36 hours per response × 25%) × 270 responses). We estimate that 75% of the 1,610.36 hours per response is carried externally by outside professionals retained by the issuer at an estimated rate of $600 per hour for a total annual cost burden of $195,658,740 ((75% × 1,610.36 hours per response) × $600 per hour × 270 responses).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

The public may view and comment on this information collection request at: *https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202509-3235-007* or email comment to *MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov* within 30 days of the day after publication of this notice, by April 20, 2026.

Dated: March 17, 2026.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05465 Filed 3–19–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105024; File No. SR–ISE–2026–12]

Self-Regulatory Organizations; Nasdaq ISE, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Expand the Exchange's Co-Location Services

March 17, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 5, 2026, Nasdaq ISE, LLC (''ISE'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to expand its colocation services by introducing in its future expansion area current options for a cabinet offering, and certain cabinet power, and additional services, as described below.

The text of the proposed rule change is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/ise/rulefilings,* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to expand its colocation services by introducing in its

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

future expansion area current options for a cabinet offering, and certain cabinet power, and additional services, as described below.

The Exchange's data center consists of the original data center campus (''NY11''), its expansion area (''NY11–4''), as well as a future expansion area (''NY11–5''). Currently, colocation customers in NY11 as well as those in expansion area NY11–4 can select from among the Exchange's colocation offerings, including options for cabinet, cabinet power, and additional services as provided under Rule General 8, Section 1. The Exchange proposes to introduce in NY11–5 the same cabinet option that is currently available in NY11–4.[3] The Exchange will file a proposal to establish fees for such cabinet service in NY11–5.[4]

NY11–5: Cabinet Power and Power Distribution Units

Rule General 8, Section 1(c) provides that the following cabinet power options are available only in NY11: 2x20 amp 110 volt, 2x30 amp 110 volt, 2x20 amp 208 volt, 2x30 amp 208 volt, 2x60 amp 208 volt, Phase 3 2x 20 amp 208 volt, Phase 3 2x 30 amp 208 volt, Phase 3 2x 40 amp 208 volt, Phase 3 2x 50 amp 208 volt, Phase 3 2x 60 amp 208 volt, and 2x30 amp 48 volt DC.[5] Rule General 8, Section 1(c) further provides that the following (five) cabinet power options are available only in NY11–4: Phase 1 20 amp 240 volt, Phase 1 32 amp 240 volt, Phase 1 40 amp 240 volt, Phase 3 20 amp 415 volt, and Phase 3 32 amp 415 volt.[6] The Exchange proposes to make these same five cabinet power options available in NY11–5. Specifically, the Exchange proposes to make the following cabinet power options available in NY11–5: Phase 1 20 amp 240 volt, Phase 1 32 amp 240 volt, Phase 1 40 amp 240 volt, Phase 3 20 amp 415 volt, and Phase 3 32 amp 415 volt.[7] The Exchange will file a proposal to establish fees for the proposed cabinet power options for NY11–5. Although different cabinet power options will be offered throughout the data center due to differing power configurations, the cabinet power options being introduced in NY11–5 are not inherently preferable to the existing cabinet power options because data center customers have varying power-related preferences depending on their capacity needs, and the Exchange does not anticipate material differences in equipment performance based on the power distribution. As between the various cabinet power options, customers choose power based on their preference and capacity needs.

The Exchange also proposes to make certain power distribution units (''PDUs'')[8] available in NY11–5. The Exchange currently offers the following standardized PDUs exclusively in NY11–4 as a convenience to customers: Phase 1, Phase 3,[9] as well as a switch monitored PDU add on (''Switch Monitored PDU Add On''), the latter which allows customers to connect remotely to their PDU and control the power sockets.[10] The Exchange proposes to offer the three aforementioned PDU options currently available only in NY11–4, specifically Phase 1, Phase 3, as well as the Switch Monitored PDU Add On, in NY11–5.[11] All offered PDU options are optional, and customers may choose to provide their own PDU, as appropriate for their power choices. As with all other proposed services, the Exchange will file a proposal to establish fees for such PDU options in NY11–5.

Implementation

Although the timing is subject to change, the Exchange anticipates opening NY11–5 Exchange access during the first quarter of 2026. In concert with this filing, the Exchange will allow customers to place orders for all services proposed herein. Customers would not be fee liable for the services proposed for NY11–5 herein until such customers are granted access to their NY11–5 spaces for their immediate use, whether for trading or otherwise. Allowing customers to place orders in advance of opening its doors in NY11–5 will allow the Exchange to plan ahead for capacity and demand for services, as well as procure necessary equipment. As discussed above, the Exchange will file a proposal to establish fees for all services described in this proposed rule change.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[12] in general, and furthers the objectives of Section 6(b)(5) of the Act,[13] in particular, in that it is designed to

[3] *See* proposed Rule General 8, Section 1(a). The Exchange does not offer customers the option of providing their own traditional cabinets because cabinet rows throughout the data center are built to a uniform footprint designed to support standardized cooling, power distribution, and structural load requirements. *See id.*

[4] To effect this change and pending the submission of a fee filing for the service proposed herein, the Exchange proposes certain technical, non-substantive amendments to Rule General 8, Section 1(a) as follows. First, the Exchange proposes to insert, in the column titled ''NY11–4 Installation Fee'' and immediately following ''–4,'' a forward slash followed by a hyphen and the number five (''/–5.''). The Exchange further proposes to insert, where the row titled ''Cabinet'' intersects the proposed column titled ''NY11–4/–5 Installation Fee'' and immediately following the figure ''$5,490,'' a forward slash and the acronym ''TBD'' as follows: ''/TBD.'' The Exchange believes these non-substantive changes are appropriate to introduce the proposed cabinet service in NY11–5 as well as to indicate that the fees for that service have yet to be determined.

[5] *See* Rule General 8, Section 1(c). As discussed above, these cabinet power options are available in NY11 only. *See id.*

[6] *See* Rule General 8, Section 1(c).

[7] *See* proposed Rule General 8, Section 1(c). To effect these changes, the Exchange proposes certain technical changes to Rule General 8, Section 1(c) as follows. The Exchange proposes to insert, in the columns titled ''NY11–4 Installation Fee'' (immediately after ''NY11–4'') and ''NY11–4 Ongoing Monthly Fee ($550 per kVA)'' (also immediately after ''NY11–4'') the following: ''/–5.'' The Exchange further proposes a conforming change to the footnote designated with a single asterisk (*). That footnote currently provides in part as follows: ''*NY11–4 only.'' As a conforming change to that footnote, the Exchange proposes to add, immediately after ''NY11–4'' and before the word ''only'' the following: ''and NY11–5.'' This change is appropriate to indicate these power options are available only in NY11–4 and, as proposed, NY11–5. That footnote further provides that one of the options designated with a single asterisk must be selected for Cabinets in NY11–4. The Exchange proposes to amend that footnote to add, immediately after ''NY11–4'' the following: ''and NY11–5.'' This change is appropriate to make clear that one of the power options designated with a single asterisk must be selected for Cabinets in NY11–4 and NY11–5. Finally, the Exchange further proposes to enter ''/TBD'' throughout Rule General 8, Section 1(c) as appropriate to indicate that installation fees as well as ongoing (per kVA) monthly fees for the various power circuit options being introduced into NY11–5 under this proposal have yet to be determined. The Exchange believes these conforming changes are appropriate to indicate that the products proposed herein are designated for NY11–5 and that their respective fees have yet to be established.

[8] PDUs are devices fitted with multiple outputs designed to distribute electric power.

[9] *See* Rule General 8, Section 1(d). Phase 1 PDUs are compatible with the following power options: Phase 1 20 amp 240 volt, Phase 1 32 amp 240 volt, and Phase 1 40 amp 240 volt. Phase 3 PDUs are compatible with the following power options: Phase 3 20 amp 415 volt and Phase 3 32 amp 415 volt. Phase 1 and Phase 3 are available in NY11 and NY11–4. Phase 3 PDUs provide greater power density than Phase 1 PDUs by delivering power over three wires as opposed to one wire.

[10] *See* Rule General 8, Section, 1(d).

[11] *See* proposed Rule General 8, Section 1(d). To effect this change, the Exchange proposes the following technical changes to Rule General 8, Section 1(d) (''Additional Charges/Services''). The Exchange proposes to amend the footnote designated with a single asterisk as follows. First, the Exchanges proposes to insert, immediately after ''NY11–4 and before ''only'' the following: ''and NY11–5.'' Thus, as proposed, the footnote would read ''*NY11–4 and NY11–5 only.'' The Exchange further proposes to amend that footnote to insert, immediately after ''*NY11–4 and NY11–5 only'' the following two sentences: ''Fees shown are for NY11–4 only. Fees for NY11–5 have yet to be established.'' The Exchange believes these changes are appropriate to (1) indicate that the proposed products are being introduced into NY11–5, and (2) indicate that the proposed fees for such products in NY11–5 have yet to be determined.

[12] 15 U.S.C. 78f(b).

[13] 15 U.S.C. 78f(b)(5).

promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest. Today, the Exchange offers various cabinet, power, and additional service options throughout the data center for colocation customers. Due to varying power configurations, certain services are available only in NY11–4. The proposal would make these same service options available in NY11–5. Specifically, the proposal would introduce in NY11–5 a cabinet option, as well as options for power, power installation and additional products and services currently available in NY11–4.

The Exchange believes that the proposal would remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general protect investors and the public interest because it would extend to NY11–5 certain connectivity services and products currently available in NY11–4, including a cabinet offering, several options for power and additional products and services, such as power cords and PDUs. The proposal provides customers with greater optionality with respect to offered colocation services, thereby enhancing their ability to tailor their colocation operations to the requirements of their business needs. Providing consistent offerings across NY11–4 and NY11–5 thus enhances customer choice and allows the Exchange to better meet demand for colocation services. In general, the proposal is consistent with the Act because in lieu of collocating directly with the Exchange, market participants may choose not to collocate at all or to collocate indirectly through a vendor.

The Exchange also believes that the proposal will not be unfairly discriminatory, consistent with the objectives of Section 6(b)(5) of the Act [14] because the proposed services for NY11–5, including the expanded cabinet, cabinet power, power installation, and additional service options, would be offered equally to all customers. Although the proposed optionality for NY11–5 would only be offered in NY11–4 and NY11–5 due to differing power configurations throughout the data center, any customer may order such proposed cabinets and additional colocation services on the same terms as any other customer. Use of all colocation services remains entirely voluntary.

[14] *Id.*

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The Exchange notes that this proposal does not concern itself with the speed at which customers can trade or the Equalization Project [15] because its scope is limited to offering certain data center customer colocation services in NY11–5 that are currently available in NY11–4 and does not extend to data communications networks.[16]

Nothing in the proposal imposes any burden on the ability of other exchanges to compete. The Exchange operates in a highly competitive market in which exchanges and other vendors offer colocation services as a means to facilitate the trading and other market activities of those market participants who believe that colocation enhances the efficiency of their operations. As part of its colocation offerings, the Exchange currently offers similar cabinet and power options as do other exchanges.

Nothing in the proposal burdens intra-market competition because the Exchange's colocation services, including those proposed herein for NY11–5 are available to any customer, and customers that wish to order the proposed services, including additional options for cabinet, cabinet power, and additional services can do so on a non-discriminatory basis. Use of any colocation service is completely voluntary, and each market participant is able to determine whether to use colocation services based on the requirements of its business operations.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(iii) [17] of the Act and Rule 19b–4(f)(6) thereunder [18] in that it effects a change that: (i) does not significantly affect the protection of investors or the public interest; (ii) does not impose any significant burden on competition; and (iii) by its terms, does not become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest.

A proposed rule change filed under Rule 19b–4(f)(6) [19] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b4(f)(6)(iii),[20] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest because it will allow the Exchange to allow users seeking to subscribe to colocation services in NY11–5 to do so without delay, and the proposed rule change does not introduce any novel regulatory issues as the proposed services are the same as those currently available in NY11–4. Accordingly, the Commission designates the proposed rule change to be operative upon filing.[21]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing,

[15] The Equalization Project is an Exchange initiative to equalize cross connects across the Exchange's entire data center campus. *See* Securities Exchange Act Release No. 34–101078 (Sep. 18, 2024), 89 FR 77937 (Sept. 24, 2024) (SR–NASDAQ–2024–054).

[16] *See supra* note 15 and accompanying text.

[17] 15 U.S.C. 78s(b)(3)(A)(iii).

[18] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Exchange to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[19] 17 CFR 240.19b–4(f)(6).

[20] 17 CFR 240.19b–4(f)(6)(iii).

[21] For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–ISE–2026–12 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–ISE–2026–12. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–ISE–2026–12 and should be submitted on or before April 10, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[22]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05469 Filed 3–19–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105023; File No. SR–GEMX–2026–09]

Self-Regulatory Organizations; Nasdaq GEMX, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Expand the Exchange's Co-Location Services

March 17, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 5, 2026, Nasdaq GEMX, LLC (''GEMX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to expand its colocation services by introducing in its future expansion area current options for a cabinet offering, and certain cabinet power, and additional services, as described below.

The text of the proposed rule change is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/gemx/rulefilings,* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to expand its colocation services by introducing in its future expansion area current options for a cabinet offering, and certain cabinet power, and additional services, as described below.

The Exchange's data center consists of the original data center campus (''NY11''), its expansion area (''NY11–4''), as well as a future expansion area (''NY11–5''). Currently, colocation customers in NY11 as well as those in expansion area NY11–4 can select from among the Exchange's colocation offerings, including options for cabinet, cabinet power, and additional services as provided under Rule General 8, Section 1. The Exchange proposes to introduce in NY11–5 the same cabinet option that is currently available in NY11–4.[3] The Exchange will file a proposal to establish fees for such cabinet service in NY11–5.[4]

NY11–5: Cabinet Power and Power Distribution Units

Rule General 8, Section 1(c) provides that the following cabinet power options are available only in NY11: 2x20 amp 110 volt, 2x30 amp 110 volt, 2x20 amp 208 volt, 2x30 amp 208 volt, 2x60 amp 208 volt, Phase 3 2x20 amp 208 volt, Phase 3 2x30 amp 208 volt, Phase 3 2x40 amp 208 volt, Phase 3 2x50 amp 208 volt, Phase 3 2x60 amp 208 volt, and 2x30 amp 48 volt DC.[5] Rule General 8, Section 1(c) further provides that the following (five) cabinet power options are available only in NY11–4: Phase 1 20 amp 240 volt, Phase 1 32 amp 240 volt, Phase 1 40 amp 240 volt, Phase 3 20 amp 415 volt, and Phase 3 32 amp 415 volt.[6] The Exchange proposes to make these same five cabinet power options available in NY11–5. Specifically, the Exchange proposes to make the following cabinet power options available in NY11–5: Phase 1 20 amp 240 volt, Phase 1 32 amp 240 volt, Phase 1 40 amp 240 volt, Phase 3 20 amp 415 volt, and Phase 3 32 amp 415 volt.[7] The Exchange will file a proposal

[22] 17 CFR 200.30–3(a)(12), (59).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* proposed Rule General 8, Section 1(a). The Exchange does not offer customers the option of providing their own traditional cabinets because cabinet rows throughout the data center are built to a uniform footprint designed to support standardized cooling, power distribution, and structural load requirements. *See id.*

[4] To effect this change and pending the submission of a fee filing for the service proposed herein, the Exchange proposes certain technical, non-substantive amendments to Rule General 8, Section 1(a) as follows. First, the Exchange proposes to insert, in the column titled ''NY11–4 Installation Fee'' and immediately following ''–4,'' a forward slash followed by a hyphen and the number five (''/–5.''). The Exchange further proposes to insert, where the row titled ''Cabinet'' intersects the proposed column titled ''NY11–4/–5 Installation Fee'' and immediately following the figure ''$5,490,'' a forward slash and the acronym ''TBD'' as follows: ''/TBD.'' The Exchange believes these non-substantive changes are appropriate to introduce the proposed cabinet service in NY11–5 as well as to indicate that the fees for that service have yet to be determined.

[5] *See* Rule General 8, Section 1(c). As discussed above, these cabinet power options are available in NY11 only. *See id.*

[6] *See* Rule General 8, Section 1(c).

[7] *See* proposed Rule General 8, Section 1(c). To effect these changes, the Exchange proposes certain technical changes to Rule General 8, Section 1(c) as follows. The Exchange proposes to insert, in the columns titled ''NY11–4 Installation Fee'' (immediately after ''NY11–4'') and ''NY11–4 Ongoing Monthly Fee ($550 per kVA)'' (also immediately after ''NY11–4'') the following: ''/–5.'' The Exchange further proposes a conforming change to the footnote designated with a single asterisk (*). That footnote currently provides in part as follows: ''*NY11–4 only.'' As a conforming change to that footnote, the Exchange proposes to

Continued

to establish fees for the proposed cabinet power options for NY11–5. Although different cabinet power options will be offered throughout the data center due to differing power configurations, the cabinet power options being introduced in NY11–5 are not inherently preferable to the existing cabinet power options because data center customers have varying power-related preferences depending on their capacity needs, and the Exchange does not anticipate material differences in equipment performance based on the power distribution. As between the various cabinet power options, customers choose power based on their preference and capacity needs.

The Exchange also proposes to make certain power distribution units (''PDUs'')[8] available in NY11–5. The Exchange currently offers the following standardized PDUs exclusively in NY11–4 as a convenience to customers: Phase 1, Phase 3,[9] as well as a switch monitored PDU add on (''Switch Monitored PDU Add On''), the latter which allows customers to connect remotely to their PDU and control the power sockets.[10] The Exchange proposes to offer the three aforementioned PDU options currently available only in NY11–4, specifically Phase 1, Phase 3, as well as the Switch Monitored PDU Add On, in NY11–5.[11] All offered PDU options are optional, and customers may choose to provide their own PDU, as appropriate for their power choices. As with all other proposed services, the Exchange will file a proposal to establish fees for such PDU options in NY11–5.

Implementation

Although the timing is subject to change, the Exchange anticipates opening NY11–5 Exchange access during the first quarter of 2026. In concert with this filing, the Exchange will allow customers to place orders for all services proposed herein. Customers would not be fee liable for the services proposed for NY11–5 herein until such customers are granted access to their NY11–5 spaces for their immediate use, whether for trading or otherwise. Allowing customers to place orders in advance of opening its doors in NY11–5 will allow the Exchange to plan ahead for capacity and demand for services, as well as procure necessary equipment. As discussed above, the Exchange will file a proposal to establish fees for all services described in this proposed rule change.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[12] in general, and furthers the objectives of Section 6(b)(5) of the Act,[13] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest. Today, the Exchange offers various cabinet, power, and additional service options throughout the data center for colocation customers. Due to varying power configurations, certain services are available only in NY11–4. The proposal would make these same service options available in NY11–5. Specifically, the proposal would introduce in NY11–5 a cabinet option, as well as options for power, power installation and additional products and services currently available in NY11–4.

The Exchange believes that the proposal would remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general protect investors and the public interest because it would extend to NY11–5 certain connectivity services and products currently available in NY11–4, including a cabinet offering, several options for power and additional products and services, such as power cords and PDUs. The proposal provides customers with greater optionality with respect to offered colocation services, thereby enhancing their ability to tailor their colocation operations to the requirements of their business needs. Providing consistent offerings across NY11–4 and NY11–5 thus enhances customer choice and allows the Exchange to better meet demand for colocation services. In general, the proposal is consistent with the Act because in lieu of collocating directly with the Exchange, market participants may choose not to collocate at all or to collocate indirectly through a vendor.

The Exchange also believes that the proposal will not be unfairly discriminatory, consistent with the objectives of Section 6(b)(5) of the Act[14] because the proposed services for NY11–5, including the expanded cabinet, cabinet power, power installation, and additional service options, would be offered equally to all customers. Although the proposed optionality for NY11–5 would only be offered in NY11–4 and NY11–5 due to differing power configurations throughout the data center, any customer may order such proposed cabinets and additional colocation services on the same terms as any other customer. Use of all colocation services remains entirely voluntary.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The Exchange notes that this proposal does not concern itself with the speed at which customers can trade or the Equalization Project[15] because its scope is limited to offering certain data center

add, immediately after ''NY11–4'' and before the word ''only'' the following: ''and NY11–5.'' This change is appropriate to indicate these power options are available only in NY11–4 and, as proposed, NY11–5. That footnote further provides that one of the options designated with a single asterisk must be selected for Cabinets in NY11–4. The Exchange proposes to amend that footnote to add, immediately after ''NY11–4'' the following: ''and NY11–5.'' This change is appropriate to make clear that one of the power options designated with a single asterisk must be selected for Cabinets in NY11–4 and NY11–5. Finally, the Exchange further proposes to enter ''/TBD'' throughout Rule General 8, Section 1(c) as appropriate to indicate that installation fees as well as ongoing (per kVA) monthly fees for the various power circuit options being introduced into NY11–5 under this proposal have yet to be determined. The Exchange believes these conforming changes are appropriate to indicate that the products proposed herein are designated for NY11–5 and that their respective fees have yet to be established.

[8] PDUs are devices fitted with multiple outputs designed to distribute electric power.

[9] *See* Rule General 8, Section 1(d). Phase 1 PDUs are compatible with the following power options: Phase 1 20 amp 240 volt, Phase 1 32 amp 240 volt, and Phase 1 40 amp 240 volt. Phase 3 PDUs are compatible with the following power options: Phase 3 20 amp 415 volt and Phase 3 32 amp 415 volt. Phase 1 and Phase 3 are available in NY11 and NY11–4. Phase 3 PDUs provide greater power density than Phase 1 PDUs by delivering power over three wires as opposed to one wire.

[10] *See* Rule General 8, Section, 1(d).

[11] *See* proposed Rule General 8, Section 1(d). To effect this change, the Exchange proposes the following technical changes to Rule General 8, Section 1(d) (''Additional Charges/Services''). The Exchange proposes to amend the footnote designated with a single asterisk as follows. First, the Exchanges proposes to insert, immediately after ''NY11–4 and before ''only'' the following: ''and NY11–5.'' Thus, as proposed, the footnote would read ''*NY11–4 and NY11–5 only.'' The Exchange further proposes to amend that footnote to insert, immediately after ''*NY11–4 and NY11–5 only'' the following two sentences: ''Fees shown are for NY11–4 only. Fees for NY11–5 have yet to be established.'' The Exchange believes these changes are appropriate to (1) indicate that the proposed products are being introduced into NY11–5, and (2) indicate that the proposed fees for such products in NY11–5 have yet to be determined.

[12] 15 U.S.C. 78f(b).

[13] 15 U.S.C. 78f(b)(5).

[14] *Id.*

[15] The Equalization Project is an Exchange initiative to equalize cross connects across the Exchange's entire data center campus. *See* Securities Exchange Act Release No. 34–101078 (Sep. 18, 2024), 89 FR 77937 (Sept. 24, 2024) (SR–NASDAQ–2024–054).

customer colocation services in NY11–5 that are currently available in NY11–4 and does not extend to data communications networks.[16]

Nothing in the proposal imposes any burden on the ability of other exchanges to compete. The Exchange operates in a highly competitive market in which exchanges and other vendors offer colocation services as a means to facilitate the trading and other market activities of those market participants who believe that colocation enhances the efficiency of their operations. As part of its colocation offerings, the Exchange currently offers similar cabinet and power options as do other exchanges.

Nothing in the proposal burdens intra-market competition because the Exchange's colocation services, including those proposed herein for NY11–5 are available to any customer, and customers that wish to order the proposed services, including additional options for cabinet, cabinet power, and additional services can do so on a non-discriminatory basis. Use of any colocation service is completely voluntary, and each market participant is able to determine whether to use colocation services based on the requirements of its business operations.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(iii) [17] of the Act and Rule 19b–4(f)(6) thereunder [18] in that it effects a change that: (i) does not significantly affect the protection of investors or the public interest; (ii) does not impose any significant burden on competition; and (iii) by its terms, does not become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest.

A proposed rule change filed under Rule 19b–4(f)(6) [19] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b4(f)(6)(iii),[20] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest because it will allow the Exchange to allow users seeking to subscribe to colocation services in NY11–5 to do so without delay, and the proposed rule change does not introduce any novel regulatory issues as the proposed services are the same as those currently available in NY11–4. Accordingly, the Commission designates the proposed rule change to be operative upon filing.[21]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–GEMX–2026–09 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–GEMX–2026–09. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–GEMX–2026–09 and should be submitted on or before April 10, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[22]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05468 Filed 3–19–26; 8:45 am]

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[16] *See supra* note 15 and accompanying text.

[17] 15 U.S.C. 78s(b)(3)(A)(iii).

[18] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Exchange to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[19] 17 CFR 240.19b–4(f)(6).

[20] 17 CFR 240.19b–4(f)(6)(iii).

[21] For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[22] 17 CFR 200.30–3(a)(12), (59).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105030; File No. SR–NASDAQ–2026–016]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing of Proposed Rule Change To List and Trade Shares of the VanEck JitoSOL ETF Under Nasdaq Rule 5711(d) (Commodity-Based Trust Shares)

March 17, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 10, 2026, The Nasdaq Stock Market LLC (''Nasdaq'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to list and trade shares of the VanEck JitoSOL ETF (the ''Trust'') under Nasdaq Rule 5711(d) (''Commodity-Based Trust Shares''). The shares of the Trust are referred to herein as the ''Shares.''

The text of the proposed rule change is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/nasdaq/rulefilings,* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to list and trade the Shares under Nasdaq Rule 5711(d), which governs the listing and trading of Commodity-Based Trust Shares [3] on the Exchange.[4] The Exchange submits this proposal to allow the Trust to hold JitoSOL, a liquid staking token (''LST'') that evidences ownership of deposited Solana (''SOL''), the underlying digital asset of JitoSOL, and any staking rewards that accrue to the deposited SOL. JitoSOL does not presently meet the eligibility criteria for commodities and commodity-based assets under the Generic Listing Standards in Rule 5711(d)(iv)(A). Otherwise, the Trust will comply with all other applicable requirements of the Generic Listing Standards on an initial and continued listing basis. All statements or representations contained in this proposal regarding: (1) the description of the index, trust holdings, or reference assets, (2) limitations on the index, trust holdings, or reference assets, (3) dissemination and availability of the index, trust holdings, reference assets or intraday indicative value, or (4) the applicability of Exchange listing rules specified in this proposal will constitute continued listing requirements for the Shares listed on the Exchange.

Overview of the Trust

The Trust is a Delaware statutory trust and operates pursuant to a trust agreement. CSC Delaware Trust Company (the ''Trustee'') is the Delaware trustee of the Trust. The Trust is managed and controlled by VanEck Digital Assets, LLC (the ''Sponsor''). A third party serves as the Trust's administrator (the ''Administrator''). A third party is the custodian for the Trust's JitoSOL holdings (the ''JitoSOL Custodian''), and a third party is the custodian for the Trust's cash holdings (the ''Cash Custodian'').

The Shares will be registered with the Commission by means of the Trust's registration statement on Form S–1 (the ''Registration Statement'').[5] As set out in the Registration Statement, the Trust is neither an investment company registered under the Investment Company Act of 1940, as amended, nor a commodity pool for purposes of the Commodity Exchange Act (''CEA''), and the Sponsor is not subject to regulation by the Commodity Futures Trading Commission (''CFTC'') as a commodity pool operator or a commodity trading adviser in connection with the Shares.

The Sponsor is not registered as an investment adviser and currently is not required to register under the Advisers Act in connection with its activities on behalf of the Trust. As a result of the protocol-based liquid staking activities underlying JitoSOL, the Trust expects to accrue certain staking rewards through its ownership of JitoSOL, which may be treated as income to the Trust.

The Trust will not acquire and will disclaim any incidental right (''IR'') or IR asset received, for example as a result of forks or airdrops, and such assets will not be considered for purposes of determining the Trust's net asset value (''NAV'').

Background

SOL and the Solana Network

SOL is a digital asset that is created and transmitted through the operations of the peer-to-peer Solana network (''Solana Network''), a dispersed network of computers that operates on cryptographic protocols based on open source code. It is widely believed that no single entity owns or operates the Solana Network, the infrastructure of which is understood to be collectively maintained by a disparate user base, although some entities, like Solana Labs and the Solana Foundation, and core developers like Anatoly Yakovenko, exert significant influence through a variety of means; the presence of client diversity is lower than on certain other public blockchains; and acting as a validator on the Solana Network is subject to certain minimum requirements, such as hardware requirements and financial costs, which may result in greater barriers to entry to be a validator on the Solana Network than on certain other public blockchains where the minimum requirements may be lower. The Solana Network allows people to exchange tokens of value, called SOL, which are recorded on a public transaction ledger known as a blockchain. SOL can be used to pay for goods and services, including computational power on the Solana Network, or it can be converted to fiat currencies, such as the U.S. dollar, at rates determined on digital asset trading platforms or in individual end-user- to-end-user transactions under a barter

[3] Pursuant to Nasdaq Rule 5711(d)(iii)(A), the term ''Commodity-Based Trust Shares'' means a security that: (1) is issued by a trust, limited liability company, partnership, or other similar entity (''Trust'') that, if applicable, is operated by a registered commodity pool operator pursuant to the Commodity Exchange Act, and is not registered as an investment company pursuant to the Investment Company Act of 1940, or series or class thereof; (2) is designed to reflect the performance of one or more reference assets or an index of reference assets, less expenses and other liabilities; (3) in order to reflect the performance as provided in (d)(iii)(A)(2) above, is issued by a Trust that holds (a) one or more commodities or commodity-based assets as defined in (d)(iii)(C) below, and (b) in addition to such commodities or commodity-based assets, may hold securities, cash, and cash equivalents; (4) is issued by such Trust in a specified aggregate minimum number in return for a deposit of (a) a specified quantity of the underlying commodities, commodity-based assets, securities, cash, and/or cash equivalents, or (b) a cash amount with a value based on the next determined net asset value per Trust share; and (5) when aggregated in the same specified minimum number, may be redeemed at a holder's request by such Trust which will deliver to the redeeming holder (a) the specified quantity of the underlying commodities, commodity-based assets, securities, cash, and/or cash equivalents, or (b) a cash amount with a value based on the next determined net asset value per Trust share.

[4] The Commission approved Nasdaq Rule 5711 in Securities Exchange Act Release No. 66648 (March 23, 2012), 77 FR 19428 (March 30, 2012) (SR–NASDAQ–2012–013). The Commission also recently approved amendments to Rule 5711(d) to allow generic listing standards for Commodity-Based Trust Shares (''Generic Listing Standards''). *See* Securities Exchange Act Release No. 103995 (September 17, 2025), 90 FR 45414 (September 22, 2025) (SR–NASDAQ–2025–056; SR–CboeBZX–2025–104; SR–NYSEARCA–2025–54) (''Approval Order'').

[5] *See* Pre-Effective Amendment No. 1 to Registration Statement on Form S–1, dated October 31, 2025, submitted by the Sponsor on behalf of the Trust. The descriptions of the Trust, the Shares, and the Index (as defined below) contained herein are based, in part, on information in the Registration Statement. The Registration Statement is not yet effective, and the Shares will not trade on the Exchange until such time that the Registration Statement is effective.

system. Furthermore, the Solana Network was designed to allow users to write and implement smart contracts—that is, general-purpose code that executes on every computer in the network and can instruct the transmission of information and value based on a sophisticated set of logical conditions. Using smart contracts, users can create markets, store registries of debts or promises, represent the ownership of property, move funds in accordance with conditional instructions and create digital assets other than SOL on the Solana Network. Smart contract operations are executed on the Solana blockchain in exchange for payment of SOL. Like the Ethereum network, the Solana Network is one of a number of projects intended to expand blockchain use beyond just a peer-to-peer money system.

The Solana protocol introduced the Proof-of-History (''PoH'') timestamping mechanism. PoH automatically orders on-chain transactions by creating a historical record that proves an event has occurred at a specific moment in time. PoH is intended to provide a transaction processing speed and capacity advantage over other blockchain networks like Bitcoin and Ethereum, which rely on sequential production of blocks and can lead to delays caused by validator confirmations. PoH is a new blockchain technology that is not widely used.

In addition to the PoH mechanism described above, the Solana Network uses a proof-of-stake consensus mechanism to incentivize SOL holders to validate transactions. Unlike proof-of-work, in which miners expend computational resources to compete to validate transactions and are rewarded coins in proportion to the amount of computational resources expended, in proof-of-stake, validators risk or ''stake'' coins to compete to be selected to validate transactions and are rewarded coins in proportion to the amount of coins staked. Validators who engage in malicious activity can result in the forfeiture or ''slashing'' of a portion or all of the validator's staked coins. Unlike Ethereum, slashing is not automatically enforced by the network's source code, but is rather by social consensus among the non-misbehaving validators. Proof-of-stake is viewed as more energy efficient and scalable than proof-of-work. Although anyone can act as a validator on the Solana Network, participating in validation directly has higher hardware and other operational requirements, and can be more costly than participating in validation on some competing blockchain networks, such as Ethereum. The proof-of-stake mechanism and the associated staking rewards incentivize the maintenance of the Solana Network through a globally distributed set of independent validators who participate in transaction processing and network security.

The Solana protocol was first conceived by Anatoly Yakovenko in a 2017 whitepaper. Development of the Solana Network is overseen by the Solana Foundation, a Swiss non-profit organization, and Solana Labs, Inc. (''Solana Labs''), a Delaware corporation, which administered the original network launch and token distribution.

Although the Solana Labs, Inc. and the Solana Foundation continue to exert significant influence over the direction of the development of Solana, the Solana Network, like the Ethereum network, is believed to be decentralized and does not require governmental authorities or financial institution intermediaries to create, transmit or determine the value of SOL. The source code of the Solana Network is open-source and available to the public. As of June 12, 2025, SolanaBeach.io reports there were approximately 1,200 validator nodes on the Solana Network, with no single validator node directly controlling more than 4% of the aggregate stake, though the real figure could be higher because some entities may operate multiple nodes.[6]

The Sponsor believes that certain factors, including the Solana Network's transaction throughput and transaction fee structures, which compare favorably to some other public blockchain networks, growing DeFi ecosystem, increasing adoption and introduction of new validators to increase performance and improved developer tools, have combined to improve the efficiency of the Solana Network, creating a more dynamic, and more institutional-quality SOL market than in the past.

JitoSOL and Liquid Staking Tokens

Liquid staking is a type of staking where owners of digital assets deposit those assets with a liquid staking provider, which may be through protocol-based or third-party service providers. In return, the depositor receives a new staking receipt token (a liquid staking token or ''LST'') that represents:

- Ownership of the original deposited digital assets;
- Any rewards that accrue to the deposited assets through staking; and
- The right to redeem the original assets and accrued rewards, subject to any applicable ''unbonding'' period.

[6] *See https://solanabeach.io/validators.*

JitoSOL is the LST for the Jito Stake Pool, a staking pool operating on the Solana Network. JitoSOL is a reward-bearing LST that maintains a constant quantity when held in a digital wallet over time. While the quantity of the reward-bearing JitoSOL remains the same, rewards accrue by virtue of the JitoSOL representing a continually increasing number of underlying SOL for which the JitoSOL can be redeemed (*i.e.,* one JitoSOL may be redeemed for one SOL today, but for 1.08 SOL in one year). Each JitoSOL held by the Trust will represent ownership of the original deposited SOL and any SOL rewards that accrue through staking on the Solana Network.

Jito Labs, Inc. was founded in 2021 by Lucas Bruder and Zano Sherwani. Jito Labs developed the Jito Stake Pool, which is administered by on-chain software known as StakeNet. StakeNet was designed to mitigate centralization risks inherent in off-chain delegation programs. To participate in liquid staking via the Jito Stake Pool, users deposit SOL into the pool's smart contracts. In return, the pool automatically and programmatically issues JitoSOL to the user's wallet.

StakeNet autonomously delegates the deposited SOL to validators based on objective performance criteria. The Jito Stake Pool tracks both the delegated SOL and any rewards generated from staking. When a user redeems JitoSOL for SOL, they receive both their original deposit and the rewards accrued during the staking period. JitoSOL can be redeemed directly from the Jito Stake Pool or sold in secondary-market transactions. Direct redemption requires unstaking, which involves a waiting period of one to two epochs (approximately two to five days), while secondary-market sales can occur in near real-time. The Trust does not intend to redeem its JitoSOL for SOL.

The Jito Foundation supports the JitoSOL ecosystem and is led by two independent directors, Matt Shaw and Glenn Kennedy, with an independent supervisor provided by FFP Corporate Services. Holders of the Jito Foundation's governance token ''JTO'' (collectively, the ''Jito DAO'') retain ultimate control over the Foundation, including the authority to remove the supervisor and directors. The Jito Foundation regularly publishes transparency reports and is governed by its constitution, bylaws, articles of association, and memorandum of association. While Jito Labs and Jito Foundation are instrumental in building and supporting the infrastructure behind JitoSOL and StakeNet, significant influence over their ongoing

development and governance lies with the decentralized Jito DAO, composed of thousands of JTO token holders. This structure is designed to preserve decentralization and prevent unilateral control.

Investment Objective

According to the Registration Statement, the Trust's investment objective is to reflect the performance of the price of JitoSOL less the expenses of the Trust's operations. In seeking to achieve its investment objective, the Trust will only hold JitoSOL, cash and cash equivalents, and will value its Shares daily based on the reported MarketVector™ JitoSol VWAP Close Index (the ''Index''), which is calculated based on prices contributed by trading platforms that the Sponsor's affiliate, MarketVector Indexes GmbH (''MarketVector''), believes represent the top five JitoSOL trading platforms based on the industry leading CCData Centralized Exchange Benchmark review report, as described below.[7]

The Trust is a passive investment vehicle that does not seek to pursue any investment strategy beyond reflecting the performance of the price of JitoSOL and any rewards from staking a portion of the Trust's JitoSOL. As a result, the Trust will not attempt to speculatively sell JitoSOL at times when its price is high or speculatively acquire JitoSOL at low prices in the expectation of future price increases, nor will the Trust attempt to avoid losses or hedge exposure arising from the risk of changes in the price of JitoSOL. The Trust will not utilize leverage, derivatives or any similar arrangements in seeking to meet its investment objective.

When the Trust sells or redeems its Shares, it will do so in either cash or in-kind transactions in blocks of 25,000 Shares (a ''Basket'') that are based on the amount of JitoSOL represented by the Basket being created, the amount of JitoSOL being equal to the combined net asset value (''NAV'') of the number of Shares included in the Basket. The Trust will conduct creations and redemptions in cash or in-kind transactions with financial firms that are authorized to purchase or redeem Shares with the Trust (''Authorized Participants'' or ''APs''). Authorized Participants must be registered broker-dealers.

The Index

As described in the Registration Statement, the Trust will use the Index to calculate the Trust's NAV. The Index is designed to be a robust price for JitoSOL in USD and there is no component other than JitoSOL in the Index. The underlying trading platforms are sourced from the CCData Centralized Exchange Benchmark review report. CCData's Centralized Exchange Benchmark was established in 2019 as a tool designed to bring clarity to the digital trading platform sector by providing a framework for assessing risk and in turn bringing transparency and accountability to a complex and rapidly evolving market.[8]

In calculating the closing value of the Index, the methodology captures trade prices and sizes from JitoSOL platforms and examines twenty three-minute periods leading up to 4:00 p.m. Eastern time (''ET''). It then calculates an equal-weighted average of the volume-weighted median price of these twenty three-minute periods, removing the highest and lowest contributed prices. Using twenty consecutive three-minute segments over a sixty-minute period means malicious actors would need to sustain efforts to manipulate the market over an extended period of time, or would need to replicate efforts multiple times across JitoSOL platforms, potentially triggering review. This extended period also supports Authorized Participant activity by capturing volume over a longer time period, rather than forcing Authorized Participants to mark an individual close or auction. The use of a median price reduces the ability of outlier prices to impact the NAV, as it systematically excludes those prices from the NAV calculation. The use of a volume-weighted median (as opposed to a traditional median) serves as an additional protection against attempts to manipulate the NAV by executing a large number of low-dollar trades, because any manipulation attempt would have to involve a majority of global spot JitoSOL volume in a three-minute window to have any influence on the NAV. As discussed in the Registration Statement, removing the highest and lowest prices further protects against attempts to manipulate the NAV, requiring bad actors to act on multiple JitoSOL platforms at once to have any ability to influence the price.

Net Asset Value

The Administrator determines the NAV of the Trust on each day that the Exchange is open for regular trading, as promptly as practical after 4:00 p.m. ET based on the value of the Index. The NAV will be disseminated each trading day to all market participants at the same time. The NAV of the Trust is the aggregate value of the Trust's assets less its estimated accrued but unpaid liabilities (which include accrued expenses). In determining the NAV, the Administrator values the JitoSOL held by the Trust based on the value of the Index as of 4:00 p.m. ET. The Administrator also determines the NAV per Share.

The Sponsor will monitor for significant events related to crypto assets that may impact the value of JitoSOL and will determine, in good faith, and in accordance with its valuation policies and procedures, whether to fair value the Trust's JitoSOL on a given day based on whether certain pre-determined criteria have been met. For example, if the closing value of the Index deviates by more than a pre-determined amount from an alternate benchmark available to the Sponsor, the Sponsor may determine to utilize an alternate benchmark. The Sponsor may also fair value the Trust's JitoSOL using observed market transactions from various trading platforms, including some or all of the trading platforms included in the Index.[9]

Availability of Information and Intraday Indicative Value

In addition to the price transparency of the Index, the Trust will provide information regarding the Trust's JitoSOL holdings as well as additional data regarding the Trust. The website for the Trust, which will be publicly accessible at no charge, will contain the following information: (a) the prior business day's NAV per Share; (b) the prior business day's Nasdaq official closing price; (c) calculation of the premium or discount of such Exchange official closing price against such NAV per Share; (d) data in chart form

[7] The Trust will comply with the firewall requirements in Rule 5711(d)(x).

[8] As set forth in the Registration Statement, the CCData Centralized Exchange Benchmark methodology utilizes a combination of qualitative and quantitative metrics to analyze a comprehensive data set across eight categories of evaluation: legal/regulation, KYC/transaction risk, data provision, security, team/exchange, asset quality/diversity, market quality and negative events. Based on the CCData Centralized Exchange Benchmark, MarketVector initially selects the top five trading platforms by rank for inclusion in the Index. If an eligible trading platform is downgraded by two or more notches in a semi-annual review and is no longer in the top five by rank, it is replaced by the highest ranked non-component trading platform. Adjustments to exchange coverage are announced four business days prior to the first business day of each of March and September at 23:00 CET. The Index is rebalanced at 16:00:00 GMT/BST on the last business day of each of February and August.

[9] Any alternative method to determining NAV will only be employed on an ad hoc basis. Any permanent change to the calculation of the NAV would require a proposed rule change under Rule 19b–4.

displaying the frequency distribution of discounts and premiums of the Exchange's official closing price against the NAV, within appropriate ranges for each of the four previous calendar quarters (or for the life of the Trust, if shorter); (e) the prospectus; and (f) other applicable quantitative information. The Trust will also disseminate the Trust's holdings on a daily basis on the Trust's website. Quotation and last sale information regarding the Shares will be disseminated through the facilities of the relevant securities information processor.

The intraday indicative value (''IIV'') will be calculated by using the prior day's closing NAV per Share as a base and updating that value during the Exchange's regular market session of 9:30 a.m. to 4:00 p.m. ET (the ''Regular Market Session'') to reflect changes in the value of the Trust's NAV per Share during the trading day. The IIV disseminated during the Regular Market Session should not be viewed as an actual real-time update of the NAV, because NAV per Share is calculated only once at the end of each trading day based upon the relevant end-of-day values of the Trust's investments. The IIV will be widely disseminated on a per-Share basis every 15 seconds during the Regular Market Session through the facilities of the relevant securities information processor by market data vendors. In addition, the IIV will be available through online information services, such as Bloomberg and Reuters.

Quotation and last sale information for JitoSOL is disseminated through a variety of major market data vendors. Information related to trading, including price and volume information, in JitoSOL is available from major market data vendors and from the trading platforms on which JitoSOL are traded. The normal trading hours for JitoSOL trading platforms are 24 hours per day, 365 days per year.

Information regarding market price and trading volume of the Shares will be continually available on a real-time basis throughout the day on brokers' computer screens and other electronic services. Information regarding the previous day's Nasdaq official closing price and trading volume information for the Shares will be published daily in the financial section of newspapers.

The JitoSOL Custodian

The JitoSOL Custodian's services (i) allow JitoSOL to be deposited from a public blockchain address to the Trust's JitoSOL account, and (ii) allow JitoSOL to be withdrawn from the JitoSOL account to a public blockchain address as instructed by the Trust. The custody agreement requires the JitoSOL Custodian to hold the Trust's JitoSOL in cold storage, unless required to facilitate withdrawals as a temporary measure. The JitoSOL Custodian will use segregated cold storage JitoSOL addresses for the Trust which are separate from the JitoSOL addresses that the JitoSOL Custodian uses for its other customers and which are directly verifiable via the Solana blockchain. The JitoSOL Custodian will safeguard the private keys to the JitoSOL associated with the Trust's JitoSOL account. The JitoSOL Custodian will at all times record and identify in its books and records that such JitoSOL constitutes the property of the Trust. The JitoSOL Custodian will not withdraw the Trust's JitoSOL from the Trust's account with the JitoSOL Custodian, or loan, hypothecate, pledge or otherwise encumber the Trust's JitoSOL, without the Trust's instruction.

Creation and Redemption of Shares

According to the Registration Statement, the Trust creates and redeems Shares from time to time, but only in one or more Baskets. The Trust would allow for both an in-kind creation and redemption process as well as a cash creation and redemption process. When the Trust creates or redeems its Shares in cash or in-kind, it will do so in Baskets at the Trust's NAV. Baskets are issued and redeemed in exchange for JitoSOL or cash. According to the Registration Statement, on any business day, an Authorized Participant may place an order to create one or more Baskets. Purchase orders must be placed by 3:59:59 p.m. ET on a trade date or as otherwise communicated by the Sponsor. The day on which an order is received by the transfer agent is considered the purchase order date. For cash creations, Authorized Participants will deliver, or facilitate the delivery of, cash to the Trust's account with the Cash Custodian in exchange for Shares. Upon receipt of an approved cash creation order, the Sponsor, on behalf of the Trust, will submit to one or more previously onboarded third party trading partners an order to buy the amount of JitoSOL represented by a Basket. For in-kind creations, Authorized Participants or their designee will deliver, or facilitate the delivery of, JitoSOL to the Trust's account with the JitoSOL Custodian in exchange for Shares. For a cash creation order, the total deposit of cash required is based on the combined NAV of the number of Shares included in the Baskets being created on the date the order to purchase is properly received. With respect to a cash purchase order, as between the Trust and the Authorized Participant, the Authorized Participant is responsible for the dollar cost of the difference between the JitoSOL price utilized in calculating NAV on trade date and the price at which the Trust acquires JitoSOL to the extent the price realized in buying JitoSOL is higher than the JitoSOL price utilized in the NAV. To the extent the price realized in buying JitoSOL is lower than the price utilized in the NAV, the Authorized Participant shall keep the dollar impact of any such difference.

For a creation order in-kind, the total in-kind transfer of JitoSOL is based on the quantity of JitoSOL attributable to the Basket applicable to the date the order to purchase is properly received. After the close of business each day, the Administrator determines the quantity of JitoSOL used to calculate a Basket for a given day by dividing the number of JitoSOL held by the Trust, adjusted for the amount of JitoSOL constituting estimated accrued but unpaid fees and expenses of the Trust as of the opening of business on that business day, by the quotient of the number of Shares outstanding at the opening of business divided by the number of Shares in a Basket.

The procedures by which an Authorized Participant can redeem one or more Baskets mirror the procedures for the creation of Baskets. For a cash redemption order, an Authorized Participant will deliver Shares to the Trust and will receive cash for the Shares delivered. With respect to a cash redemption order, between the Trust and the Authorized Participant, the Authorized Participant will be responsible for the dollar cost of the difference between the JitoSOL price utilized in calculating the NAV on trade date and the price realized in selling JitoSOL to raise the cash needed for the cash redemption order to the extent the price realized in selling JitoSOL is lower than the JitoSOL price utilized in the NAV. To the extent the price realized from selling JitoSOL is higher than the price utilized in the NAV, the Authorized Participant shall get to keep the dollar impact of any such difference. For an in-kind redemption order, an Authorized Participant will deliver Shares to the Trust and the Authorized Participant or its designee will receive JitoSOL for the Shares delivered.

The Sponsor will maintain ownership and control of the Trust's JitoSOL in a manner consistent with good delivery requirements for spot commodity transactions.

Applicable Standard

As noted above, the Commission has approved Generic Listing Standards for Commodity-Based Trust Shares.[10] In the Approval Order, the Commission found that the Generic Listing Standards were consistent with the Exchange Act and the rules and regulations thereunder applicable to a national securities exchange.[11] In particular, the Commission found that the Generic Listing Standards were consistent with Section 6(b)(5) of the Exchange Act, which requires, among other things, that the Exchange's rules be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest and are not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.[12] As stated above, the Trust will comply with all applicable requirements of the Generic Listing Standards on an initial and continued listing basis, except that JitoSOL would not meet the eligible criteria for commodities and commodity-based assets in Rule 5711(d)(iv)(A).

In particular, the Generic Listing Standards in Rule 5711(d)(iv)(A) provide that a commodity or commodity-based asset held by the trust issuing Commodity-Based Trust Shares is an eligible holding of the trust if it meets at least one of the following criteria:

(1) the commodity trades on a market that is an Intermarket Surveillance Group (''ISG'') member; provided that the Exchange may obtain information about trading in such commodity from the ISG member;

(2) the commodity underlies a futures contract that has been made available to trade on a designated contract market for at least six months; provided that the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in ISG, with such designated contract market; or

(3) on an initial basis only, an exchange-traded fund designed to provide economic exposure of no less than 40% of its net asset value to the commodity lists and trades on a national securities exchange.

In approving the Generic Listing Standards, the Commission found that these eligibility criteria would facilitate information sharing and help to ensure the availability of information necessary to aid in the detection and deterrence of potential fraud and manipulation with respect to a commodity or commodity underlying a commodity-based asset, and that the availability of such information can be reasonably expected to assist a listing exchange in its efforts to surveil for fraud and manipulation that may impact the Commodity-Based Trust Shares.[13]

While JitoSOL itself would not presently meet the eligibility criteria described above, the Exchange and Sponsor believe that the listing and trading of the Trust would still be consistent with the Exchange Act for the reasons that follow. In particular, the value of JitoSOL is closely tied to the value of SOL, as JitoSOL represents staked SOL and accrued SOL staking rewards. Accordingly, the economic value of JitoSOL is directly derived from the value of the underlying SOL.

Historical trading data demonstrates that JitoSOL and SOL are highly correlated in price.[14] In particular, the Jito Report demonstrates that JitoSOL and SOL trade with extremely tight correlation on major exchanges, with hourly price correlations of approximately 0.9979 on OKX and 0.9985 on Coinbase, indicating that price movements in JitoSOL closely mirror those of SOL over short time periods.[15] Based on the high price correlation between JitoSOL and SOL as demonstrated by the Jito Report, the Exchange and Sponsor believe that potential fraud or manipulation affecting the prices in JitoSOL markets would also similarly impact SOL and SOL futures prices. SOL futures are currently listed and have been trading for at least six months on a number of designated contract markets that are ISG members.[16] Accordingly, the Exchange and Sponsor believe that this would facilitate information sharing, help to ensure the availability of information necessary to aid in the detection and deterrence of potential fraud and manipulation with respect to the SOL underlying JitoSOL, and that the availability of such information can be reasonably expected to assist in surveilling for fraud and manipulation that may impact the Shares.

Furthermore, investor exposure to JitoSOL has grown, specifically with a free float market capitalization of around $1 billion as of the date of this filing.[17] The Exchange believes that approving this proposal (and comparable proposals) provides the Commission with the opportunity to allow U.S. investors with access to JitoSOL in a regulated and transparent exchange-traded vehicle that would act to limit risk to U.S. investors.

The policy concerns that the Exchange Act is designed to address are also otherwise mitigated by the fact that the size of the market for the primary underlying reference asset (around $1 billion in free float market capitalization) and the nature of the JitoSOL ecosystem reduces its susceptibility to manipulation. The geographically diverse and continuous nature of JitoSOL trading makes it difficult and prohibitively costly to manipulate the price of JitoSOL, and, as discussed further below, the price of JitoSOL is highly correlated to the price of the underlying SOL. There are a number of reasons this is the case, including that manipulation of the price on any single venue would require manipulation of the global JitoSOL price in order to be effective; JitoSOL's character as a continuously traded digital asset traded without interruption across the world provides constant arbitrage opportunities across all trading venues; and it is unlikely that any one actor could obtain a dominant market share.

Further, the Exchange believes that the fragmentation across JitoSOL trading platforms and adoption of JitoSOL, as displayed through user engagement and trading volumes, and the Solana Network make manipulation of JitoSOL prices through continuous trading activity more difficult. Moreover, the linkage between the JitoSOL markets and the presence of arbitrageurs in those markets means that the manipulation of the price of JitoSOL on any single venue would require manipulation of the global JitoSOL price in order to be effective. Arbitrageurs must have funds distributed across multiple JitoSOL trading platforms in order to take advantage of temporary price dislocations, thereby making it unlikely that there will be strong concentration of funds on any particular JitoSOL trading platform. As a result, the potential for manipulation on a particular JitoSOL trading platform would require overcoming the liquidity supply of such arbitrageurs who are

[10] *See supra* note 4.

[11] *See* Approval Order at 45417.

[12] *Id.*

[13] *See* Approval Order at 45418–19.

[14] Jito Report *Price Stability For Liquid Staking Tokens: Is JitoSOL an Equivalent to SOL?*, dated Sep. 24, 2025 (the ''Jito Report''), accessible at *https://www.jito.network/Price-Stability-For-Liquid-Staking-Tokens---Is-JitoSOL-an-Equivalent-to-SOL.pdf.*

[15] *Id.* at 12.

[16] For example, both the CME and Coinbase Derivatives list and trade SOL futures contracts today. The CME and Coinbase Derivatives are ISG members.

[17] The concept of ''free float'' is intended to exclude tokens that are held or locked up by developers, the foundation, or others that exert a similar type of influence on the protocol or supply of the token.

effectively eliminating any cross-market pricing differences.

Additionally, the Exchange believes that the Trust's use of the Index serves as sufficient other means to prevent fraud and manipulation. As discussed in the ''Index'' section above, the Index has a rules-based methodology designed to (i) mitigate the effects of fraud, manipulation, and other anomalous trading activity on the JitoSOL reference rate, (ii) provide a real-time, volume-weighted fair value of JitoSOL, and (iii) appropriately handle and adjust for non-market related events. Further, the Index tracks the price of JitoSOL through trading activity on multiple JitoSOL trading platforms that meet defined criteria that require these venues to make trade data and order data available through robust APIs, have market integrity and transparency controls, and comply with applicable law and regulations.[18]

The Exchange therefore believes that the above considerations can effectively address concerns around potential fraud and manipulation, and ensure fair and efficient markets.

Initial and Continued Listing

The Shares will be subject to Nasdaq Rule 5711(d)(viii), which sets forth the initial and continued listing criteria applicable to Commodity-Based Trust Shares. The Exchange will obtain a representation that the Trust's NAV per Share will be calculated daily and will be made available to all market participants at the same time. A minimum of 40,000 Shares will be required to be outstanding at the time of commencement of trading on the Exchange. Further, the Trust will be subject to the firewall requirements in Rule 5711(d)(x) in the circumstances specified therein. Upon termination of the Trust, the Shares will be removed from listing.

As required in Nasdaq Rule 5711(d)(xii), the Exchange notes that any registered market maker (''Market Maker'') in the Shares must file with the Exchange, in a manner prescribed by the Exchange, and keep current a list identifying all accounts for trading the underlying commodity and commodity-based asset, which the registered Market Maker may have or over which it may exercise investment discretion. No registered Market Maker shall trade in an underlying commodity, commodity-based asset, or any other related derivative thereon in an account in which a registered Market Maker (1) directly or indirectly controls trading activities, or has a direct interest in the profits or losses thereof, (2) is required by this Rule to disclose to the Exchange, and (3) has not reported to Nasdaq.

In addition to the existing obligations under Exchange rules regarding the production of books and records (see, *e.g.,* Rule 4625), the registered Market Maker in Commodity-Based Trust Shares shall make available to the Exchange such books, records or other information pertaining to transactions by such entity or registered or non-registered employee affiliated with such entity for its or their own accounts for trading the underlying commodity or commodity-based asset, or applicable derivatives of each of the foregoing, as may be requested by the Exchange.

The Exchange is able to obtain information regarding trading in the Shares and the underlying JitoSOL through members acting as registered Market Makers, in connection with their proprietary or customer trades.

As a general matter, the Exchange has regulatory jurisdiction over its members, and their associated persons. The Exchange also has regulatory jurisdiction over any person or entity controlling a member, as well as a subsidiary or affiliate of a member that is in the securities business. A subsidiary or affiliate of a member organization that does business only in commodities would not be subject to Exchange jurisdiction, but the Exchange could obtain information regarding the activities of such subsidiary or affiliate through surveillance sharing agreements with regulatory organizations of which such subsidiary or affiliate is a member.

Trading Rules

The Exchange deems the Shares to be equity securities, thus rendering trading in the Shares subject to the Exchange's existing rules governing the trading of equity securities. The Exchange will allow trading in the Shares during the trading hours specified in Rule 4120. The Exchange has appropriate rules to facilitate transactions in the Shares during all trading sessions. The Shares of the Trust will conform to the initial and continued listing criteria set forth in Nasdaq Rule 5711(d) and will comply with the requirements of Rule 10A–3 of the Act.

Trading Halts

With respect to trading halts, the Exchange may consider all relevant factors in exercising its discretion to halt or suspend trading in the Shares. The Exchange will halt trading in the Shares under the conditions specified in Rules 4120, 4121, and 5711(d)(ix), including without limitation the conditions specified in Rules 4120(a)(9), 4120(a)(10), and 5711(d)(ix), and the trading pauses under Rules 4120(a)(11) and (12).

Trading may be halted because of market conditions or for reasons that, in the view of the Exchange, make trading in the Shares inadvisable. These may include: (1) the extent to which trading is not occurring in the JitoSOL underlying the Shares; or (2) whether other unusual conditions or circumstances detrimental to the maintenance of a fair and orderly market are present.

In addition, pursuant to Rule 5711(d)(ix), the Exchange may halt trading during the day in which an interruption occurs in any of the scenarios specified therein. If the interruption persists past the trading day in which it occurred, the Exchange will halt trading no later than the beginning of the trading day following the interruption.

In addition, if the Exchange becomes aware that the NAV with respect to the Shares is not disseminated to all market participants at the same time, it will halt trading in the Shares until such time as the NAV is available to all market participants.

Surveillance

The Exchange believes that its surveillance procedures are adequate to properly monitor the trading of the Shares on the Exchange during all trading sessions and to deter and detect violations of Exchange rules and the applicable federal securities laws. The surveillance program includes real-time patterns for price and volume movements and post-trade surveillance patterns (*e.g.,* spoofing, marking the close, pinging, phishing). Trading of Shares on the Exchange will be subject to the Exchange's surveillance program for derivative products, as well as cross-market surveillances administered by FINRA, on behalf of the Exchange pursuant to a regulatory services agreement, which are also designed to detect violations of Exchange rules and applicable federal securities laws. The Exchange is responsible for FINRA's performance under this regulatory services agreement.

The Exchange will require the Trust to represent to the Exchange that it will advise the Exchange of any failure by the Trust to comply with the continued listing requirements, and, pursuant to its obligations under Section 19(g)(1) of the Exchange Act, the Exchange will surveil for compliance with the continued listing requirements. If the Trust is not in compliance with the applicable listing requirements, the Exchange will commence delisting

[18] *See supra* note 6.

procedures under the Nasdaq 5800 Series. In addition, the Exchange also has a general policy prohibiting the distribution of material, non-public information by its employees.

The Exchange or FINRA, on behalf of the Exchange, or both, will communicate as needed regarding trading in the Shares or JitoSOL derivatives (to the extent available) with other markets and other entities that are members of the ISG, and the Exchange or FINRA, on behalf of the Exchange, or both, may obtain trading information regarding trading in the Shares or JitoSOL derivatives (to the extent available) from such markets and other entities.

Information Circular

Prior to the commencement of trading, the Exchange will inform its members in an information circular (''Information Circular'') of the special characteristics and risks associated with trading the Shares. Specifically, the Information Circular will discuss the following: (1) the procedures for creations and redemptions of Shares in Baskets (and that Shares are not individually redeemable); (2) Section 10 of Nasdaq General Rule 9, which imposes suitability obligations on Nasdaq members with respect to recommending transactions in the Shares to customers; (3) how information regarding the IIV and NAV is disseminated; (4) the risks involved in trading the Shares during trading hours outside of the Regular Market Session when an updated IIV will not be calculated or publicly disseminated; (5) the requirement that members deliver a prospectus to investors purchasing newly issued Shares prior to or concurrently with the confirmation of a transaction; and (6) trading information. The Information Circular will also discuss any exemptive, no action and interpretive relief granted by the Commission from any rules under the Act.

The Information Circular will also reference the fact that there is no regulated source of last sale information regarding JitoSOL, and that the Commission has no jurisdiction over the trading of JitoSOL as a commodity.

Additionally, the Information Circular will reference that the Trust is subject to various fees and expenses described in the Registration Statement. The Information Circular will also disclose the trading hours of the Shares. The Information Circular will disclose that information about the Shares will be publicly available on the Trust's website.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[19] in general, and furthers the objectives of Section 6(b)(5) of the Act,[20] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest.

As noted above, the Commission has approved Generic Listing Standards for Commodity-Based Trust Shares.[21] In the Approval Order, the Commission found that the Generic Listing Standards were consistent with the Exchange Act and the rules and regulations thereunder applicable to a national securities exchange.[22] In particular, the Commission found that the Generic Listing Standards were consistent with Section 6(b)(5) of the Exchange Act, which requires, among other things, that the Exchange's rules be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest and are not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.[23] As stated above, the Trust will comply with all applicable requirements of the Generic Listing Standards on an initial and continued listing basis, except that JitoSOL would not meet the eligible criteria for commodities and commodity-based assets in Rule 5711(d)(iv)(A).

As discussed above, in approving the Generic Listing Standards, the Commission found that the commodity and commodity-based asset eligibility criteria would facilitate information sharing and help to ensure the availability of information necessary to aid in the detection and deterrence of potential fraud and manipulation with respect to a commodity or commodity underlying a commodity-based asset, and that the availability of such information can be reasonably expected to assist a listing exchange in its efforts to surveil for fraud and manipulation that may impact the Commodity-Based Trust Shares.[24]

While JitoSOL itself would not presently meet the eligibility criteria described above, the Exchange and Sponsor believe that the listing and trading of the Trust would still be consistent with the Exchange Act for the reasons that follow. In particular, the value of JitoSOL is closely tied to the value of SOL, as JitoSOL represents staked SOL and accrued SOL staking rewards. Accordingly, the economic value of JitoSOL is directly derived from the value of the underlying SOL.

As discussed above, historical trading data demonstrates that JitoSOL and SOL are highly correlated in price on major exchanges.[25] Based on the high price correlation between JitoSOL and SOL as demonstrated by the Jito Report, the Exchange and Sponsor believe that potential fraud or manipulation affecting the prices in JitoSOL markets would also similarly impact SOL and SOL futures prices. SOL futures are currently listed and have been trading for at least six months on a number of designated contract markets that are ISG members.[26] Accordingly, the Exchange and Sponsor believe that this would facilitate information sharing, help to ensure the availability of information necessary to aid in the detection and deterrence of potential fraud and manipulation with respect to the SOL underlying JitoSOL, and that the availability of such information can be reasonably expected to assist in surveilling for fraud and manipulation that may impact the Shares.

Further, investor exposure to JitoSOL has grown, specifically with a free float market capitalization of around $1 billion as of the date of this filing. The Exchange believes that approving this proposal (and comparable proposals) provides the Commission with the opportunity to allow U.S. investors with access to JitoSOL in a regulated and transparent exchange-traded vehicle that would act to limit risk to U.S. investors.

The policy concerns that the Exchange Act is designed to address are also otherwise mitigated by the fact that the size of the market for the primary underlying reference asset (around $1 billion in free float market capitalization) and the nature of the JitoSOL ecosystem reduces its

[19] 15 U.S.C. 78f(b).

[20] 15 U.S.C. 78f(b)(5).

[21] *See supra* note 4.

[22] *See* Approval Order at 45417.

[23] *Id.*

[24] *See* Approval Order at 45418–19.

[25] Jito Report *Price Stability For Liquid Staking Tokens: Is JitoSOL an Equivalent to SOL?,* dated Sep. 24, 2025 (the ''Jito Report''), accessible at *https://www.jito.network/Price-Stability-For-Liquid-Staking-Tokens---Is-JitoSOL-an-Equivalent-to-SOL.pdf.*

[26] For example, both the CME and Coinbase Derivatives list and trade SOL futures contracts today. The CME and Coinbase Derivatives are ISG members.

susceptibility to manipulation. The geographically diverse and continuous nature of JitoSOL trading makes it difficult and prohibitively costly to manipulate the price of JitoSOL. There are a number of reasons this is the case, including that manipulation of the price on any single venue would require manipulation of the global JitoSOL price in order to be effective; JitoSOL's character as a continuously traded digital asset traded without interruption across the world provides constant arbitrage opportunities across all trading venues; and it is unlikely that any one actor could obtain a dominant market share.

Further, the Exchange believes that the fragmentation across JitoSOL trading platforms and adoption of JitoSOL, as displayed through user engagement and trading volumes, and the Solana Network make manipulation of JitoSOL prices through continuous trading activity more difficult. Moreover, the linkage between the JitoSOL markets and the presence of arbitrageurs in those markets means that the manipulation of the price of JitoSOL on any single venue would require manipulation of the global JitoSOL price in order to be effective. Arbitrageurs must have funds distributed across multiple JitoSOL trading platforms in order to take advantage of temporary price dislocations, thereby making it unlikely that there will be strong concentration of funds on any particular JitoSOL trading platform. As a result, the potential for manipulation on a particular JitoSOL trading platform would require overcoming the liquidity supply of such arbitrageurs who are effectively eliminating any cross-market pricing differences.

Additionally, the Exchange believes that the Trust's use of the Index serves as sufficient other means to prevent fraud and manipulation. As discussed in the ''Index'' section above, the Index has a rules-based methodology designed to (i) mitigate the effects of fraud, manipulation, and other anomalous trading activity on the JitoSOL reference rate, (ii) provide a real-time, volume-weighted fair value of JitoSOL, and (iii) appropriately handle and adjust for non-market related events. Further, the Index tracks the price of JitoSOL through trading activity on multiple JitoSOL trading platforms that meet defined criteria that require these venues to make trade data and order data available through robust APIs, have market integrity and transparency controls, and comply with applicable law and regulations.[27]

The Exchange further believes that the proposed rule change is designed to prevent fraudulent and manipulative acts and practices and to protect investors and the public interest in that the Shares will be listed and traded on the Exchange pursuant to the initial and continued listing criteria set forth in Nasdaq Rule 5711(d). The Exchange has in place surveillance procedures that are adequate to properly monitor trading in the Shares in all trading sessions and to deter and detect violations of Exchange rules and applicable federal securities laws. As discussed above, the surveillance program includes real-time patterns for price and volume movements and post-trade surveillance patterns (*e.g.,* spoofing, marking the close, pinging, phishing). Trading of Shares on the Exchange will be subject to the Exchange's surveillance program for derivative products, as well as cross-market surveillances administered by FINRA, on behalf of the Exchange pursuant to a regulatory services agreement, which are also designed to detect violations of Exchange rules and applicable federal securities laws. The Exchange is responsible for FINRA's performance under this regulatory services agreement.

The Exchange will require the Trust to represent to the Exchange that it will advise the Exchange of any failure by the Trust to comply with the continued listing requirements, and, pursuant to its obligations under Section 19(g)(1) of the Exchange Act, the Exchange will surveil for compliance with the continued listing requirements. If the Trust is not in compliance with the applicable listing requirements, the Exchange will commence delisting procedures under the Nasdaq 5800 Series. In addition, the Exchange also has a general policy prohibiting the distribution of material, non-public information by its employees.

The Exchange or FINRA, on behalf of the Exchange, or both, will communicate as needed regarding trading in the Shares or JitoSOL derivatives (to the extent available) with other markets and other entities that are members of the ISG, and the Exchange or FINRA, on behalf of the Exchange, or both, may obtain trading information regarding trading in the Shares or JitoSOL derivatives (to the extent available) from such markets and other entities.

Trading in Shares of the Trust will be halted if the circuit breaker parameters have been reached or because of market conditions or for reasons that, in the view of the Exchange, make trading in the Shares inadvisable. These may include unusual conditions or circumstances detrimental to the maintenance of a fair and orderly market.

The proposed rule change is designed to perfect the mechanism of a free and open market and, in general, to protect investors and the public interest in that it will facilitate the listing and trading of Shares that will enhance competition among market participants, to the benefit of investors and the marketplace.

For all the above reasons, the Exchange believes that the proposed rule change is consistent with the requirements of Section 6(b)(5) of the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The Exchange notes that the proposed rule change rather will facilitate the listing and trading of an additional exchange traded product that will enhance competition among both market participants and listing venues, to the benefit of investors and the marketplace.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the Exchange consents, the Commission will:

A. by order approve or disapprove such proposed rule change, or

B. institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or

[27] *See supra* note 6.

• Send an email to *rule-comments@sec.gov.* Please include file number SR–NASDAQ–2026–016 on the subject line.

Paper Comments

• Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–NASDAQ–2026–016. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NASDAQ–2026–016 and should be submitted on or before April 10, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[28]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05475 Filed 3–19–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105025; File No. SR–MRX–2026–10]

Self-Regulatory Organizations; Nasdaq MRX, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Expand the Exchange's Co-Location Services

March 17, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 5, 2026, Nasdaq MRX, LLC (''MRX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to expand its colocation services by introducing in its future expansion area current options for a cabinet offering, and certain cabinet power, and additional services, as described below.

The text of the proposed rule change is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/mrx/rulefilings,* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to expand its colocation services by introducing in its future expansion area current options for a cabinet offering, and certain cabinet power, and additional services, as described below.

The Exchange's data center consists of the original data center campus (''NY11''), its expansion area (''NY11–4''), as well as a future expansion area (''NY11–5''). Currently, colocation customers in NY11 as well as those in expansion area NY11–4 can select from among the Exchange's colocation offerings, including options for cabinet, cabinet power, and additional services as provided under Rule General 8, Section 1. The Exchange proposes to introduce in NY11–5 the same cabinet option that is currently available in NY11–4.[3] The Exchange will file a proposal to establish fees for such cabinet service in NY11–5.[4]

NY11–5: Cabinet Power and Power Distribution Units

Rule General 8, Section 1(c) provides that the following cabinet power options are available only in NY11: 2x20 amp 110 volt, 2x30 amp 110 volt, 2x20 amp 208 volt, 2x30 amp 208 volt, 2x60 amp 208 volt, Phase 3 2x20 amp 208 volt, Phase 3 2x30 amp 208 volt, Phase 3 2x40 amp 208 volt, Phase 3 2x50 amp 208 volt, Phase 3 2x60 amp 208 volt, and 2x30 amp 48 volt DC.[5] Rule General 8, Section 1(c) further provides that the following (five) cabinet power options are available only in NY11–4: Phase 1 20 amp 240 volt, Phase 1 32 amp 240 volt, Phase 1 40 amp 240 volt, Phase 3 20 amp 415 volt, and Phase 3 32 amp 415 volt.[6] The Exchange proposes to make these same five cabinet power options available in NY11–5. Specifically, the Exchange proposes to make the following cabinet power options available in NY11–5: Phase 1 20 amp 240 volt, Phase 1 32 amp 240 volt, Phase 1 40 amp 240 volt, Phase 3 20 amp 415 volt, and Phase 3 32 amp 415 volt.[7] The Exchange will file a proposal

[28] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* proposed Rule General 8, Section 1(a). The Exchange does not offer customers the option of providing their own traditional cabinets because cabinet rows throughout the data center are built to a uniform footprint designed to support standardized cooling, power distribution, and structural load requirements. *See id.*

[4] To effect this change and pending the submission of a fee filing for the service proposed herein, the Exchange proposes certain technical, non-substantive amendments to Rule General 8, Section 1(a) as follows. First, the Exchange proposes to insert, in the column titled ''NY11–4 Installation Fee'' and immediately following ''–4,'' a forward slash followed by a hyphen and the number five (''/–5.''). The Exchange further proposes to insert, where the row titled ''Cabinet'' intersects the proposed column titled ''NY11–4/–5 Installation Fee'' and immediately following the figure ''$5,490,'' a forward slash and the acronym ''TBD'' as follows: ''/TBD.'' The Exchange believes these non-substantive changes are appropriate to introduce the proposed cabinet service in NY11–5 as well as to indicate that the fees for that service have yet to be determined.

[5] *See* Rule General 8, Section 1(c). As discussed above, these cabinet power options are available in NY11 only. *See id.*

[6] *See* Rule General 8, Section 1(c).

[7] *See* proposed Rule General 8, Section 1(c). To effect these changes, the Exchange proposes certain technical changes to Rule General 8, Section 1(c) as follows. The Exchange proposes to insert, in the columns titled ''NY11–4 Installation Fee'' (immediately after ''NY11–4'') and ''NY11–4 Ongoing Monthly Fee ($550 per kVA)'' (also immediately after ''NY11–4'') the following: ''/–5.'' The Exchange further proposes a conforming change to the footnote designated with a single asterisk (*). That footnote currently provides in part as follows: ''*NY11–4 only.'' As a conforming change to that footnote, the Exchange proposes to add, immediately after ''NY11–4'' and before the word ''only'' the following: ''and NY11–5.'' This change is appropriate to indicate these power options are available only in NY11–4 and, as proposed, NY11–5. That footnote further provides that one of the options designated with a single asterisk must be selected for Cabinets in NY11–4. The Exchange proposes to amend that footnote to add, immediately after ''NY11–4'' the following: ''and NY11–5.'' This change is appropriate to make

to establish fees for the proposed cabinet power options for NY11–5. Although different cabinet power options will be offered throughout the data center due to differing power configurations, the cabinet power options being introduced in NY11–5 are not inherently preferable to the existing cabinet power options because data center customers have varying power-related preferences depending on their capacity needs, and the Exchange does not anticipate material differences in equipment performance based on the power distribution. As between the various cabinet power options, customers choose power based on their preference and capacity needs.

The Exchange also proposes to make certain power distribution units (''PDUs'') [8] available in NY11–5. The Exchange currently offers the following standardized PDUs exclusively in NY11–4 as a convenience to customers: Phase 1, Phase 3,[9] as well as a switch monitored PDU add on (''Switch Monitored PDU Add On''), the latter which allows customers to connect remotely to their PDU and control the power sockets.[10] The Exchange proposes to offer the three aforementioned PDU options currently available only in NY11–4, specifically Phase 1, Phase 3, as well as the Switch Monitored PDU Add On, in NY11–5.[11] All offered PDU options are optional, and customers may choose to provide their own PDU, as appropriate for their power choices. As with all other proposed services, the Exchange will file a proposal to establish fees for such PDU options in NY11–5.

Implementation

Although the timing is subject to change, the Exchange anticipates opening NY11–5 Exchange access during the first quarter of 2026. In concert with this filing, the Exchange will allow customers to place orders for all services proposed herein. Customers would not be fee liable for the services proposed for NY11–5 herein until such customers are granted access to their NY11–5 spaces for their immediate use, whether for trading or otherwise. Allowing customers to place orders in advance of opening its doors in NY11–5 will allow the Exchange to plan ahead for capacity and demand for services, as well as procure necessary equipment. As discussed above, the Exchange will file a proposal to establish fees for all services described in this proposed rule change.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[12] in general, and furthers the objectives of Section 6(b)(5) of the Act,[13] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest. Today, the Exchange offers various cabinet, power, and additional service options throughout the data center for colocation customers. Due to varying power configurations, certain services are available only in NY11–4. The proposal would make these same service options available in NY11–5. Specifically, the proposal would introduce in NY11–5 a cabinet option, as well as options for power, power installation and additional products and services currently available in NY11–4.

The Exchange believes that the proposal would remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general protect investors and the public interest because it would extend to NY11–5 certain connectivity services and products currently available in NY11–4, including a cabinet offering, several options for power and additional products and services, such as power cords and PDUs. The proposal provides customers with greater optionality with respect to offered colocation services, thereby enhancing their ability to tailor their colocation operations to the requirements of their business needs. Providing consistent offerings across NY11–4 and NY11–5 thus enhances customer choice and allows the Exchange to better meet demand for colocation services. In general, the proposal is consistent with the Act because in lieu of collocating directly with the Exchange, market participants may choose not to collocate at all or to collocate indirectly through a vendor.

The Exchange also believes that the proposal will not be unfairly discriminatory, consistent with the objectives of Section 6(b)(5) of the Act [14] because the proposed services for NY11–5, including the expanded cabinet, cabinet power, power installation, and additional service options, would be offered equally to all customers. Although the proposed optionality for NY11–5 would only be offered in NY11–4 and NY11–5 due to differing power configurations throughout the data center, any customer may order such proposed cabinets and additional colocation services on the same terms as any other customer. Use of all colocation services remains entirely voluntary.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The Exchange notes that this proposal does not concern itself with the speed at which customers can trade or the Equalization Project [15] because its scope is limited to offering certain data center customer colocation services in NY11–5 that are currently available in NY11–4 and does not extend to data communications networks.[16]

Nothing in the proposal imposes any burden on the ability of other exchanges to compete. The Exchange operates in a

clear that one of the power options designated with a single asterisk must be selected for Cabinets in NY11–4 and NY11–5. Finally, the Exchange further proposes to enter ''/TBD'' throughout Rule General 8, Section 1(c) as appropriate to indicate that installation fees as well as ongoing (per kVA) monthly fees for the various power circuit options being introduced into NY11–5 under this proposal have yet to be determined. The Exchange believes these conforming changes are appropriate to indicate that the products proposed herein are designated for NY11–5 and that their respective fees have yet to be established.

[8] PDUs are devices fitted with multiple outputs designed to distribute electric power.

[9] *See* Rule General 8, Section 1(d). Phase 1 PDUs are compatible with the following power options: Phase 1 20 amp 240 volt, Phase 1 32 amp 240 volt, and Phase 1 40 amp 240 volt. Phase 3 PDUs are compatible with the following power options: Phase 3 20 amp 415 volt and Phase 3 32 amp 415 volt. Phase 1 and Phase 3 are available in NY11 and NY11–4. Phase 3 PDUs provide greater power density than Phase 1 PDUs by delivering power over three wires as opposed to one wire.

[10] *See* Rule General 8, Section, 1(d).

[11] *See* proposed Rule General 8, Section 1(d). To effect this change, the Exchange proposes the following technical changes to Rule General 8, Section 1(d) (''Additional Charges/Services''). The Exchange proposes to amend the footnote designated with a single asterisk as follows. First, the Exchanges proposes to insert, immediately after ''NY11–4 and before ''only'' the following: ''and NY11–5.'' Thus, as proposed, the footnote would read ''*NY11–4 and NY11–5 only.'' The Exchange further proposes to amend that footnote to insert, immediately after ''*NY11–4 and NY11–5 only'' the following two sentences: ''Fees shown are for NY11–4 only. Fees for NY11–5 have yet to be established.'' The Exchange believes these changes are appropriate to (1) indicate that the proposed products are being introduced into NY11–5, and (2) indicate that the proposed fees for such products in NY11–5 have yet to be determined.

[12] 15 U.S.C. 78f(b).

[13] 15 U.S.C. 78f(b)(5).

[14] *Id.*

[15] The Equalization Project is an Exchange initiative to equalize cross connects across the Exchange's entire data center campus. *See* Securities Exchange Act Release No. 34–101078 (Sep. 18, 2024), 89 FR 77937 (Sept. 24, 2024) (SR–NASDAQ–2024–054).

[16] *See supra* note 15 and accompanying text.

highly competitive market in which exchanges and other vendors offer colocation services as a means to facilitate the trading and other market activities of those market participants who believe that colocation enhances the efficiency of their operations. As part of its colocation offerings, the Exchange currently offers similar cabinet and power options as do other exchanges.

Nothing in the proposal burdens intra-market competition because the Exchange's colocation services, including those proposed herein for NY11–5 are available to any customer, and customers that wish to order the proposed services, including additional options for cabinet, cabinet power, and additional services can do so on a non-discriminatory basis. Use of any colocation service is completely voluntary, and each market participant is able to determine whether to use colocation services based on the requirements of its business operations.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(iii) [17] of the Act and Rule 19b–4(f)(6) thereunder [18] in that it effects a change that: (i) does not significantly affect the protection of investors or the public interest; (ii) does not impose any significant burden on competition; and (iii) by its terms, does not become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest.

A proposed rule change filed under Rule 19b–4(f)(6) [19] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[20] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest because it will allow the Exchange to allow users seeking to subscribe to colocation services in NY11–5 to do so without delay, and the proposed rule change does not introduce any novel regulatory issues as the proposed services are the same as those currently available in NY11–4. Accordingly, the Commission designates the proposed rule change to be operative upon filing.[21]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–MRX–2026–10 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–MRX–2026–10. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–MRX–2026–10 and should be submitted on or before April 10, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[22]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05470 Filed 3–19–26; 8:45 am]

BILLING CODE 8011–01–P

[17] 15 U.S.C. 78s(b)(3)(A)(iii).

[18] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Exchange to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[19] 17 CFR 240.19b–4(f)(6).

[20] 17 CFR 240.19b–4(f)(6)(iii).

[21] For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[22] 17 CFR 200.30–3(a)(12), (59).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105031; File No. SR–NYSEARCA–2026–26]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the NYSE Arca Equities Fees and Charges

March 17, 2026.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that on March 6, 2026, NYSE Arca, Inc. (''NYSE Arca'' or the ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the NYSE Arca Equities Fees and Charges to introduce the NYSE Arca Equity Membership On-Ramp Program, which offers discounted Equity Permit Holder (''ETP'') fees, port fees and market data fees for up to 18 months for new ETP Holders. The Exchange proposes to implement the rule change on March 6, 2026. The proposed rule change is

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

available on the Exchange's website at *www.nyse.com,* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to proposes to amend the NYSE Arca Equities Fees and Charges (''Fee Schedule'') to introduce the NYSE Arca Equity Membership On-Ramp Program, which offers discounted ETP fees, port fees and market data fees for up to 18 months for new ETP Holders.

The purpose of this filing is to encourage smaller, retail-oriented market participants that are not currently NYSE Arca ETP Holders to become ETP Holders by discounting certain fixed costs associated with owning an equities trading permit.

The Exchange proposes to implement the fee changes effective March 6, 2026.[4]

Background

Current Market and Competitive Environment

The Exchange operates in a highly competitive market. The Commission has repeatedly expressed its preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. In Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system ''has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.'' [5]

While Regulation NMS has enhanced competition, it has also fostered a ''fragmented'' market structure where trading in a single stock can occur across multiple trading centers. When multiple trading centers compete for order flow in the same stock, the Commission has recognized that ''such competition can lead to the fragmentation of order flow in that stock.'' [6] Indeed, cash equity trading is currently dispersed across 16 exchanges,[7] numerous alternative trading systems,[8] and broker-dealer internalizers and wholesalers, all competing for order flow. Based on publicly-available information, no single exchange currently has more than 20% market share.[9] Therefore, no exchange possesses significant pricing power in the execution of cash equity order flow. More specifically, the Exchange's share of executed volume of equity trades in Tapes A, B and C securities is less than 12%.[10]

The Exchange believes that the ever-shifting market share among the exchanges from month to month demonstrates that market participants can move order flow, or discontinue or reduce use of certain categories of products. While it is not possible to know a firm's reason for shifting order flow, the Exchange believes that one such reason is because of fee changes at any of the registered exchanges or non-exchange venues to which the firm routes order flow. Accordingly, competitive forces compel the Exchange to use exchange transaction fees and credits because market participants can readily trade on competing venues if they deem pricing levels at those other venues to be more favorable.

Proposed Rule Change

The Exchange proposes to discount certain fixed costs related to Exchange membership in order to incentivize smaller, retail-oriented market participants to consider becoming ETP Holders. Specifically, as discussed more fully below, the Exchange proposes to introduce a new NYSE Arca Equity Membership On-Ramp Program (the ''Program'') that offers significant discounts for up to 18 months on membership fees, port fees and market data fees for new ETP Holders, subject to specific restrictions. The Program is substantially the same as NYSE Membership On-Ramp Program offered by the Exchange's affiliate the New York Stock Exchange LLC.

The Exchange currently charges ETP Holders certain fixed costs related to Exchange membership, including port fees, and fees for market data products, which are filed with the Commission and set forth on a separate Fee Schedule.[11] Effective February 25, 2026, the Exchange proposes to discount these fees for new ETP Holders during the first 18 months following approval as a new ETP Holder to make Exchange membership easier for a greater number market participants.

Eligibility and Restrictions

To be eligible, a ETP Holder may not have been, within the prior 18 months, approved as an NYSE Arca permit holder with an activated trading license. Eligibility for discounts begins in the month that a new membership application is approved. A new ETP Holder is only eligible to enroll in the Program once. A new ETP Holder that is an ''affiliate'' of an existing ETP Holder, defined in the General section at the end of the Fee Schedule as any ETP Holder under 75% common ownership or control of that ETP Holder, is ineligible to participate in the Program.

The Exchange currently charges a $15,000 per year per ETP Holder fee that is billed monthly for each month during which the ETP is held for any portion of the month. ETP Holders eligible for program would be eligible for the Program's proposed discounts during the 18-month period, as follows: Months 1–6, 100% discount; months 7–12, 50% discount; and months 13–18, 25% discount.

In addition, the Exchange offers the following Market Data products to new ETP Holders on a voluntary, subscription basis: NYSE Arca Integrated Feed, NYSE ArcaBook, NYSE Arca Aggregated Lite, NYSE Arca BBO, NYSE Arca Trades, and NYSE Arca

[4] The Exchange originally filed to amend the Fee Schedule on February 25, 2026 (SR–NYSEArca–2026–20). SR–NYSEArca–2026–20 was withdrawn on March 6, 2026, and replaced by this filing.

[5] *See* Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005) (File No. S7–10–04) (Final Rule) (''Regulation NMS'').

[6] *See* Securities Exchange Act Release No. 61358, 75 FR 3594, 3597 (January 21, 2010) (File No. S7–02–10) (Concept Release on Equity Market Structure).

[7] *See* Cboe U.S Equities Market Volume Summary, available at *https://markets.cboe.com/us/equities/market_share. See generally https://www.sec.gov/fast-answers/divisionsmarketregmrexchangesshtml.html.*

[8] *See* FINRA ATS Transparency Data, available at *https://otctransparency.finra.org/otctransparency/AtsIssueData.* A list of alternative trading systems registered with the Commission is *available at https://www.sec.gov/foia/docs/atslist.htm.*

[9] *See* Cboe Global Markets U.S. Equities Market Volume Summary, available at *https://markets.cboe.com/us/equities/market_share/.*

[10] *See id.*

[11] The NYSE Arca Proprietary Market Data Fee Schedule is available at *https://www.nyse.com/publicdocs/nyse/data/NYSE_Arca_Equities_Proprietary_Data_Fee_Schedule.pdf* (''Market Data Schedule'').

Order Imbalances (''Market Data Product''). Each market data product allows a vendor to redistribute certain data elements included in the data feed on a real-time basis. For each product, the Exchange charges associated fees set forth on the Market Data Fee Schedule.[12] The Exchange is not proposing any changes to the NYSE Proprietary Market Data Fee Schedule or the fees described therein.

The Market Data Fees that would be eligible for the Program are the Access Fees (general and Per User, if applicable), Professional User Fees (internal use only), Non-Professional User fee (for external use, including Enterprise Fees), Non-Display Fees, Redistribution Fee, and Multiple Data Feed Fee (''Eligible Market Data Fees'') for the market data products specified on the Market Data Fee Schedule. The Program's discounts are not available to an ETP Holder subject to the Digital Media Enterprise Fee or Professional User Fees for any data externally distributed to professional subscribers. A firm that was a subscriber to any of the Eligible Market Data Fees within the prior 18 months before becoming approved as a new ETP holder is ineligible for Program's Market Data fee discounts. Program discounts cannot be combined with any other discounts applicable to Eligible Market Data Fees. For example, the Exchange offers a one-month free trial to any firm that subscribes to a particular NYSE Arca proprietary real time market data product for the first time. As proposed, this discount could not be combined with Program discounts to extend Phase 1 (as defined below) by one month.

Finally, the Program would be available for fees charged for the first 10 ports that provide connectivity to the Exchange's trading systems (*i.e.,* ports for entry of orders and/or quotes (''order/quote entry ports'')). The Exchange currently charges $621 per order/quote entry port per month, except that no fee shall apply to ports in the backup datacenter that are not utilized during the relevant month, and no fee shall apply to ports in the backup datacenter that are utilized when the primary datacenter is unavailable. The Exchange also makes ports available for drop copies and charges ETP Holders $621 per drop copy port per month, even if receiving drop copies from multiple order/quote entry ports and/or from NYSE Arca Options, except that no fee applies to ports in the backup datacenter if configured such that it is duplicative of another drop copy port of the same user. The Program would also be available for fees charged for ETP Holder's first 10 drop copy ports.

The proposed discounts would be phased out over a period of 18 months. Specifically, during Phase 1 (months 1–6) following approval of a new membership application, the applicable discount for Eligible Market Data Fees, trading license fees, and port fees would be 100% for each eligible product. During Phase 2 (months 7–12), the amount of the discount would become 50%. Finally, during Phase 3 (months 13–18), the discount will be 25%. The Program would terminate at the end of Phase 3 (18 months), and the discounted fees will be charged to that ETP Holder at the regular rate set forth in the Fee Schedule or Market Data Fee Schedule, as applicable, from that point forward. For example, assume ETP Holder A approved in May 2026 signs up for 20 drop copy ports. Currently, ETP Holder A would be charged $621 per port, for a total of $12,420 per month. Under the Program, ETP Holder A's first 10 ports would be free for the first 6 months, and the firm would only be charged for 10 ports at $621, for a total of $6,210 per month. In months 7 to 12, ETP Holder A's first 10 ports would be billed at a 50% discount, or $310.50 per port per month, for a total of $3,105 per month. In the final 6 months of the Program, ETP Holder A's first 10 ports would be billed at a 25% discount, or $465.75 per port per month, for a total of $4,657.50 per month.

The proposed changes are not otherwise intended to address other issues, and the Exchange is not aware of any significant problems that market participants would have in complying with the proposed changes.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[13] in general, and furthers the objectives of Sections 6(b)(4) and (5) of the Act,[14] in particular, because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members, issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers.

The Proposed Change Is Reasonable

As discussed above, the Exchange operates in a highly fragmented and competitive market where market participants can and do move order flow, or discontinue or reduce use of certain categories of products, in response to fee changes. Moreover, in the current competitive market environment, market participants also have a choice of where to become members.

In light of this, the Exchange believes offering discounted membership fees, port fees and market data fees for up to 18 months for new ETP Holders in order to provide an incentive for smaller broker-dealers to apply for Exchange membership and a trading license. The Exchange believes that providing an incentive for broker-dealers that are not currently Exchange ETP Holders to apply for membership would encourage market participants to become members of the Exchange and bring additional liquidity to a public market. In addition, the Exchange believes that the proposal could result in additional retail liquidity to a public exchange, to the benefit of all market participants. The Exchange believes creating incentives and opportunities for new members on the Exchange protects investors and the public interest by increasing the competition and liquidity on a transparent public market.

The Proposal Is an Equitable Allocation of Fees

The Exchange believes the proposal equitably allocates fees and credits among market participants because the Program would be offered to all market participants that wish to trade at the Exchange and all ETP Holders, all of whom would continue to be subject to the same fee structure and access to the Exchange's market would continue to be offered on fair and nondiscriminatory terms.

The Proposal Is Not Unfairly Discriminatory

The Exchange believes that the proposal is not unfairly discriminatory. In the prevailing competitive environment, ETP Holders are free to disfavor the Exchange's pricing if they believe that alternatives offer them better value.

The proposal is not unfairly discriminatory because it neither targets nor uniquely impacts any particular category of market participant. The proposed discounted lower trading license fees and discounted access to Exchange services for up to 18 months does not permit unfair discrimination because the proposed changes would apply to all similarly situated ETP Holders, who would all benefit from the lower and discounted fees on an equal basis.

For the foregoing reasons, the Exchange believes that the proposal is consistent with the Act.

[12] *See* note 10, *supra.*

[13] 15 U.S.C. 78f(b).

[14] 15 U.S.C. 78f(b)(4) & (5).

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,[15] the Exchange believes that the proposed rule change would not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Instead, as discussed above, the Exchange believes that the proposed changes would increase competition by reducing the cost of operating as an ETP Holder, which the Exchange believes will enhance market quality through the submission of additional retail liquidity to a public exchange, thereby promoting market depth, price discovery and transparency and enhancing order execution opportunities for ETP Holders. As a result, the Exchange believes that the proposed change furthers the Commission's goal in adopting Regulation NMS of fostering integrated competition among orders, which promotes ''more efficient pricing of individual stocks for all types of orders, large and small.'' [16]

Intramarket Competition. The proposed change is designed to attract additional ETP Holders and order flow to the Exchange. The Exchange believes that the proposed changes would continue to incentivize market participants to become Exchange ETP Holders and direct order flow, especially retail order flow, to the Exchange. Greater liquidity benefits all market participants on the Exchange by encouraging market participants to become Exchange ETP Holders and send orders to the Exchange, thereby providing more trading opportunities and contributing to robust levels of liquidity on the Exchange, which benefits all market participants. The proposed lower fees and discounts would be available to all similarly situated market participants, and, as such, the proposed change would not impose a disparate burden on competition among market participants on the Exchange. As noted, the proposal would apply to all similarly situated ETP Holders on the same and equal terms, who would benefit from the changes on the same basis. Accordingly, the proposed change would not impose a disparate burden on competition among market participants on the Exchange.

Intermarket Competition. The Exchange operates in a highly competitive market in which market participants can readily choose to send their orders to other exchange and off-exchange venues if they deem fee levels at those other venues to be more favorable. In such an environment, the Exchange must continually adjust its fees and rebates to remain competitive with other exchanges and with off-exchange venues. Because competitors are free to modify their own fees and credits in response, and because market participants may readily adjust their order routing practices, the Exchange does not believe its proposed fee change can impose any burden on intermarket competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Pursuant to Section 19(b)(3)(A)(ii) of the Act,[17] and Rule 19b–4(f)(2) thereunder [18] the Exchange has designated this proposal as establishing or changing a due, fee, or other charge imposed on any person, whether or not the person is a member of the self-regulatory organization, which renders the proposed rule change effective upon filing. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–NYSEARCA–2026–26 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–NYSEARCA–2026–26. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NYSEARCA–2026–26 and should be submitted on or before April 10, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[19]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05476 Filed 3–19–26; 8:45 am]

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[15] 15 U.S.C. 78f(b)(8).

[16] *See* Regulation NMS, 70 FR at 37498–99.

[17] 15 U.S.C. 78s(b)(3)(A)(ii).

[18] 17 CFR 240.19b–4.

[19] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105028]

Order Under Section 36 of the Securities Exchange Act of 1934 (the ''Exchange Act'') Granting Conditional Exemptive Relief From Rules 10b–10, 14e–5, and Section 11(d)(1) of the Exchange Act for Multi-Class ETFs

March 17, 2026.

I. Introduction

The Securities and Exchange Commission (''Commission'') has issued a series of orders [1] permitting open-end management investment companies registered under the Investment Company Act of 1940 (each such company, a ''Fund'') to offer one class of exchange-traded fund (''ETF'') shares that operates as an exchange-traded fund (each such class, an ''ETF Class,'' and such shares, ''ETF Shares'') and one

[1] *See, e.g.,* DFA Investment Dimension Group Inc., et al., Investment Company Act Rel. Nos. 35770 (Sep. 29, 2025) (''DFA Notice'') and 35786 (Nov. 17, 2025) (order); AB Municipal Income Fund, et al., Investment Company Act Rel. Nos. 35834 (Dec. 17, 2025) (notice) and 35867 (Jan. 13, 2026) (order). The orders issued by the Commission are available at *SEC.gov* | Investment Company Act Notices and Orders.

or more classes of shares that are not exchange-traded (each such class, a ''Mutual Fund Class,'' and such shares, ''Mutual Fund Shares,'' and each such Fund, a ''Multi-Class ETF''). As of March 17, 2026, approximately 100 applications have been filed with the Commission requesting exemptive relief necessary to operate a Multi-Class ETF (a ''Multi-Class ETF Order'') under the Investment Company Act of 1940 (''Investment Company Act'').

On March 17, 2026, the Commission received a request from the Investment Company Institute (''Requester'') for exemptive relief from section 11(d)(1) of the Securities Exchange Act of 1934, as amended (the ''Exchange Act''), and rules 10b–10 and 14e–5 thereunder (collectively referred to herein as the ''Exchange Act Provisions'') on behalf of broker-dealers and certain other persons, as applicable, that engage in certain transactions involving the ETF Shares of a Multi-Class ETF, as described below.[2]

The Requester seeks relief from the Exchange Act Provisions substantially similar to relief previously granted to broker-dealers and certain other persons engaging in certain transactions in securities of ETFs that rely on rule 6c–11 [3] under the Investment Company Act.[4] Specifically, the Requester is asking for conditional exemptive relief from the Exchange Act Provisions on behalf of broker-dealers and certain other persons that engage in certain creation and redemption transactions involving the ETF Shares of a Multi-Class ETF that has received a Multi-Class ETF Order, and certain limited secondary market transactions in the ETF Shares of such a Multi-Class ETF.[5] The Requester states that the operations of a Multi-Class ETF do not raise policy concerns with respect to the Exchange Act Provisions other than those that were already raised and resolved by the Commission in the 2019 Order.

The Requester seeks relief for a Multi-Class ETF that would operate under the same terms and conditions as those contained in the 2019 Order, including the conditions and the requirements of rule 6c–11, with two exceptions consistent with the Multi-Class ETF Orders. First, the Mutual Fund Shares will not be listed on any national securities exchange. Second, the Multi-Class ETF may allow shareholders to exchange Mutual Fund Shares for ETF Shares (''Exchange Privilege'').[6] However, the Requester is not requesting any relief from the Exchange Act Provisions for transactions involving either the Mutual Fund Shares (or the Mutual Fund Class) or the Exchange Privilege. Rather, the request is only for certain transactions involving the ETF Shares (or the ETF Class) of the Multi-Class ETF.

The Commission has considered the issues raised by Multi-Class ETFs and believes that it is appropriate to grant relief from the Exchange Act Provisions for the ETF Class as discussed below. Specifically, the Commission believes that to the extent the ETF Class of a Multi-Class ETF complies with the requirements and conditions of rule 6c–11 (with the exception of the Mutual Fund Shares not being listed on any national securities exchange and the possible existence of the Exchange Privilege) and this order, the operational differences between ETFs that can rely on rule 6c–11 and Multi-Class ETFs do not implicate the policy concerns that underlie the Exchange Act Provisions, as the operational differences are unrelated either to the creation and redemption transactions or to the secondary market transactions that are the subject of this request for relief.

II. Background

In 2019, the Commission adopted rule 6c–11, which permits ETFs that satisfy certain conditions to operate without the expense and delay of obtaining an exemptive order from the Commission under the Investment Company Act.[7] Rule 6c–11 was designed to create a consistent, transparent, and efficient regulatory framework for ETFs and to facilitate greater competition and innovation among ETFs.[8]

Contemporaneously with the adoption of rule 6c–11, the Commission granted conditional exemptive relief from the Exchange Act Provisions to broker-dealers and certain other persons engaging in certain transactions in securities of ETFs that rely on rule 6c–11.[9] This exemptive relief was intended to reduce the complexities and burden that may otherwise be associated with the ETF creation and redemption process, subject to appropriate conditions intended to ensure investor protections.[10] The exemptive relief was also intended to simplify the offering and operating process for ETFs.[11] The 2019 Order provides relief to broker-dealers from rules 10b–10, 15c1–5, and 15c1–6 [12] and Exchange Act section 11(d)(1) when engaging in transactions with ETFs relying on rule 6c–11. In addition, the 2019 Order provides relief from Exchange Act rule 14e–5 to ETFs, the legal entities of which each ETF is a series, and authorized participants (as defined in rule 6c–11) and any other covered persons, as defined in rule 14e–5I(3), who create and redeem shares of an ETF in creation units pursuant to contractual arrangements between such covered persons and the ETF.[13]

The Commission expressly limited the relief provided by the 2019 Order to ETFs that rely on rule 6c–11 because ''the specific findings in support of the exemptive order are based, in part, on the conditions in rule 6c–11.'' [14] For purposes of rule 6c–11, an ETF is defined as a registered open-end management company: (1) whose shares are listed on a national securities exchange and traded at market-determined prices, and (2) that issues (and redeems) creation units to (and from) authorized participants in exchange for a basket and a cash balancing amount if any.[15] Multi-Class ETFs differ from these ETFs, in relevant part, because: (1) Multi-Class ETFs offer Mutual Fund Shares that are neither listed on an exchange nor traded at market-determined prices, and (2) the Multi-Class ETF would permit a shareholder of Mutual Fund Shares to acquire individual ETF Shares directly from the Multi-Class ETF through an Exchange Privilege. Accordingly, Multi-

[2] *See* 15 U.S.C. 78k(d)(1); 17 CFR 240.10b–10; and 17 CFR 240.14e–5. The Requester also requested a staff no-action position with respect to rules 15c1–5 and 15c1–6.

[3] *See* Exchange Traded Funds, Investment Company Act Release No. 33646 (Sep. 25, 2019) (''Rule 6c–11 Adopting Release''); *see also* 17 CFR 270.6c–11.

[4] *See* Order Granting a Conditional Exemption from Exchange Act Section 11(d)(1) and Exchange Act Rules 10b–10, 15c1–5, 15c1–6, and 14e–5 for Certain Exchange Traded Funds, SEC Rel. No. 34–87110 (Sept. 25, 2019) (''2019 Order'').

[5] The relief requested and provided by this exemption would apply to such transactions involving the ETF Shares of any Multi-Class ETF that receives a Multi-Class Order and satisfies the terms and conditions of this order, even if after the date of this exemption.

[6] The Exchange Privilege would permit shareholders in a Mutual Fund Class to exchange Mutual Fund Shares for ETF Shares. The Exchange Privilege would not permit shareholders of ETF Shares to exchange such shares for Mutual Fund Shares, except in situations where the ETF Class is terminated or where the Multi-Class ETF merges into a fund with no ETF Class. *See* DFA Notice at 6; *see also* DFA Order (granting exemptive relief to DFA subject to the conditions contained in its application). The description of the Exchange Privilege in the DFA Notice is common to all Multi-Class ETF Orders.

[7] Rule 6c–11 Adopting Release at 5.

[8] *Id.*

[9] 2019 Order.

[10] *Id.* at 3.

[11] *Id.* at 6.

[12] *See supra* note 2.

[13] The prohibition in rule 14e–5(a) from purchasing or arranging to purchase any securities that are the subject of a tender offer or any related securities except as part of the tender offer only applies to ''covered persons.'' *See* 2019 Order.

[14] *See* 2019 Order at 6.

[15] Investment Company Act rule 6c–11(a)(1), 17 CFR 270.6c–11(a)(1).

Class ETFs may not meet the definition of an ETF under rule 6c–11, and thus may be unable to rely on rule 6c–11 and the 2019 Order.[16]

In explaining the Commission's determination not to provide the exemptive relief necessary to allow share class ETFs to rely on rule 6c–11, the Commission stated that share class ETFs raise policy considerations that are different from those that the Commission sought to address in rule 6c–11.[17] The Commission highlighted that rule 6c–11 does not provide relief from Section 18(f)(1) or 18(i) of the Investment Company Act, which, in large part, were intended to protect investors from certain abuses associated with complex investment company capital structures, including conflicts of interest among a fund's share classes. In the Rule 6c–11 Adopting Release, the Commission specifically noted that an ETF class that transacts with authorized participants on an in-kind basis and a mutual fund class that transacts with shareholders on a cash basis may give rise to differing costs to the portfolio.[18] As a result, certain costs may result from transactions through one class, but all shareholders generally would bear the costs.[19] The Commission concluded that it is appropriate for share class ETFs to request relief from section 18(f)(1) and 18(i) of the Investment Company Act through the exemptive applications process so that the Commission may assess all relevant policy considerations in the context of the facts and circumstances of particular applicants.[20]

As noted above, the Commission has issued Multi-Class ETF Orders to over 48 registered open-end management investment companies permitting the operation of a Multi-Class ETF [21] and is currently reviewing applications for similar relief from other applicants. The Multi-Class ETF Orders provide Multi-Class ETFs with two broad categories of relief: (1) the relief necessary to permit standard ETF operations consistent with rule 6c–11 under the Investment Company Act and (2) the relief necessary for a fund to offer an ETF Class and one or more Mutual Fund Classes.[22]

III. Discussion and Exemptive Relief

The Commission believes it is appropriate in the public interest, and is consistent with the protection of investors to grant a conditional exemption from Exchange Act section 11(d)(1) and Exchange Act rules 10b–10 and 14e–5 for the ETF Class of a Multi-Class ETF that has received a Multi-Class ETF Order.[23] This exemption will provide relief from these provisions to broker-dealers and certain other persons under substantially the same conditions and requirements as the 2019 Order, except that instead of requiring that the Multi-Class ETFs fall within the definition of an ETF under rule 6c–11, this exemption requires that the Multi-Class ETF must operate the ETF Class as an ETF in compliance with the requirements of rule 6c–11, with certain exceptions. Specifically, in order for a broker-dealer to rely on this relief: (1) a Multi-Class ETF must have received a Multi-Class ETF Order from the Commission subject to a condition to operate its ETF Class as an ETF in compliance with the requirements of rule 6c–11, except that the Multi-Class ETF's Mutual Fund Shares will not be listed on any national securities exchange and the Multi-Class ETF may offer an Exchange Privilege; (2) other than as provided for in the relief from rule 14e–5, the ETF Class of the Multi-Class ETF must further satisfy the diversification requirement as set forth in this order; (3) the broker-dealer relying on the relief must meet certain conditions specific to each applicable Exchange Act Provision, as set forth in this order; and (4) except as provided in Sections III.D.2 and III.E below, this relief does not apply to purchases or sales of ETF Shares of a Multi-Class ETF in the secondary market.

A. Compliance With Rule 6c–11

The Commission is limiting the relief under this exemption to transactions in the ETF Shares of a Multi-Class ETF that has received a Multi-Class ETF Order subject to a condition to operate the ETF Class as an ETF in compliance with the requirements of rule 6c–11, except that the Multi-Class ETF: (1) will list only the ETF Shares on a national securities exchange; and (2) may permit an Exchange Privilege in addition to traditional creation and redemption transactions with the ETF Class. As noted above, this condition is generally consistent with the 2019 Order, except that instead of requiring that the Multi-Class ETFs fall within the definition of an ETF under rule 6c–11, this exemption requires that the Multi-Class ETF must operate the ETF Class as an ETF in compliance with the requirements of Rule 6c–11.[24]

As with the 2019 Order, the Commission believes that the portfolio and other transparency requirements in rule 6c–11, when combined with the conditions in this order, address the policy concerns underlying the relevant statutory provisions and rules. For example, rule 6c–11 requires ETFs to disclose their portfolio holdings each day through their website. This portfolio transparency, along with the availability of information regarding Multi-Class ETFs, and in particular the ETF Class, through a variety of sources, including the National Securities Clearing Corporation (''NSCC''), intermediaries and the Multi-Class ETFs themselves, should provide customers engaging in creation or redemption transactions an opportunity to identify or inquire about potential conflicts of interest involving a component security a broker-dealer would otherwise be required to disclose. These requirements should also help customers determine if they should request that their broker-dealer disclose any omitted information.

The Commission further believes that neither the existence of the Exchange Privilege nor the introduction of the Mutual Fund Classes has any adverse effect on the relief granted in this order. The relief provided is limited to creation and redemption transactions effected by broker-dealers and certain other persons with the ETF Class of a Multi-Class ETF, as well as certain limited secondary market transactions in the ETF Shares of the Multi-Class ETF. These creation and redemption transactions are separate and distinct from transactions in Mutual Fund Shares (and the operation of the Mutual Fund Class) where shareholders can purchase and redeem individual shares directly from the Mutual Fund Class without the need to engage in creation and redemption transactions. Similarly, the Exchange Privilege does not involve the exchange of a creation or redemption basket of securities and

[16] *See* Rule 6c–11 Adopting Release at 122 (''an ETF structured as a share class of a fund that issues multiple classes of shares representing interests in the same portfolio cannot operate in reliance on rule 6c–11''); 2019 Order.

[17] *See* Rule 6c–11 Adopting Release at 122–124.

[18] *Id.* at 123.

[19] *See id.* at 122–123 (noting that ''costs can include brokerage and other costs associated with buying and selling portfolio securities in response to mutual fund share class cash inflows and outflows, cash drag associated with holding the cash necessary to satisfy mutual fund share class redemptions, and distributable capital gains associated with portfolio transactions'').

[20] *See id.* at 124.

[21] *See supra* note 1.

[22] *See* DFA Notice at 1.

[23] Section 36(a)(1) of the Exchange Act grants the Commission the authority, with certain limitations not at issue here, to ''conditionally or unconditionally exempt any person, security, or transaction . . . from any provision or provisions of [the Exchange Act] or of any rule or regulation thereunder, to the extent that such exemption is necessary or appropriate in the public interest, and is consistent with the protection of investors.'' 15 U.S.C. 78mm(a)(1).

[24] *See* 2019 Order at 7–8.

other assets. Instead, the Exchange Privilege permits a shareholder of Mutual Fund Shares to acquire individual ETF Shares directly from the Multi-Class ETF. The Requester has not requested, and relief has not been granted, for transactions involving the Mutual Fund Shares (or the Mutual Fund Class) or pursuant to the Exchange Privilege.

B. Minimum Diversification Requirement

Consistent with the relief provided under the 2019 Order, the exemption provided by this order from Exchange Act section 11(d)(1) and Exchange Act rule 10b–10 is available only with respect to transactions involving a Multi-Class ETF that meets the diversification requirement applicable to a regulated investment company in Internal Revenue Code (''IRC'') Sec. 851(b)(3)(B), 26 U.S.C. 851(b)(3)(B) (the ''IRC diversification requirement'').[25] Creation and redemption transactions in diversified Multi-Class ETFs involve the exchange of a basket that contains numerous securities, which in turn implicates disclosure requirements, as discussed below, under rule 10b–10. At the same time, the composite nature of a diversified basket means that the securities of any one issuer will account for a relatively small share of the basket. Diversification thus should mitigate any conflicts that a broker-dealer would otherwise be required to disclose and minimize the incentive for a broker-dealer to seek to use a Multi-Class ETF to evade the new issue lending restriction in Exchange Act section 11(d)(1).[26]

Diversification, together with the conditions discussed below, forms the basis for the Commission's conclusion that relief from section 11(d)(1) and rule 10b–10 is appropriate in the public interest and consistent with investor protection.

C. Exemption From Exchange Act Rule 10b–10

Exchange Act rule 10b–10 generally requires a broker or dealer that effects a securities transaction for a customer to send to the customer, at or before the completion of the transaction, a written notification (''confirmation'') disclosing certain information, including among other items, the identity, price, and number of shares or units (or principal amount) of the security purchased or sold by the customer.[27] The confirmation requirement provides basic investor protections by conveying information that allows investors to verify the terms of their transactions; alerting investors to potential conflicts of interest with their broker-dealers; acting as a safeguard against fraud; and providing investors a means to evaluate the costs of their transactions and the quality of their broker-dealer's execution.[28] When an authorized participant that is a registered broker-dealer (''Broker-Dealer AP'') engages in creation and redemption transactions for its customers, each tender or receipt of a component security as part of a basket is a purchase [29] or sale [30] of a security, and each purchase or sale requires confirmation pursuant to Exchange Act rule 10b–10.

Consistent with the relief granted in the 2019 Order, the Commission is granting an exemption from Exchange Act rule 10b–10 with respect to transactions involving the ETF Shares of the Multi-Class ETF that will allow a broker-dealer that is effecting an in-kind creation or redemption transaction on behalf of a customer to confirm the transaction without providing a contemporaneous statement of the identity, price or number of shares or units (or principal amount) of each component security tendered to or delivered by the Multi-Class ETF, subject to the following conditions:

1. Confirmation statements of issuance and redemption transactions in ETF Shares will contain all of the information specified in paragraph (a) of rule 10b–10 other than identity, price, and number of shares or units (or principal amount) of each component security tendered or received by the customer in the transaction.

2. Any confirmation statement of an issuance or redemption transaction in ETF Shares that omits the identity, price, or number of shares or units (or principal amount) of component securities will contain a statement that such omitted information will be provided to the customer upon request; and

3. All such requests will be fulfilled in a timely manner in accordance with paragraph I of rule 10b–10.

The requirement that confirmation statements include all of the information specified in paragraph (a) of rule 10b–10 other than the identity, price, and number of shares or units (or principal amount) of each component security tendered or received in the transaction preserves a customer's right to receive other important information from the confirmation about the terms of the customer's transaction at or before the completion of the transaction. The statement that the omitted information will be provided upon request informs the customer of the right to receive the omitted information. The requirement for a broker-dealer to fulfill such requests in a timely manner in accordance with paragraph (c) of rule 10b–10 clarifies that a broker-dealer must fulfill the request within a prescribed period (*i.e.,* within five business days of receipt of the request, or within 15 business days of a request pertaining to a transaction effected more than 30 days prior to the receipt of the request) so that customers can be assured that they receive the requested information in a timely manner.

The Commission also believes that, in general, information regarding Multi-Class ETFs, and in particular the ETF Class, is accessible through a variety of sources, including the NSCC, intermediaries and the Multi-Class ETFs themselves. The Commission believes that the conditions above will allow any customers who would like additional information regarding identity, price, or number of shares or units (or principal amount) to receive the information in a timely manner. This exemption reduces the burden that may otherwise be associated with creation and redemption transactions while preserving a customer's ability to access the omitted information upon request.

D. Exemption From Section 11(d)(1)

Exchange Act section 11(d)(1) generally prohibits a person that is both a broker and a dealer from extending or maintaining credit, or arranging for the extension or maintenance of credit, to or for a customer on any security (other than an exempted security) which was part of a distribution of a new issue of securities in which the broker-dealer participated within thirty days prior to such transaction. Because Multi-Class ETFs are in continuous distribution, broker-dealers effecting creation and redemption transactions on behalf of customers are participating in the distribution of new issue securities with respect to ETF Shares, and thus are

[25] IRC Section 851(b)(3)(B) provides that a ''regulated investment company'' must have: ''not more than 25 percent of the value of its total assets is invested in—(i) the securities (other than Government securities or the securities of other regulated investment companies) of any one issuer, (ii) the securities (other than the securities of other regulated investment companies) of two or more issuers which the taxpayer controls and which are determined, under regulations prescribed by the Secretary [of the Treasury], to be engaged in the same or similar trades or businesses or related trades or businesses, or (iii) the securities of one or more qualified publicly traded partnerships (as defined in subsection (h)).''

[26] *See* 2019 Order at note 19.

[27] 17 CFR 240.10b–10.

[28] Exchange Act Release No. 34962 (Nov. 10, 1994), 59 FR 59612, 59613 (Nov. 17, 1994).

[29] Exchange Act Sec. 3(a)(13).

[30] Exchange Act Sec. 3(a)(14).

continuously subject to the restrictions of section 11(d)(1). Section 11(d)(1) issues arise both with Broker-Dealer Aps and with broker-dealers who effect only secondary market transactions (''Non-AP Broker-Dealers'').

1. Conditions for Broker-Dealer Authorized Participants

As noted above, a Broker-Dealer AP is a registered broker-dealer that has entered into a contractual arrangement with a Multi-Class ETF or one of its service providers that allows the Broker-Dealer AP to place orders for the creation or redemption of creation units, but the Broker-Dealer AP is not compensated by the Multi-Class ETF in connection with the creation or redemption of ETF Shares. Broker-Dealers may have different reasons for becoming authorized participants, including for their own proprietary trading, to facilitate customer trades, to hedge or otherwise manage their own risk, or to arbitrage differences between the Multi-Class ETF's market price and its NAV.

Consistent with the relief granted in the 2019 Order, the Commission is granting an exemption from the new issue lending restriction in section 11(d)(1) for a Broker-Dealer AP that extends or maintains credit, or arranges for the extension or maintenance of credit, on ETF Shares subject to the following two conditions:

1. Neither the Broker-Dealer AP, nor any natural person associated with such Broker-Dealer AP, directly or indirectly (including through any affiliate of such Broker-Dealer AP), receives from the ''Fund Complex'' [31] any payment, compensation, or other economic incentive to promote or sell the shares of the Multi-Class ETF to persons outside the fund complex, other than non-cash compensation currently permitted under Financial Industry and Regulatory Authority (''FINRA'') rule 2341(l)(5)(A), (B), or (C) (''non-cash compensation'').[32]

2. The Broker-Dealer AP does not extend, maintain or arrange for the extension or maintenance of credit to or for a customer on ETF Shares before thirty days have passed from the date that the ETF Shares initially commence trading (except to the extent that such extension, maintenance, or arranging of credit is otherwise permitted pursuant to rule 11d1–1).

The exemption permits a Broker-Dealer AP to accept only limited forms of non-cash compensation that do not present broker-dealers with the types of potential conflicts of interest in their sale of securities that section 11(d)(1) addresses.[33] This absence of any special compensation to distribute shares mitigates the potential conflicts of interest that section 11(d)(1) addresses. In addition, requiring a Broker-Dealer AP to wait thirty days before margining its customers' ETF Shares is consistent with the section 11(d)(1) prohibition against a broker-dealer extending credit on securities that were part of a new issue, if the broker-dealer participated in the distribution of the new issue securities within the preceding thirty days. Thus, this condition ensures that Broker-Dealer Aps do not use credit to induce customers to buy ETF Shares for at least a 30-day period following launch of the ETF, similar to the prohibition against extending credit that applies to other types of new issue securities under section 11(d)(1).

2. Conditions for Non-AP Broker-Dealers

Many broker-dealers effect ETF securities transactions solely on the secondary market, whether for themselves or as agent for their customers. They do not enter contractual arrangements to effect creation or redemption transactions with the ETF or one of its service providers. Thus, these Non-AP Broker-Dealers have not undertaken to distribute ETF Shares and generally do not receive any compensation for selling ETF Shares, other than, in some cases, limited forms of non-cash compensation. Such Non-AP Broker-Dealers, may reasonably be considered not to be participating in the distribution of new issue securities within the meaning of section 11(d)(1). To remove any ambiguity about the circumstances when Non-AP Broker-Dealers may offer margin on ETF Shares, however, the Commission is granting this exemption from section 11(d)(1) consistent with the relief granted in the 2019 Order.

The Commission believes this relief is appropriate because, as stated above, Non-AP Broker-Dealers do not engage in creation and redemption transactions with Multi-Class ETFs and, thus, may reasonably be considered not to be participating in the distribution of the ETF Shares. In addition, this relief is subject to the condition that Non-AP Broker-Dealers do not (and their associated persons who are natural persons do not), directly or indirectly (including through any affiliate of such Non-AP Broker-Dealer), receive from the Fund Complex any payment, compensation or other economic incentive to promote or sell ETF Shares to persons outside the Fund Complex, other than non-cash compensation. For the foregoing reasons, the Commission believes it is appropriate and in the public interest and consistent with investor protection to grant this exemption.

E. Exemption From Rule 14e–5

Exchange Act rule 14e–5 prohibits ''covered persons'' from directly or indirectly purchasing or arranging to purchase any securities that are the subject of a tender offer (''subject securities'') [34] or any securities that are immediately convertible into, exchangeable for, or exercisable for subject securities (''related securities'') [35] except as part of such tender offer. Subject to certain exceptions, this prohibition applies from the time of the public announcement of the tender offer until the expiration of such offer. The term ''covered person'' includes, among other persons, a dealer-manager of a tender offer and any person acting, directly or indirectly, in concert with other covered persons in connection with any purchase or arrangement to purchase any subject securities or any related securities.[36] Therefore, the prohibitions of rule 14e–5 may apply to authorized participants who are broker-dealers and acting as dealer-managers in tender

[31] For purposes of this order, a ''Fund Complex'' is the issuer of the ETF Shares; any other issuer of ETF Shares that holds itself out to investors as a related company for purposes of investment or investor services; any investment adviser, distributor, sponsor, or depositor of any such issuer; or any ''affiliated person'' (as defined in the Investment Company Act section 2(a)(3)) of any such issuer or any such investment adviser, distributor, sponsor, or depositor.

[32] Non-cash compensation currently permitted under FINRA rule 2341(l)(5)(A), (B), or (C) is limited to: (A) Gifts that do not exceed an annual amount per person fixed periodically by FINRA and are not preconditioned on achievement of a sales target; (B) An occasional meal, a ticket to a sporting event or the theater, or comparable entertainment which is neither so frequent nor so extensive as to raise any question of propriety and is not preconditioned on achievement of a sales target; [and] (C) Payment or reimbursement by offerors in connection with meetings held by an offeror or by a member for the purpose of training or education of associated persons of a member, subject to certain conditions. On February 12, 2026, the Commission approved a proposed change to FINRA Rule 2341(l)(5)(A), among others. This rule change increased the annual amount per person fixed periodically by FINRA in paragraph (A) from $100 to $300. *See* Exchange Act Release No. 104830 (Feb. 12, 2026) (File No. SR–FINRA–2025–003), 91 FR 7570 (Feb. 18, 2026) (available at: *https://www.federalregister.gov/d/2026-03127*).

[33] *See* Exchange Act Release No. 21557 (Dec. 18, 1984), 49 FR 50172 at 50173–74 (Dec. 27, 1984) (available at: *https://cdn.loc.gov/service/ll/fedreg/fr049/fr049250/fr049250.pdf*).

[34] Exchange Act rule 14e–5(c)(7).

[35] Exchange Act rule 14e–5(c)(6).

[36] Exchange Act rule 14e–5(c)(3).

offers, the Multi-Class ETF, and any legal entity of which the Multi-Class ETF is a series.

Consistent with the relief granted in the 2019 Order, the Commission is granting a conditional exemption from rule 14e–5 to a Multi-Class ETF, the legal entity of which the Multi-Class ETF is a series, and authorized participants and any other covered persons who create and redeem ETF Shares of a Multi-Class ETF in creation units pursuant to contractual arrangements between such covered person and the Multi-Class ETF (''Rule 14e–5 Covered Persons''). The conditional exemption will allow such persons to: (1) redeem ETF Shares of a Multi-Class ETF in creation unit sizes for a redemption basket that may include a subject security or related security, (2) engage in secondary market transactions with respect to the ETF Shares of a Multi-Class ETF after the first public announcement of a tender offer involving the ETF Class's component securities and during such tender offer given that such transactions could include, or be deemed to include, purchases of, or arrangements to purchase, subject securities or related securities, and (3) make purchases of, or arrangements to purchase, subject securities or related securities in the secondary market for the purpose of transferring such securities to purchase one or more creation units of ETF Shares of a Multi-Class ETF.

Consistent with the 2019 Order, the exemption from rule 14e–5 is subject to the following conditions:

1. no purchases of subject securities or related securities made by broker-dealers acting as dealer-managers of a tender offer would be effected for the purpose of facilitating a tender offer;

2. if there is a change in the composition of an ETF Class's component securities and a broker-dealer acting as a dealer-manager of a tender offer is unable to rely on the exception found in rule 14e–5(b)(5) for basket transactions because (i) the basket of subject securities or related securities contains fewer than 20 securities, or (ii) the subject securities and related securities make up more than 5% of the value of the basket, then any purchases of an ETF Class's component security by such dealer-manager during a tender offer will be effected for the purpose of adjusting a basket of securities in the ordinary course of its business and not for the purpose of facilitating a tender offer; and

3. except for the relief specifically granted herein, any broker-dealer acting as a dealer-manager of a tender offer will comply with rule 14e–5.

The Commission believes this exemption will facilitate the ability of authorized participants and other Rule 14e–5 Covered Persons to engage in creation or redemption transactions between the public announcement of a tender offer and its expiration, thereby permitting the ETF Class of a Multi-Class ETF to operate as intended for the benefit of its holders and as disclosed in publicly filed documents. The conditions to which the relief is subject will help ensure that authorized participants and other recipients of the relief do not effect creation or redemption transactions during the relevant tender offer period in an effort to facilitate the tender offer. For the foregoing reasons, the Commission believes it is appropriate and in the public interest and consistent with investor protection to grant this exemption.

IV. Conclusion

In light of the above, and in accordance with Exchange Act section 36, the Commission finds that conditionally exempting broker-dealers and certain other persons that engage in certain transactions involving the ETF Shares of a Multi-Class ETF that has received a Multi-Class ETF Order, subject to conditions contained in this order, from the requirements of section 11(d)(1) of the Exchange Act and Exchange Act rules 10b–10 and 14e–5 appropriate in the public interest, and consistent with the protection of investors.

Accordingly, *it is hereby ordered,* pursuant to section 36 of the Exchange Act, subject to the conditions described in Sections III. A, B, and C above, that a broker or dealer is exempt from Exchange Act rule 10b–10 with respect to creation or redemption transactions on behalf of customers in ETF Shares of a Multi-Class ETF.

It is further ordered, pursuant to section 36 of the Exchange Act, subject to the conditions described in Sections III. A, B, and D.1 above, that a Broker-Dealer AP for the ETF Class of a particular Multi-Class ETF is exempt from section 11(d)(1) of the Exchange Act with respect to the extension or maintenance of credit, or the arranging of the extension or maintenance of credit, on such ETF Shares.

It is further ordered, pursuant to section 36 of the Exchange Act, subject to the conditions described in Sections III. A, B, and D.2 above, that a Non-AP broker-dealer that effects transactions in ETF Shares of a Multi-Class ETF, exclusively in the secondary market, is exempt from section 11(d)(1) when it extends or maintains, or arranges for the extension or maintenance of credit to or for customers on such ETF Shares.

It is further ordered, pursuant to section 36 of the Exchange Act, subject to the conditions described in Sections III. A and E above, that the Rule 14e–5 Covered Persons are exempt from Exchange Act rule 14e–5 with respect to the transactions described in Section III.E above.

This exemption is subject to modification or revocation at any time the Commission determines that such action is necessary or appropriate in furtherance of the purposes of the Exchange Act. In addition, persons relying on this exemption are directed to the anti-fraud and anti-manipulation provisions of the federal securities laws, particularly section 10(b) of the Exchange Act and rule 10b–5 thereunder.

For the Commission, by the Division of Trading and Markets pursuant to delegated authority [37] and by the Division of Corporation Finance pursuant to delegated authority.[38]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05473 Filed 3–19–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105026; File No. SR–NASDAQ–2026–015]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Expand the Exchange's Co-Location Services

March 17, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 5, 2026, The Nasdaq Stock Market LLC (''Nasdaq'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit

[37] Regarding the exemption from Exchange Act Rule 10b–10 pursuant to 17 CFR 200.30–3(a)(32) and regarding the exemption from Exchange Act Section 11(d)(1) pursuant to 17 CFR 200.30.3(a)(62).

[38] Regarding the exemption from Rule 14e–5 pursuant to 17 CFR 200.30–1(f)(16)(ii).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to expand its colocation services by introducing in its future expansion area current options for a cabinet offering, and certain cabinet power, and additional services, as described below.

The text of the proposed rule change is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/NASDAQ/rulefilings,* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to expand its colocation services by introducing in its future expansion area current options for a cabinet offering, and certain cabinet power, and additional services, as described below.

The Exchange's data center consists of the original data center campus (''NY11''), its expansion area (''NY11–4''), as well as a future expansion area (''NY11–5''). Currently, colocation customers in NY11 as well as those in expansion area NY11–4 can select from among the Exchange's colocation offerings, including options for cabinet, cabinet power, and additional services as provided under Rule General 8, Section 1. The Exchange proposes to introduce in NY11–5 the same cabinet option that is currently available in NY11–4.[3] The Exchange will file a proposal to establish fees for such cabinet service in NY11–5.[4]

NY11–5: Cabinet Power and Power Distribution Units

Rule General 8, Section 1(c) provides that the following cabinet power options are available only in NY11: 2x20 amp 110 volt, 2x30 amp 110 volt, 2x20 amp 208 volt, 2x30 amp 208 volt, 2x60 amp 208 volt, Phase 3 2x20 amp 208 volt, Phase 3 2x30 amp 208 volt, Phase 3 2x40 amp 208 volt, Phase 3 2x50 amp 208 volt, Phase 3 2x60 amp 208 volt, and 2x30 amp 48 volt DC.[5] Rule General 8, Section 1(c) further provides that the following (five) cabinet power options are available only in NY11–4: Phase 1 20 amp 240 volt, Phase 1 32 amp 240 volt, Phase 1 40 amp 240 volt, Phase 3 20 amp 415 volt, and Phase 3 32 amp 415 volt.[6] The Exchange proposes to make these same five cabinet power options available in NY11–5. Specifically, the Exchange proposes to make the following cabinet power options available in NY11–5: Phase 1 20 amp 240 volt, Phase 1 32 amp 240 volt, Phase 1 40 amp 240 volt, Phase 3 20 amp 415 volt, and Phase 3 32 amp 415 volt.[7] The Exchange will file a proposal to establish fees for the proposed cabinet power options for NY11–5. Although different cabinet power options will be offered throughout the data center due to differing power configurations, the cabinet power options being introduced in NY11–5 are not inherently preferable to the existing cabinet power options because data center customers have varying power-related preferences depending on their capacity needs, and the Exchange does not anticipate material differences in equipment performance based on the power distribution. As between the various cabinet power options, customers choose power based on their preference and capacity needs.

The Exchange also proposes to make certain power distribution units (''PDUs'')[8] available in NY11–5. The Exchange currently offers the following standardized PDUs exclusively in NY11–4 as a convenience to customers: Phase 1, Phase 3,[9] as well as a switch monitored PDU add on (''Switch Monitored PDU Add On''), the latter which allows customers to connect remotely to their PDU and control the power sockets.[10] The Exchange proposes to offer the three aforementioned PDU options currently available only in NY11–4, specifically Phase 1, Phase 3, as well as the Switch Monitored PDU Add On, in NY11–5.[11]

[3] *See* proposed Rule General 8, Section 1(a). The Exchange does not offer customers the option of providing their own traditional cabinets because cabinet rows throughout the data center are built to a uniform footprint designed to support standardized cooling, power distribution, and structural load requirements. *See id.*

[4] To effect this change and pending the submission of a fee filing for the service proposed herein, the Exchange proposes certain technical, non-substantive amendments to Rule General 8, Section 1(a) as follows. First, the Exchange proposes to insert, in the column titled ''NY11–4 Installation Fee'' and immediately following ''–4,'' a forward slash followed by a hyphen and the number five (''/–5.''). The Exchange further proposes to insert, where the row titled ''Cabinet'' intersects the proposed column titled ''NY11–4/–5 Installation Fee'' and immediately following the figure ''$5,490,'' a forward slash and the acronym ''TBD'' as follows: ''/TBD.'' The Exchange believes these non-substantive changes are appropriate to introduce the proposed cabinet service in NY11–5 as well as to indicate that the fees for that service have yet to be determined.

[5] *See* Rule General 8, Section 1(c). As discussed above, these cabinet power options are available in NY11 only. *See id.*

[6] *See* Rule General 8, Section 1(c).

[7] *See* proposed Rule General 8, Section 1(c). To effect these changes, the Exchange proposes certain technical changes to Rule General 8, Section 1(c) as follows. The Exchange proposes to insert, in the columns titled ''NY11–4 Installation Fee'' (immediately after ''NY11–4'') and ''NY11–4 Ongoing Monthly Fee ($550 per kVA)'' (also immediately after ''NY11–4'') the following: ''/–5.'' The Exchange further proposes a conforming change to the footnote designated with a single asterisk (*). That footnote currently provides in part as follows: ''*NY11–4 only.'' As a conforming change to that footnote, the Exchange proposes to add, immediately after ''NY11–4'' and before the word ''only'' the following: ''and NY11–5.'' This change is appropriate to indicate these power options are available only in NY11–4 and, as proposed, NY11–5. That footnote further provides that one of the options designated with a single asterisk must be selected for Cabinets in NY11–4. The Exchange proposes to amend that footnote to add, immediately after ''NY11–4'' the following: ''and NY11–5.'' This change is appropriate to make clear that one of the power options designated with a single asterisk must be selected for Cabinets in NY11–4 and NY11–5. Finally, the Exchange further proposes to enter ''/TBD'' throughout Rule General 8, Section 1(c) as appropriate to indicate that installation fees as well as ongoing (per kVA) monthly fees for the various power circuit options being introduced into NY11–5 under this proposal have yet to be determined. The Exchange believes these conforming changes are appropriate to indicate that the products proposed herein are designated for NY11–5 and that their respective fees have yet to be established.

[8] PDUs are devices fitted with multiple outputs designed to distribute electric power.

[9] *See* Rule General 8, Section 1(d). Phase 1 PDUs are compatible with the following power options: Phase 1 20 amp 240 volt, Phase 1 32 amp 240 volt, and Phase 1 40 amp 240 volt. Phase 3 PDUs are compatible with the following power options: Phase 3 20 amp 415 volt and Phase 3 32 amp 415 volt. Phase 1 and Phase 3 are available in NY11 and NY11–4. Phase 3 PDUs provide greater power density than Phase 1 PDUs by delivering power over three wires as opposed to one wire.

[10] *See* Rule General 8, Section, 1(d).

[11] *See* proposed Rule General 8, Section 1(d). To effect this change, the Exchange proposes the following technical changes to Rule General 8, Section 1(d) (''Additional Charges/Services''). The Exchange proposes to amend the footnote designated with a single asterisk as follows. First, the Exchanges proposes to insert, immediately after ''NY11–4 and before ''only'' the following: ''and NY11–5.'' Thus, as proposed, the footnote would read ''*NY11–4 and NY11–5 only.'' The Exchange further proposes to amend that footnote to insert, immediately after ''*NY11–4 and NY11–5 only'' the following two sentences: ''Fees shown are for

Continued

All offered PDU options are optional, and customers may choose to provide their own PDU, as appropriate for their power choices. As with all other proposed services, the Exchange will file a proposal to establish fees for such PDU options in NY11–5.

Implementation

Although the timing is subject to change, the Exchange anticipates opening NY11–5 Exchange access during the first quarter of 2026. In concert with this filing, the Exchange will allow customers to place orders for all services proposed herein. Customers would not be fee liable for the services proposed for NY11–5 herein until such customers are granted access to their NY11–5 spaces for their immediate use, whether for trading or otherwise. Allowing customers to place orders in advance of opening its doors in NY11–5 will allow the Exchange to plan ahead for capacity and demand for services, as well as procure necessary equipment. As discussed above, the Exchange will file a proposal to establish fees for all services described in this proposed rule change.

2. Statutory Basic

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[12] in general, and furthers the objectives of Section 6(b)(5) of the Act,[13] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest. Today, the Exchange offers various cabinet, power, and additional service options throughout the data center for colocation customers. Due to varying power configurations, certain services are available only in NY11–4. The proposal would make these same service options available in NY11–5. Specifically, the proposal would introduce in NY11–5 a cabinet option, as well as options for power, power installation and additional products and services currently available in NY11–4.

The Exchange believes that the proposal would remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general protect investors and the public interest because it would extend to NY11–5 certain connectivity services and products currently available in NY11–4, including a cabinet offering, several options for power and additional products and services, such as power cords and PDUs. The proposal provides customers with greater optionality with respect to offered colocation services, thereby enhancing their ability to tailor their colocation operations to the requirements of their business needs. Providing consistent offerings across NY11–4 and NY11–5 thus enhances customer choice and allows the Exchange to better meet demand for colocation services. In general, the proposal is consistent with the Act because in lieu of collocating directly with the Exchange, market participants may choose not to collocate at all or to collocate indirectly through a vendor.

The Exchange also believes that the proposal will not be unfairly discriminatory, consistent with the objectives of Section 6(b)(5) of the Act [14] because the proposed services for NY11–5, including the expanded cabinet, cabinet power, power installation, and additional service options, would be offered equally to all customers. Although the proposed optionality for NY11–5 would only be offered in NY11–4 and NY11–5 due to differing power configurations throughout the data center, any customer may order such proposed cabinets and additional colocation services on the same terms as any other customer. Use of all colocation services remains entirely voluntary.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The Exchange notes that this proposal does not concern itself with the speed at which customers can trade or the Equalization Project [15] because its scope is limited to offering certain data center customer colocation services in NY11–5 that are currently available in NY11–4 and does not extend to data communications networks.[16]

Nothing in the proposal imposes any burden on the ability of other exchanges to compete. The Exchange operates in a highly competitive market in which exchanges and other vendors offer colocation services as a means to facilitate the trading and other market activities of those market participants who believe that colocation enhances the efficiency of their operations. As part of its colocation offerings, the Exchange currently offers similar cabinet and power options as do other exchanges.

Nothing in the proposal burdens intra-market competition because the Exchange's colocation services, including those proposed herein for NY11–5 are available to any customer, and customers that wish to order the proposed services, including additional options for cabinet, cabinet power, and additional services can do so on a non-discriminatory basis. Use of any colocation service is completely voluntary, and each market participant is able to determine whether to use colocation services based on the requirements of its business operations.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(iii) [17] of the Act and Rule 19b–4(f)(6) thereunder [18] in that it effects a change that: (i) does not significantly affect the protection of investors or the public interest; (ii) does not impose any significant burden on competition; and (iii) by its terms, does not become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest.

A proposed rule change filed under Rule 19b–4(f)(6) [19] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[20] the Commission may designate a shorter

NY11–4 only. Fees for NY11–5 have yet to be established.'' The Exchange believes these changes are appropriate to (1) indicate that the proposed products are being introduced into NY11–5, and (2) indicate that the proposed fees for such products in NY11–5 have yet to be determined.

[12] 15 U.S.C. 78f(b).

[13] 15 U.S.C. 78f(b)(5).

[14] *Id.*

[15] The Equalization Project is an Exchange initiative to equalize cross connects across the Exchange's entire data center campus. *See* Securities Exchange Act Release No. 34–101078 (Sep. 18, 2024), 89 FR 77937 (Sept. 24, 2024) (SR–NASDAQ–2024–054).

[16] *See supra* note 15 and accompanying text.

[17] 15 U.S.C. 78s(b)(3)(A)(iii).

[18] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Exchange to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[19] 17 CFR 240.19b–4(f)(6).

[20] 17 CFR 240.19b–4(f)(6)(iii).

time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest because it will allow the Exchange to allow users seeking to subscribe to colocation services in NY11–5 to do so without delay, and the proposed rule change does not introduce any novel regulatory issues as the proposed services are the same as those currently available in NY11–4. Accordingly, the Commission designates the proposed rule change to be operative upon filing.[21]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–NASDAQ–2026–015 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–NASDAQ–2026–015. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NASDAQ–2026–015 and should be submitted on or before April 10, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[22]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05471 Filed 3–19–26; 8:45 am]

BILLING CODE 8011–01–P

[21] For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[22] 17 CFR 200.30–3(a)(12), (59).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105035; File No. SR–NYSE–2025–43]

Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Filing of Amendment No. 1 and Order Instituting Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change, as Modified by Amendment No. 1, To Amend Section 802.01C of the NYSE Listed Company Manual

March 17, 2026.

I. Introduction

On December 3, 2025, New York Stock Exchange LLC (''NYSE'' or the ''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend Section 802.01C of the NYSE Listed Company Manual (''Manual''). The proposed rule change was published for comment in the **Federal Register** on December 17, 2025.[3] On January 22, 2026, the Exchange filed Amendment No. 1 to the proposed rule change, which superseded the original proposed rule change in its entirety.[4] On January 28, 2026, pursuant to Section 19(b)(2) of the Act,[5] the Commission designated a longer period within which to take action on the proposed rule change.[6]

The Commission is publishing this notice and order to solicit comments on the proposed rule change, as modified by Amendment No. 1, from interested persons and is instituting proceedings pursuant to Section 19(b)(2)(B) of the Act[7] to determine whether to approve or disapprove the proposed rule change, as modified by Amendment No. 1.

II. Description of the Proposed Rule Change, as Modified by Amendment No. 1[8]

Section 802.01 of the Manual sets forth minimum quantitative and qualitative continued listing standards for securities listed on the Exchange.[9] Currently, Section 802.01C of the Manual provides that a company will be considered to be below compliance standards if the average closing price of a security as reported on the consolidated tape is less than $1.00 over a consecutive 30 trading-day period (''Price Criteria'').[10] Pursuant to Section 802.01C, once notified of its noncompliance with the Price Criteria, a company must bring its share price and average share price back above $1.00 by six months following receipt of the notification.[11] A company must

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 104385 (Dec. 12, 2025), 90 FR 58669. The Commission has received no comment letters on the proposed rule change.

[4] In Amendment No. 1, the Exchange: (1) clarified that a company subject to delisting under the proposal would not be eligible to follow the procedures in Section 802.01C of the Manual; (2) clarified the Exchange's authority to suspend trading in or delist a security; (3) provided additional description of certain aspects of the proposal; and (4) made other technical and non-substantive changes. The full text of Amendment No. 1 can be found on the Commission's website at *https://www.sec.gov/comments/sr-nyse-2025-47/srnyse202543-696267-2177015.pdf* (''Amendment No. 1'').

[5] 15 U.S.C. 78s(b)(2).

[6] *See* Securities Exchange Act Release No. 104708, 91 FR 4763 (Feb. 2, 2026). The Commission designated March 17, 2026 as the date by which the Commission shall approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change. *See id.*

[7] 15 U.S.C. 78s(b)(2)(B).

[8] All capitalized terms not otherwise defined in this order shall have the meanings set forth in the Manual.

[9] *See* Amendment No. 1, *supra* note 4, at 4. Specifically, Sections 802.01A and B of the Manual require issuers of common stock to maintain certain quantitative minimum standards related to stockholders, stockholders' equity, and global market capitalization. In addition, Section 802.01D of the Manual sets forth qualitative listing standards, related to, among other things, reduction in operating assets, change in primary business focus, and conduct not in keeping with sound public policy. *See id.*

[10] *See id.*

[11] *See id.* A company is not eligible to follow the procedures outlined in Sections 802.02 and 802.03 of the Manual, including the opportunity to submit

Continued

notify the Exchange of its intent to cure the Price Criteria deficiency or will be subject to suspension and delisting procedures.[12] The company can regain compliance at any time during the six-month cure period if on the last trading day of any calendar month during the cure period the company has a closing share price of at least $1.00 and an average closing share price of at least $1.00 over the 30 trading-day period ending on the last trading day of that month.[13] In the event that at the expiration of the six-month cure period, both of these criteria for regaining compliance are not attained, the Exchange will commence suspension and delisting procedures.[14]

The Exchange states that it maintains ongoing dialogue with companies approaching noncompliance with the Price Criteria as well as companies working through a cure period.[15] The Exchange further states that, regardless of where an issuer stands in the Price Criteria cure period, in the event that a stock trades below $0.10 per share, the Exchange promptly initiates suspension and delisting procedures.[16] The Exchange states that it has noticed a recent increase in companies trading on public markets that have a very low trading price per share,[17] and that an issuer having this characteristic is potentially susceptible to manipulation and more likely to experience trading volatility in its shares.[18] According to the Exchange, at such low prices, less capital is required to undertake manipulative trading activity.[19] Therefore, the Exchange proposes to amend Section 802.01C relating to the price criteria for continued listing to increase the price at which the Exchange would take immediate delisting action and codify such price in Exchange rules.[20]

The Exchange proposes to amend Section 802.01C of the Manual to specify that if a security's closing price per share is less than $0.25 (the ''Minimum Trading Price'') on any trading day, the Exchange shall immediately suspend trading and commence delisting proceedings with respect to such security in accordance with the provisions of Section 804.00 of the Manual.[21] The Exchange states that it believes that securities that trade below the Minimum Trading Price are more susceptible to trading volatility and market manipulation and are unlikely to recover to any meaningful degree.[22] The Exchange also proposes to modify Section 802.01C of the Manual to state that a security would not be eligible to follow the procedures outlined in Sections 802.01C, 802.02, and 802.03 of the Manual with respect to the Minimum Trading Price criteria.[23] The Exchange states that all issuers retain the right to appeal an Exchange delisting decision.[24]

The Exchange proposes that this change would be effective on October 1, 2026.[25] The Exchange states that providing a transition period before the rule is effective would afford issuers time to implement reverse stock splits to increase their share price before the new requirement is in place.[26]

The Exchange also proposes to clarify in Section 802.01C of the Manual that, consistent with its general authority under Section 802.01D of the Manual to suspend trading in the event of any condition that makes further dealings on the Exchange unwarranted, it may suspend trading or delist a security where, in the Exchange's opinion, the trading price has experienced a precipitous decline and is at an abnormally low level from which it is unlikely to recover, even if such security has not fallen below the Minimum Trading Price.[27] The Exchange states that, in its experience, under those conditions a security's trading price is generally unable to recover.[28]

III. Proceedings To Determine Whether To Approve or Disapprove SR–NYSE–2025–43, as Modified by Amendment No. 1, and Grounds for Disapproval Under Consideration

The Commission is instituting proceedings pursuant to Section 19(b)(2)(B) of the Act[29] to determine whether the proposed rule change, as modified by Amendment No. 1, should be approved or disapproved. Institution of such proceedings is appropriate at this time in view of the legal and policy issues raised by the proposed rule change. Institution of proceedings does not indicate that the Commission has reached any conclusions with respect to any of the issues involved. Rather, as described below, the Commission seeks and encourages interested persons to provide additional comment on the proposed rule change to inform the Commission's analysis of whether to approve or disapprove the proposed rule change, as modified by Amendment No. 1.

Pursuant to Section 19(b)(2)(B) of the Act,[30] the Commission is providing notice of the grounds for disapproval under consideration. The Commission is instituting proceedings to allow for additional analysis of, and input from commenters with respect to, the proposed rule change's consistency with the Act, and in particular, Section 6(b)(5) of the Act,[31] which requires, among other things, that the rules of a national securities exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest, and not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers; and Section 6(b)(7) of the Act,[32] which requires, among other things, that the rules of an exchange provide fair procedure for the prohibition or limitation by the exchange of any person with respect to access to services offered by the exchange.

The development and enforcement of meaningful listing standards[33] for an exchange is of critical importance to financial markets and the investing public. Among other things, such listing standards help ensure that exchange-listed companies will have sufficient public float, investor base, and trading interest to provide the depth and liquidity to promote fair and orderly markets. Meaningful listing standards also are important given investor expectations regarding the nature of

a plan to regain compliance, with respect to the Price Criteria. *See* Section 802.01C of the Manual.

[12] *See* Amendment No. 1, *supra* note 4, at 4.

[13] *See id.*

[14] *See id.*

[15] *See id.* at 5.

[16] *See id.*

[17] *See id.*

[18] *See id.*

[19] *See id.*

[20] *See id.*

[21] *See id. See also* proposed Section 802.01C of the Manual.

[22] *See* Amendment No. 1, *supra* note 4, at 6.

[23] *See id.* at 5. *See also* proposed Section 802.01C of the Manual.

[24] *See* Amendment No. 1, *supra* note 4, at 5. The procedures for appealing an Exchange delisting decision are set forth in Section 804.00 of the Manual. *See id.* at 5, n.7.

[25] *See id.* at 5.

[26] *See id.* The Exchange also states that its rules prohibiting (1) one or more reverse stock splits with a cumulative ratio of 200 shares or more to one in a two-year period and (2) a reverse stock split that results in a company becoming non-compliant with any of the requirements of Section 802.01A of the Manual would remain in place. *See id.*

[27] *See id.*

[28] *See id.*

[29] 15 U.S.C. 78s(b)(2)(B).

[30] *Id.*

[31] 15 U.S.C. 78f(b)(5).

[32] 15 U.S.C. 78f(b)(7).

[33] This reference to ''listing standards'' refers to both initial and continued listing standards.

securities that have achieved an exchange listing, and the role of an exchange in overseeing its market and assuring compliance with its listing standards.[34]

As discussed above, currently, a company that falls below the Exchange's continued listing standards because the average closing price of its security is less than $1.00 over a consecutive 30 trading-day period generally will be able to take advantage of a six-month cure period to regain compliance. However, regardless of where an issuer stands in the six-month cure period, the company will be subject to immediate suspension and delisting if its security trades below $0.10. The Exchange's proposal would allow the Exchange to immediately suspend and delist a security if a security's closing price per share is less than the Minimum Trading Price (*i.e.,* $0.25).[35] Thus, the proposal would accelerate the timeframe within which the Exchange would delist a security in instances where the security trades below the Minimum Trading Price and result in immediate suspension from trading on the Exchange. In addition, the proposal would clarify that the Exchange would consider suspension and delisting of a security where, in the Exchange's opinion, the trading price has experienced a precipitous decline and is at an abnormally low level from which it is unlikely to recover.[36]

The Exchange states that it has increased the price at which it would take immediate delisting action in response to its observations that there is an industry-wide trend of low-priced stocks trading on national securities exchanges.[37] The Exchange also states that shares with a very low trading price are potentially susceptible to manipulation and more likely to experience trading volatility, and securities that fall below the Minimum Trading Price are unlikely to recover to a meaningful degree.[38] Further, the Exchange states that a security's trading price is generally unable to recover when it has experienced a precipitous decline and is at an abnormally low level.[39]

The Commission asks that commenters address the sufficiency of the Exchange's statements in support of the proposal, which are set forth in Amendment No. 1, in addition to any other comments they may wish to submit about the proposed rule change, as modified by Amendment No. 1. In particular, the Commission seeks comment on whether the proposal to provide that the Exchange will immediately suspend and delist a security if a security's closing price per share is less than the Minimum Trading Price, and to clarify that the Exchange may suspend and delist a security when the trading price has experienced a precipitous decline and is at an abnormally low level from which it is unlikely to recover, is designed to be consistent with the requirements of Sections 6(b)(5) and 6(b)(7) of the Act[40] or raises any new or novel concerns not previously contemplated by the Commission.

IV. Procedure: Request for Written Comments

The Commission requests that interested persons provide written submissions of their data, views, and arguments with respect to the issues identified above, including the issues raised by commenters and the Exchange's response, as well as any other concerns they may have with the proposal. In particular, the Commission invites the written views of interested persons concerning whether the proposed rule change, as modified by Amendment No. 1, is consistent with Sections 6(b)(5), 6(b)(7), or any other provision of the Act, or the rules and regulations thereunder. Although there do not appear to be any issues relevant to approval or disapproval that would be facilitated by an oral presentation of data, views, and arguments, the Commission will consider, pursuant to Rule 19b–4 under the Act,[41] any request for an opportunity to make an oral presentation.[42]

Interested persons are invited to submit written data, views, and arguments regarding whether the proposed rule change, as modified by Amendment No. 1, should be approved or disapproved by April 10, 2026. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by April 24, 2026. The Commission asks that commenters address the sufficiency of the Exchange's statements in support of the proposal, in addition to any other comments they may wish to submit about the proposed rule change.

Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–NYSE–2025–43 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–NYSE–2025–43. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NYSE–2025–43 and should be submitted by April 10, 2026.

[34] *See, e.g.,* Securities Exchange Act Release Nos. 88716 (Apr. 21, 2020), 85 FR 23393 (Apr. 27, 2020) (SR–NASDAQ–2020–001) (Order Approving a Proposed Rule Change To Modify the Delisting Process for Securities With a Bid Price at or Below $0.10 and for Securities That Have Had One or More Reverse Stock Splits With a Cumulative Ratio of 250 Shares or More to One Over the Prior Two-Year Period); 88389 (Mar. 16, 2020), 85 FR 16163 (Mar. 20, 2020) (SR–NASDAQ–2019–089) (Notice of Filing of Amendment No. 1 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 1, To Amend Rule 5815 To Preclude Stay During Hearing Panel Review of Staff Delisting Determinations in Certain Circumstances). *See also* Securities Exchange Act Release No. 81856 (Oct. 11, 2017), 82 FR 48296, 48298 (Oct. 17, 2017) (SR–NYSE–2017–31) (Notice of Filing of Amendment No. 1 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 1, To Amend the Listed Company Manual To Adopt Initial and Continued Listing Standards for Subscription Receipts) (stating that ''[a]dequate standards are especially important given the expectations of investors regarding exchange trading and the imprimatur of listing on a particular market'' and that ''[o]nce a security has been approved for initial listing, maintenance criteria allow an exchange to monitor the status and trading characteristics of that issue . . . so that fair and orderly markets can be maintained'').

[35] *See supra* note 21 and accompanying text.

[36] *See supra* note 27 and accompanying text.

[37] *See* Amendment No. 1, *supra* note 4, at 5.

[38] *See supra* notes 17–19 and 22 and accompanying text.

[39] *See supra* note 28 and accompanying text.

[40] 15 U.S.C. 78f(b)(5), (b)(7).

[41] 17 CFR 240.19b–4.

[42] Section 19(b)(2) of the Act, as amended by the Securities Acts Amendments of 1975, Public Law 94–29 (June 4, 1975), grants to the Commission flexibility to determine what type of proceeding—either oral or notice and opportunity for written comments—is appropriate for consideration of a particular proposal by a self-regulatory organization. *See* Securities Acts Amendments of 1975, Senate Comm. on Banking, Housing & Urban Affairs, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

Rebuttal comments should be submitted by April 24, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[43]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05480 Filed 3–19–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105029; File No. SR–PHLX–2026–12]

Self-Regulatory Organizations; Nasdaq PHLX LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Expand the Exchange's Co-Location Services

March 17, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 5, 2026, Nasdaq PHLX LLC (''PHLX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to expand its colocation services by introducing in its future expansion area current options for a cabinet offering, and certain cabinet power, and additional services, as described below.

The text of the proposed rule change is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/phlx/rulefilings,* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to expand its colocation services by introducing in its future expansion area current options for a cabinet offering, and certain cabinet power, and additional services, as described below.

The Exchange's data center consists of the original data center campus (''NY11''), its expansion area (''NY11–4''), as well as a future expansion area (''NY11–5''). Currently, colocation customers in NY11 as well as those in expansion area NY11–4 can select from among the Exchange's colocation offerings, including options for cabinet, cabinet power, and additional services as provided under Rule General 8, Section 1. The Exchange proposes to introduce in NY11–5 the same cabinet option that is currently available in NY11–4.[3] The Exchange will file a proposal to establish fees for such cabinet service in NY11–5.[4]

NY11–5: Cabinet Power and Power Distribution Units

Rule General 8, Section 1(c) provides that the following cabinet power options are available only in NY11: 2x20 amp 110 volt, 2x30 amp 110 volt, 2x20 amp 208 volt, 2x30 amp 208 volt, 2x60 amp 208 volt, Phase 3 2x 20 amp 208 volt, Phase 3 2x 30 amp 208 volt, Phase 3 2x 40 amp 208 volt, Phase 3 2x 50 amp 208 volt, Phase 3 2x 60 amp 208 volt, and 2x30 amp 48 volt DC.[5] Rule General 8, Section 1(c) further provides that the following (five) cabinet power options are available only in NY11–4: Phase 1 20 amp 240 volt, Phase 1 32 amp 240 volt, Phase 1 40 amp 240 volt, Phase 3 20 amp 415 volt, and Phase 3 32 amp 415 volt.[6] The Exchange proposes to make these same five cabinet power options available in NY11–5. Specifically, the Exchange proposes to make the following cabinet power options available in NY11–5: Phase 1 20 amp 240 volt, Phase 1 32 amp 240 volt, Phase 1 40 amp 240 volt, Phase 3 20 amp 415 volt, and Phase 3 32 amp 415 volt.[7] The Exchange will file a proposal to establish fees for the proposed cabinet power options for NY11–5. Although different cabinet power options will be offered throughout the data center due to differing power configurations, the cabinet power options being introduced in NY11–5 are not inherently preferable to the existing cabinet power options because data center customers have varying power-related preferences depending on their capacity needs, and the Exchange does not anticipate material differences in equipment performance based on the power distribution. As between the various cabinet power options,

[43] 17 CFR 200.30–3(a)(57).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* proposed Rule General 8, Section 1(a). The Exchange does not offer customers the option of providing their own traditional cabinets because cabinet rows throughout the data center are built to a uniform footprint designed to support standardized cooling, power distribution, and structural load requirements. *See id.*

[4] To effect this change and pending the submission of a fee filing for the service proposed herein, the Exchange proposes certain technical, non-substantive amendments to Rule General 8, Section 1(a) as follows. First, the Exchange proposes to insert, in the column titled ''NY11–4 Installation Fee'' and immediately following ''–4,'' a forward slash followed by a hyphen and the number five (''/–5.''). The Exchange further proposes to insert, where the row titled ''Cabinet'' intersects the proposed column titled ''NY11–4/–5 Installation Fee'' and immediately following the figure ''$5,490,'' a forward slash and the acronym ''TBD'' as follows: ''/TBD.'' The Exchange believes these non-substantive changes are appropriate to introduce the proposed cabinet service in NY11–5 as well as to indicate that the fees for that service have yet to be determined.

[5] *See* Rule General 8, Section 1(c). As discussed above, these cabinet power options are available in NY11 only. *See id.*

[6] *See* Rule General 8, Section 1(c).

[7] *See* proposed Rule General 8, Section 1(c). To effect these changes, the Exchange proposes certain technical changes to Rule General 8, Section 1(c) as follows. The Exchange proposes to insert, in the columns titled ''NY11–4 Installation Fee'' (immediately after ''NY11–4'') and ''NY11–4 Ongoing Monthly Fee ($550 per kVA)'' (also immediately after ''NY11–4'') the following: ''/–5.'' The Exchange further proposes a conforming change to the footnote designated with a single asterisk (*). That footnote currently provides in part as follows: ''*NY11–4 only.'' As a conforming change to that footnote, the Exchange proposes to add, immediately after ''NY11–4'' and before the word ''only'' the following: ''and NY11–5.'' This change is appropriate to indicate these power options are available only in NY11–4 and, as proposed, NY11–5. That footnote further provides that one of the options designated with a single asterisk must be selected for Cabinets in NY11–4. The Exchange proposes to amend that footnote to add, immediately after ''NY11–4'' the following: ''and NY11–5.'' This change is appropriate to make clear that one of the power options designated with a single asterisk must be selected for Cabinets in NY11–4 and NY11–5. Finally, the Exchange further proposes to enter ''/TBD'' throughout Rule General 8, Section 1(c) as appropriate to indicate that installation fees as well as ongoing (per kVA) monthly fees for the various power circuit options being introduced into NY11–5 under this proposal have yet to be determined. The Exchange believes these conforming changes are appropriate to indicate that the products proposed herein are designated for NY11–5 and that their respective fees have yet to be established.

customers choose power based on their preference and capacity needs.

The Exchange also proposes to make certain power distribution units (''PDUs'') [8] available in NY11–5. The Exchange currently offers the following standardized PDUs exclusively in NY11–4 as a convenience to customers: Phase 1, Phase 3,[9] as well as a switch monitored PDU add on (''Switch Monitored PDU Add On''), the latter which allows customers to connect remotely to their PDU and control the power sockets.[10] The Exchange proposes to offer the three aforementioned PDU options currently available only in NY11–4, specifically Phase 1, Phase 3, as well as the Switch Monitored PDU Add On, in NY11–5.[11] All offered PDU options are optional, and customers may choose to provide their own PDU, as appropriate for their power choices. As with all other proposed services, the Exchange will file a proposal to establish fees for such PDU options in NY11–5.

Implementation

Although the timing is subject to change, the Exchange anticipates opening NY11–5 Exchange access during the first quarter of 2026. In concert with this filing, the Exchange will allow customers to place orders for all services proposed herein. Customers would not be fee liable for the services proposed for NY11–5 herein until such customers are granted access to their NY11–5 spaces for their immediate use, whether for trading or otherwise. Allowing customers to place orders in advance of opening its doors in NY11–5 will allow the Exchange to plan ahead for capacity and demand for services, as well as procure necessary equipment. As discussed above, the Exchange will file a proposal to establish fees for all services described in this proposed rule change.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[12] in general, and furthers the objectives of Section 6(b)(5) of the Act,[13] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest. Today, the Exchange offers various cabinet, power, and additional service options throughout the data center for colocation customers. Due to varying power configurations, certain services are available only in NY11–4. The proposal would make these same service options available in NY11–5. Specifically, the proposal would introduce in NY11–5 a cabinet option, as well as options for power, power installation and additional products and services currently available in NY11–4.

The Exchange believes that the proposal would remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general protect investors and the public interest because it would extend to NY11–5 certain connectivity services and products currently available in NY11–4, including a cabinet offering, several options for power and additional products and services, such as power cords and PDUs. The proposal provides customers with greater optionality with respect to offered colocation services, thereby enhancing their ability to tailor their colocation operations to the requirements of their business needs. Providing consistent offerings across NY11–4 and NY11–5 thus enhances customer choice and allows the Exchange to better meet demand for colocation services. In general, the proposal is consistent with the Act because in lieu of collocating directly with the Exchange, market participants may choose not to collocate at all or to collocate indirectly through a vendor.

The Exchange also believes that the proposal will not be unfairly discriminatory, consistent with the objectives of Section 6(b)(5) of the Act [14] because the proposed services for NY11–5, including the expanded cabinet, cabinet power, power installation, and additional service options, would be offered equally to all customers. Although the proposed optionality for NY11–5 would only be offered in NY11–4 and NY11–5 due to differing power configurations throughout the data center, any customer may order such proposed cabinets and additional colocation services on the same terms as any other customer. Use of all colocation services remains entirely voluntary.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The Exchange notes that this proposal does not concern itself with the speed at which customers can trade or the Equalization Project [15] because its scope is limited to offering certain data center customer colocation services in NY11–5 that are currently available in NY11–4 and does not extend to data communications networks.[16]

Nothing in the proposal imposes any burden on the ability of other exchanges to compete. The Exchange operates in a highly competitive market in which exchanges and other vendors offer colocation services as a means to facilitate the trading and other market activities of those market participants who believe that colocation enhances the efficiency of their operations. As part of its colocation offerings, the Exchange currently offers similar cabinet and power options as do other exchanges.

Nothing in the proposal burdens intra-market competition because the Exchange's colocation services, including those proposed herein for NY11–5 are available to any customer, and customers that wish to order the proposed services, including additional options for cabinet, cabinet power, and additional services can do so on a non-discriminatory basis. Use of any colocation service is completely voluntary, and each market participant is able to determine whether to use colocation services based on the requirements of its business operations.

[8] PDUs are devices fitted with multiple outputs designed to distribute electric power.

[9] *See* Rule General 8, Section 1(d). Phase 1 PDUs are compatible with the following power options: Phase 1 20 amp 240 volt, Phase 1 32 amp 240 volt, and Phase 1 40 amp 240 volt. Phase 3 PDUs are compatible with the following power options: Phase 3 20 amp 415 volt and Phase 3 32 amp 415 volt. Phase 1 and Phase 3 are available in NY11 and NY11–4. Phase 3 PDUs provide greater power density than Phase 1 PDUs by delivering power over three wires as opposed to one wire.

[10] *See* Rule General 8, Section, 1(d).

[11] *See* proposed Rule General 8, Section 1(d). To effect this change, the Exchange proposes the following technical changes to Rule General 8, Section 1(d) (''Additional Charges/Services''). The Exchange proposes to amend the footnote designated with a single asterisk as follows. First, the Exchanges proposes to insert, immediately after ''NY11–4 and before ''only'' the following: ''and NY11–5.'' Thus, as proposed, the footnote would read ''*NY11–4 and NY11–5 only.'' The Exchange further proposes to amend that footnote to insert, immediately after ''*NY11–4 and NY11–5 only'' the following two sentences: ''Fees shown are for NY11–4 only. Fees for NY11–5 have yet to be established.'' The Exchange believes these changes are appropriate to (1) indicate that the proposed products are being introduced into NY11–5, and (2) indicate that the proposed fees for such products in NY11–5 have yet to be determined.

[12] 15 U.S.C. 78f(b).

[13] 15 U.S.C. 78f(b)(5).

[14] *Id.*

[15] The Equalization Project is an Exchange initiative to equalize cross connects across the Exchange's entire data center campus. *See* Securities Exchange Act Release No. 34–101078 (Sep. 18, 2024), 89 FR 77937 (Sept. 24, 2024) (SR–NASDAQ–2024–054).

[16] *See supra* note 15 and accompanying text.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(iii) [17] of the Act and Rule 19b–4(f)(6) thereunder [18] in that it effects a change that: (i) does not significantly affect the protection of investors or the public interest; (ii) does not impose any significant burden on competition; and (iii) by its terms, does not become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest.

A proposed rule change filed under Rule 19b–4(f)(6) [19] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b4(f)(6)(iii),[20] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest because it will allow the Exchange to allow users seeking to subscribe to colocation services in NY11–5 to do so without delay, and the proposed rule change does not introduce any novel regulatory issues as the proposed services are the same as those currently available in NY11–4. Accordingly, the Commission designates the proposed rule change to be operative upon filing.[21]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–PHLX–2026–12 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–PHLX–2026–12. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–PHLX–2026–12 and should be submitted on or before April 10, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[22]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05474 Filed 3–19–26; 8:45 am]

BILLING CODE 8011–01–P

[17] 15 U.S.C. 78s(b)(3)(A)(iii).

[18] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Exchange to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[19] 17 CFR 240.19b–4(f)(6).

[20] 17 CFR 240.19b–4(f)(6)(iii).

[21] For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[22] 17 CFR 200.30–3(a)(12), (59).

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0380]

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Extension: Form F–10—Registration Statement

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget this request for extension of the previously approved collection of information discussed below.

Form F–10 (17 CFR 239.40) is a registration statement under the Securities Act of 1933 (15 U.S.C. 77a, *et seq.*) that may be used by certain Canadian foreign private issuers. The information collected is intended to ensure the adequacy of information available to investors in connection with securities offerings. The information required by Form F–10 is mandatory, and Form F–10 is publicly available on the Commission's Electronic Data Gathering, Analysis, and Retrieval (''EDGAR'') system. We estimate that Form F–10 takes approximately 30.23 hours per response and is filed once per year by approximately 52 respondents, for a total of approximately 52 responses annually. We estimate that 25% of the 30.23 hours per response is carried internally by the issuer for a total annual reporting burden of 393 hours ((30.23 hours per response × 25%) × 52 responses). We estimate that 75% of the 30.23 hours per response is carried externally by outside professionals retained by the issuer at an estimated rate of $600 per hour for a total annual cost burden of $707,382 ((75% × 30.23 hours per response) × $600 per hour × 52 responses).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

The public may view and comment on this information collection request at: *https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202512-3235-027* or send an email comment to *MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov* within 30 days of the day after publication of this notice by April 20, 2026.

Dated: March 17, 2026.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05461 Filed 3–19–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105033; File No. SR–NasdaqTX–2026–005]

Self-Regulatory Organizations; Nasdaq Texas, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Introduce TNO Cross Connect, a Colocation Telecommunications Carrier Connectivity Service

March 17, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 10, 2026, Nasdaq Texas, LLC (''Nasdaq Texas'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to introduce ''TNO Cross Connect,'' a telecommunications network operator (telco'' or ''TNO'') connectivity service, throughout its data center campus. The Exchange will submit a separate filing to establish fees for the service proposed herein.

The text of the proposed rule change is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/nasdaqtx/rulefilings,* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to introduce ''TNO Cross Connect,'' a telecommunications network operator[3] (telco'' or ''TNO'') connectivity service, throughout its data center campus. The Exchange will submit a separate filing to establish fees for the service proposed herein.

Background

The Exchange's data center campus consists of the original data center (''NY11''), an expansion area (''NY11–4''), and a future expansion area (''NY11–5''). In a data center, a telco provider operates within a physical network infrastructure that enables external connectivity for data center customers, transporting customer data into and out of the facility through equipment the telco maintains onsite. In this role, the telco provides network services that allow customers to reach their broader networks by providing telecommunications access to external destinations.

Data Center Telco Connectivity

Throughout the Exchange's data center, including as retrofitted in NY11,[4] telco connectivity is implemented using Nasdaq-managed infrastructure[5] in which each telco connectivity proceeds from the telco carrier cage[6] cabinet patch panel[7] through Nasdaq-provided cabling to a Nasdaq-managed distribution point.[8] From there, additional Nasdaq-provided cabling connects the telco to the customer client cabinet patch panel.[9] All telco connectivity in the expansion areas and as scheduled to be retrofitted in NY11 follows this standardized route.[10]

TNO Cross Connect

The Exchange is now proposing to add to its fee schedule in Rule General 8, Section 1(b) a specified component of the telco-to-customer connectivity path and offer that component as a connectivity offering as described

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] For purposes of this proposal, a Telecommunication Network Operator (TNO) means a provider of telecommunications carrier services that, owns, controls, or has the appropriate rights to use, the infrastructure necessary to sell and/or deliver telecommunications carrier services.

[4] The Exchange is undertaking a campus-wide project to implement equidistant telco connectivity within and among its original data center hall and expansion areas (''Equalization Project''). As part of this initiative, the original data center hall, NY11, is being retrofitted with equalized cabling and updated infrastructure. This model reflects Nasdaq's efforts to enhance the integrity of its data center networks by establishing standardized connectivity requirements for each component of the telco-to-customer connectivity path and exercising greater management oversight over its components. *See* Securities Exchange Act Release No. 34–101078 (Sept. 18, 2024), 89 FR 77937 (Sept. 24, 2024) (SR–NASDAQ–2024–054) (discussing the Equalization Project in greater detail).

[5] In data center halls NY11–4, NY11–5 and (as retrofitted in) NY11, cabling from the telco carrier cabinet to the Nasdaq-provided distribution point and onward to the customer cabinet is provided and managed by Nasdaq. All such connectivity is color-coded, inventoried, and auditable, thereby enhancing transparency and operational consistency across the infrastructure. By maintaining direct contractual and billing relationships with TNOs as it relates to connectivity and fully managing each component of the telco connectivity path, Nasdaq enhances the integrity of the telco-to-customer communications network and strengthens its ability to oversee and control that connectivity. In the legacy NY11 model, such connectivity, as well as contractual relationships with TNOs with respect to such connectivity, are largely provided or established by the data center operator. As discussed below, however, the data center operator has historically maintained (and continues to maintain) contractual relationships with TNOs in connection with other data center-provided products or services, such as the leasing of space by and the provision of power to the telco provider.

[6] The carrier cage is a meshed caged area or section in a data center which houses telco carrier and vendor equipment to which data center clients connect via Nasdaq or data center provided connectivity (the latter as in the case of legacy NY11). Throughout the data center campus, including NY11 and NY11–4, and NY11–5, the telco carrier cage cabinet is operated by the data center operator. The Exchange does not currently assess charges against telco providers, whether for use of such carrier cage space or otherwise.

[7] A patch panel is a passive cabling interface used in data centers to terminate, organize, and route network or fiber connections. It serves as a centralized panel of ports where incoming cables (*e.g.,* from a telco carrier cage or backbone infrastructure) connect on one side, and outgoing cables (*e.g.,* to customer cabinets, distribution points, or equipment racks) connect on the other.

[8] A distribution point is a designated passive cabling node within a data center's structured telecommunications architecture, where backbone or feeder cabling terminates, and from which downstream cabling is routed to customer cabinets or equipment locations. Distribution points serve as standardized, auditable locations used for organizing, patching, and managing connectivity.

[9] That section of the telco-to-customer connectivity path consisting of the connectivity from the Nasdaq-provided distribution point to the customer client cabinet is not the subject or purpose of this proposed rule change. The scope of the telco connectivity service proposed herein is limited to that section of the telco-to-customer connectivity path consisting of the cabling extending from the telco provider carrier cage to the Nasdaq-provided distribution point only.

[10] The Exchange is not proposing to modify its telco connectivity infrastructure. Rather, it seeks to designate a specific component of that infrastructure as a connectivity service, with associated fees to be established in a separate filing.

herein.[11] As proposed, the TNO Cross Connect [12] would consist solely of the cabling that runs from the telco's carrier cabinet through to the Nasdaq-provided distribution point.[13] The proposed service would not include the downstream customer-facing connectivity from the Nasdaq-provided distribution point to the customer client cabinet. As proposed, all TNOs seeking to connect with Nasdaq data center clients anywhere inside the data center campus will be required to interface through TNO Cross Connect thus enhancing the consistency of connectivity architecture inside the data center. The TNO Cross Connect would thus promote the integrity and transparency of telco connectivity inside the data center campus and support Nasdaq's ability to provide consistent oversight and maintenance of that connectivity. The Exchange notes that the New York Stock Exchange (NYSE) offers a comparable service at an established fee.[14] The Exchange will submit a filing proposing to establish fees for the TNO Cross Connect service proposed herein.

Impact of the Proposed Changes

The proposed TNO Cross Connect service is specific to TNOs and will be available to all TNOs on an equal basis. As proposed, all TNOs seeking to connect with Nasdaq data center clients anywhere inside the data center campus will be required to interface through TNO Cross Connect thus enhancing the consistency of connectivity architecture inside the data center. The proposed changes are not otherwise intended to address any other items relating to the Exchange's data center campus.

Implementation

The Exchange proposes to offer TNO Cross Connect throughout its data center campus. Although projected dates are subject to change, the Exchange anticipates launching the TNO Cross Connect offering during the second quarter of 2026.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[15] in general, and furthers the objectives of Section 6(b)(5) of the Act,[16] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest.

As described above, the proposal provides for a defined and Exchange-managed connectivity pathway—the TNO Cross Connect—running from the telco carrier cage to the Nasdaq-managed distribution point. Through this structure, all TNOs interface with the Exchange's infrastructure through a uniformly administered, and auditable pathway, which in turn enhances the operational integrity and reliability of connectivity throughout the interior of the Exchange's data center campus. By establishing a standardized, Nasdaq-managed connectivity path in which the Exchange oversees the cabling, demarcation points, and supporting architecture, the proposal enhances Nasdaq's ability to monitor, maintain, and audit this connectivity. Implementing the proposed TNO Cross Connect thus enhances the integrity of connectivity within the Exchange's data center campus as well as Nasdaq's ability to implement, oversee, maintain, and manage that connectivity. As discussed above, other exchanges offer comparable telco carrier connectivity services at established fees.[17]

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

Nothing in the proposal imposes any burden on the ability of other exchanges to compete. The Exchange operates in a highly competitive market in which exchanges and other vendors offer colocation services to facilitate the trading and other market activities of those market participants who believe that colocation enhances the efficiency of their operations. As discussed above, other exchanges offer comparable telecommunication carrier connectivity services at established fees.

Nothing in the proposal burdens intra-market competition because the TNO Cross Connect will be available to any TNO who wishes to offer its services to the Exchange's data center customers on a non-discriminatory basis and each TNO who wants to offer its services to Nasdaq customers will be subject to the same requirements. As discussed above, any TNO that seeks to provide telecommunications services to Nasdaq's data center customers must use the proposed TNO Cross Connect. This requirement ensures that all TNOs interface with Nasdaq's infrastructure through a uniform, Exchange-managed connectivity path, which enhances the integrity, transparency, and consistency of connectivity throughout the data center campus. Requiring TNOs to use this Exchange-administered pathway does not restrict competition among TNOs; each TNO remains free to determine whether to offer its services to Nasdaq colocation customers and to compete with other TNOs on the basis of price and service quality. The proposal merely ensures that, if a TNO chooses to do business with Nasdaq customers, the TNO must connect through the TNO Cross Connect, which serves as the standardized, regulated point of access. Accordingly, the proposal does not impose any burden on inter-market or intra-market competition that is not necessary or appropriate under the Act.

[11] The Exchange does not currently assess charges against telco providers in the data center, whether for any component of the telco to customer connectivity path or otherwise. The Exchange is now proposing to introduce TNO Cross Connect to designate a certain component of the telco-to-customer cabinet cabling path, as described herein, as a connectivity service. The Exchange will submit a separate filing to establish fees for the service proposed herein.

[12] As discussed below, the Exchange proposes to offer TNO Cross Connect throughout its data center campus, including NY11 (as fully retrofitted), NY11–4, and NY11–5 with implementation to take place during the second quarter of 2026. In the context of the proposed TNO Cross Connect service, a cross-connect refers to the physical, point-to-point cabling that links a telecommunications network operator from its data center-operated carrier cabinet to the Nasdaq-controlled distribution point within the data center. A cross-connect is a direct physical connection between two distinct demarcation points in a data center, typically used to provide a private, reliable path between a customer and a service provider.

[13] To effect this change, the Exchange proposes to amend subparagraph (b) of Rule General 8, Section 1 as follows. The Exchange proposes to insert, immediately below the caption ''Fiber'' the words ''TNO Cross Connect.'' The Exchange further proposes to insert, where the column titled ''Installation Fee'' intersects the proposed entry ''TNO Cross Connect,'' the acronym ''TBD.'' Similarly, the Exchange proposes to enter ''TBD'' where the proposed entry ''TNO Cross Connect'' intersects the column titled ''Ongoing Monthly Fee.'' The Exchange believes the proposed changes are appropriate to indicate the introduction of the proposed connectivity service under subparagraph (b) of Rule General 8, Section 1, and to clarify that the proposed installation and ongoing monthly fees for such proposed service have yet to be established. As discussed above, the Exchange will submit a separate filing proposing fees for the TNO Cross Connect.

[14] *See* New York Stock Exchange LLC, Connectivity Fee Schedule (Jan. 1, 2026) (offering, under Section D (''Meet Me-Room ('MMR') Services'') thereof, a service titled ''Carrier Connection Fee'' to ''[m]aintain Telecom's connections to its non-Telecom data center customers'' for a monthly fee of $1,150) available at *https://www.nyse.com/publicdocs/nyse/Wireless_Connectivity_Fees_and_Charges.pdf.*

[15] 15 U.S.C. 78f(b).

[16] 15 U.S.C. 78f(b)(5).

[17] *See supra* note 14 and accompanying text.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(iii) [18] of the Act and Rule 19b–4(f)(6) thereunder [19] in that it effects a change that: (i) does not significantly affect the protection of investors or the public interest; (ii) does not impose any significant burden on competition; and (iii) by its terms, does not become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–NasdaqTX–2026–005 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–NasdaqTX–2026–005. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NasdaqTX–2026–005 and should be submitted on or before April 10, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[20]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–05478 Filed 3–19–26; 8:45 am]

BILLING CODE 8011–01–P

[18] 15 U.S.C. 78s(b)(3)(A)(iii).

[19] 17 CFR 240.19b–4(f)(6). Furthermore, Rule 19b–4(f)(6)(iii) requires a self-regulatory organization to give the Commission written notice of its intent to file a proposed rule change under that subsection at least five business days prior to the date of filing, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[20] 17 CFR 200.30–3(a)(12).

DEPARTMENT OF STATE

[Public Notice: 12970]

Notice of Determinations; Culturally Significant Objects Being Imported for Exhibition—Determinations: "Embroidered Traditions From Morocco to Afghanistan" Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects being imported from abroad pursuant to an agreement with their foreign owner or custodian for temporary display in the exhibition ''Embroidered Traditions from Morocco to Afghanistan'' at The Art Institute of Chicago, in Chicago, Illinois, and at possible additional exhibitions or venues yet to be determined, are of cultural significance, and, further, that their temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Reed Liriano, Program Coordinator, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, 2200 C Street NW (SA–5), Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000, and Delegation of Authority No. 523 of December 22, 2021.

Sherry C. Keneson-Hall,

Principal Deputy Assistant Secretary for Educational and Cultural Affairs, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2026–05537 Filed 3–19–26; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 12973]

Notice of Determinations; Culturally Significant Objects Being Imported for Exhibition—Determinations: "Picasso—Klee—Matisse: Masterpieces From the Museum Berggruen" Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects being imported from abroad pursuant to an agreement with their foreign owner or custodian for temporary display in the exhibition ''Picasso—Klee—Matisse: Masterpieces from the Museum Berggruen'' at the Museum of Fine Arts, Houston, in Houston, Texas, and at possible additional exhibitions or venues yet to be determined, are of cultural significance, and, further, that their temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Reed Liriano, Program Coordinator, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, 2200 C Street NW (SA–5), Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order

12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000, and Delegation of Authority No. 523 of December 22, 2021.

Sherry C. Keneson-Hall,

Principal Deputy Assistant Secretary for Educational and Cultural Affairs, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2026–05538 Filed 3–19–26; 8:45 am]

BILLING CODE 4710–05–P

SURFACE TRANSPORTATION BOARD

60-Day Notice of Intent To Seek Extension of Approval of Collection: Statutory Authority To Preserve Rail Service

AGENCY: Surface Transportation Board.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act of 1995 (PRA), the Surface Transportation Board (Board) gives notice of its intent to request from the Office of Management and Budget (OMB) approval without change of the existing collection, Preservation of Rail Service, OMB Control No. 2140–0022, as described below.

DATES: Comments on this information collection should be submitted by May 19, 2026.

ADDRESSES: Direct all comments to Chris Oehrle, PRA Officer, Surface Transportation Board, 395 E Street SW, Washington, DC 20423–0001, or to *PRA@stb.gov.* When submitting comments, please refer to ''Paperwork Reduction Act Comments, Statutory Authority to Preserve Rail Service.''

FOR FURTHER INFORMATION CONTACT: For further information regarding this collection, contact Mike Higgins at (866) 254–1792 (toll-free) or 202–245–0238, or by emailing *rcpa@stb.gov.* Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1–800–877–8339.

SUPPLEMENTARY INFORMATION: Comments are requested concerning each collection as to (1) whether the particular collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility; (2) the accuracy of the Board's burden estimates; (3) ways to enhance the quality, utility, and clarity of the information collected; and (4) 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, when appropriate. Submitted comments will be included and summarized in the Board's request for OMB approval.

Subjects: In this notice, the Board is requesting comments on the extension of the following information collection:

Description of Collection

Title: Preservation of Rail Service.

OMB Control Number: 2140–0022.

STB Form Number: None.

Type of Review: Extension without change.

Respondents: Affected shippers, communities, or other interested persons seeking to preserve rail service over rail lines that are proposed or identified for abandonment, and railroads that are required to provide information to the offeror or applicant: Approximately 25.

Frequency: On occasion, as follows:

TABLE—NUMBER OF YEARLY RESPONSES

Type of filing	Estimated annual average number of filings (2023–2025)
Offer of Financial Assistance (and related filings)	2
Request for Public Use Condition	1
Feeder Line Application	1
Trail Use Request (with extensions)	23

Total Burden Hours (annually including all respondents): 281 hours (total of estimated hours per response × number of responses for each type of filing).

TABLE—ESTIMATED TOTAL BURDEN HOURS

Type of filing	Estimated annual average number of filings (2023–2025)	Number of hours per response	Total estimated burden hours
Offer of Financial Assistance (and related filings)	2	46	92
Request for Public Use Condition	1	4	4
Feeder Line Application	1	70	70
Trail Use Request (with extensions)	23	5	115
Total burden hours			281

Total ''Non-hour Burden'' Cost: None identified. Filings may be submitted electronically to the Board.

Needs and Uses: The Surface Transportation Board is, by statute, responsible for the economic regulation of common carrier freight railroads and certain other carriers operating in the United States. Under the laws the Board administers, persons seeking to preserve rail service may file pleadings before the Board to acquire or subsidize a rail line for continued service, or to impose a trail use or public use condition.

When a line is proposed for abandonment, affected shippers, communities, or other interested persons may seek to preserve rail

service by filing with the Board: an offer of financial assistance (OFA) to subsidize or purchase a rail line for which a railroad is seeking abandonment (49 U.S.C. 10904), including a request for the Board to set terms and conditions of the financial assistance; a request for a public use condition (§ 10905); or a trail use request (16 U.S.C. 1247(d)). Similarly, when a line is placed on a system diagram map identifying it as an anticipated or potential candidate for abandonment, affected shippers, communities, or other interested persons may seek to preserve rail service by filing with the Board a feeder line application to purchase the identified rail line (§ 10907). Additionally, the railroad owning the rail line subject to abandonment must, in some circumstances, provide information to the applicant or offeror.

As to trail use, the STB will issue a CITU or NITU to a prospective trail sponsor who seeks an interim trail use agreement with the rail carrier of the rail line that is being abandoned. The CITU/NITU permits parties to negotiate for an interim trail use agreement. The parties may also agree to an extension of the negotiating period. If parties reach an agreement, then they must jointly notify the Board of that fact and of any modification or vacancy of the agreement. There is a one-year period for any initial interim trail use negotiating period (with potential extensions).

The Board makes this submission because, under the PRA, a federal agency that conducts or sponsors a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Under 44 U.S.C. 3506(c)(2)(A), federal agencies are required to provide, prior to an agency's submitting a collection to OMB for approval, a 60-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: March 17, 2026.

Eden Besera,

Clearance Clerk.

[FR Doc. 2026–05490 Filed 3–19–26; 8:45 am]

BILLING CODE 4915–01–P

SURFACE TRANSPORTATION BOARD

[Docket No. AB 55 (Sub-No. 826X)]

CSX Transportation, Inc.—Discontinuance Exemption—in Cook County, Ill

CSX Transportation, Inc. (CSXT), has filed a verified notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments and Discontinuances of Service* to discontinue service over an approximately 1.32-mile rail line on its Altenheim Subdivision from milepost BIH 0.93 to milepost BIH 2.25 in Cook County, Ill. (the Line). The Line traverses U.S. Postal Service Zip Code 60804.

CSXT has certified that: (1) no local freight traffic has moved over the Line during the past two years; (2) any overhead traffic can be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the Line (or by a state or local government on behalf of such user) regarding cessation of service over the Line either is pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of a complainant within the two-year period; and (4) the requirements at 49 CFR 1105.12 (newspaper publication) and 49 CFR 1152.50(d)(1) (notice to government agencies) have been met.

As a condition to this exemption, any employee adversely affected by the discontinuance of service shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho,* 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) to subsidize continued rail service has been received,[1] this exemption will be effective on April 19, 2026 unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues and formal expressions of intent to file an OFA to subsidize continued rail service under 49 CFR 1152.27(c)(2)[2] must be filed by March 30, 2026.[3] Petitions for reconsideration must be filed by April 9, 2026.

All pleadings, referring to Docket No. AB 55 (Sub-No. 826X), must be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E Street SW, Washington, DC 20423–0001. A copy of each pleading filed with the Board must be served on CSXT's representative, Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204.

If the verified notice contains false or misleading information, the exemption is void ab initio.

Board decisions and notices are available at *www.stb.gov.*

Decided: March 17, 2026.

By the Board, Anika S. Cooper, Chief Counsel, Office of Chief Counsel.

Kenyatta Clay,

Clearance Clerk.

[FR Doc. 2026–05485 Filed 3–19–26; 8:45 am]

BILLING CODE 4915–01–P

[1] Persons interested in submitting an OFA to subsidize continued rail service must first file a formal expression of intent to file an offer, indicating the intent to file an OFA for subsidy and demonstrating that they are preliminarily financially responsible. *See* 49 CFR 1152.27(c)(2)(i).

[2] The filing fee for OFAs can be found at 49 CFR 1002.2(f)(25).

SURFACE TRANSPORTATION BOARD

[Docket No. EP 558 (Sub–No. 29)]

Railroad Cost of Capital—2025

AGENCY: Surface Transportation Board.

ACTION: Notice.

SUMMARY: The Board is instituting a proceeding to determine the railroad industry's cost of capital for 2025. The decision solicits comments on the following issues: the railroads' 2025 current cost of debt capital, the railroads' 2025 current cost of preferred equity capital (if any), the railroads' 2025 cost of common equity capital, and the 2025 capital structure mix of the railroad industry on a market value basis.

DATES: Notices of intent to participate are due by May 1, 2026. Statements of the railroads are due by May 22, 2026. Statements of other interested persons are due by June 12, 2026. Rebuttal statements by the railroads are due by July 2, 2026.

ADDRESSES: Comments may be filed with the Board via e-filing on the Board's website.

FOR FURTHER INFORMATION CONTACT: Pedro Ramirez at (202) 915–0862. If you require an accommodation under the

[3] Because this is a discontinuance proceeding and not an abandonment, interim trail use/rail banking and public use conditions are not appropriate. Because there will be an environmental review during abandonment, this discontinuance does not require environmental review.

Americans with Disabilities Act, please call (202) 245–0245.

SUPPLEMENTARY INFORMATION: The decision in this proceeding is posted at *www.stb.gov.*

Authority: 49 U.S.C. 10704(a).

Decided: March 16, 2026.

By the Board, Board Members Fuchs, Hedlund, and Schultz.

Eden Besera,

Clearance Clerk.

[FR Doc. 2026–05455 Filed 3–19–26; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. 2025–0703]

Agency Information Collection Activities: Requests for Comments; Clearance of Renewed Approval of Information Collection: Operations Specifications, Part 129 Application

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew information collection. The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on January 16th, 2026. There were no comments. The FAA assesses the information collected and issues operations specifications to foreign air carriers. These operations specifications assure the foreign air carrier's ability to navigate and communicate safely within the U.S. National Airspace System.

DATES: Written comments should be submitted by April 20, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Danuta Pronczuk by email at: *danuta.pronczuk@faa.gov;* phone: 202–267–0923. In the email subject enter: seeking further information on Docket No. FAA–2025–0703.

SUPPLEMENTARY INFORMATION:

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information.

OMB Control Number: 2120–0749.

Title: Operations Specifications, Part 129 Application.

Form Numbers: There are no FAA forms associated with this collection. Information needed by the FAA is publicly viewable in the Dynamic Regulatory System (DRS). Once in DRS go to: FAA Order 8900.1 Volume 12, Chapter 4.

Type of Review: Renewal of an information collection.

Background: The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on January 16, 2026 (91 FR 2268). The final rule published in 2011, clarified and standardized the rules for applications by foreign air carriers and foreign persons for operations specifications issued under 14 CFR part 129 and established standards for amendment, suspension and termination of those operations specifications. The final rule also applied to foreign air carriers and foreign persons operating U.S.-registered aircraft in common carriage solely outside the United States. This action was necessary to update the process for issuing operations specifications, and it established a regulatory basis for current practices, such as amending, terminating, and suspending operations specifications.

Respondents: Approximately 36 new applicants annually and 511 existing foreign air carriers and foreign persons annually.

Frequency: Information is collected on occasion.

Estimated Average Burden per Response: 27 Hours for new applicants. 47 hours for existing applicants.

Estimated Total Annual Burden: 972 hours for new applicants and 24,017 hours for existing applicants.

Issued in Washington, DC on March 18, 2026.

Carl N. Johnson,

Division Manager, International Program Division, Flight Standards Service.

[FR Doc. 2026–05510 Filed 3–19–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2025–0029]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Request for Comment; Event Data Recorders

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Notice and request for comments on a request for reinstatement of a previously approved information collection.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (PRA), this notice announces that the Information Collection Request (ICR) summarized below will be submitted to the Office of Management and Budget (OMB) for review and approval. The ICR describes the nature of the information collection and its expected burden. NHTSA seeks comment on a reinstatement of a previously approved information collection regarding event data recorders (EDRs). EDRs are devices voluntarily equipped in vehicles that record technical data related to vehicle operation and safety system performance. A **Federal Register** Notice with a 60-day comment period soliciting comments on this information collection was published on July 22, 2025. NHTSA received one public comment that was not relevant to the information collection request.

DATES: Comments must be submitted on or before April 20, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection, including suggestions for reducing burden, should be submitted to the Office of Management and Budget at *www.reginfo.gov/public/do/PRAMain.* To find this particular information collection, select ''Currently under Review—Open for Public Comment'' or use the search function.

FOR FURTHER INFORMATION CONTACT: For additional information or access to background documents, contact Joshua McNeil, Office of Crashworthiness Standards, (202) 366–1810, National Highway Traffic Safety Administration, W43–466, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590. Please identify the relevant collection of information by referring to its OMB Control Number (2127–0758).

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: Part 563, Event Data Recorders.

OMB Control Number: 2127–0758.

Form Number(s): N/A.

Type of Request: Reinstatement of a previously approved information collection.

Type of Review Requested: Regular.

Length of Approval Requested: Three years from date of approval.

Summary of the Collection of Information: This notice seeks public comment on NHTSA's intention to seek approval from OMB to reinstate a previously approved information collection, OMB No. 2127–0758, related to the requirements outlined in 49 CFR part 563, Event Data Recorders (EDRs). Part 563 establishes uniform national standards for vehicles voluntarily equipped with EDRs regarding the collection, storage, and retrieval of onboard crash data. Specifically, voluntarily installed EDRs in vehicles with a gross vehicle weight rating (GVWR) of 3,855 kilograms (8,500 pounds) or less must record 15 essential data elements; record up to 30 additional data elements if the vehicle has the capability; record data in a standardized format, including specifications for range, accuracy, resolution, sampling rate, recording duration, and filter class; remain functional after full-scale vehicle crash tests as specified in Federal Motor Vehicle Safety Standards (FMVSS) Nos. 208 and 214; and have the capacity to record data from two events in a multi-event crash. Furthermore, Part 563 requires vehicle manufacturers make a tool for retrieving EDR information commercially available and include a standardized statement in the owner's manual indicating the vehicle has an EDR and describing its purpose. Part 563 aims to ensure that EDRs record crash data in a readily usable format, which is valuable for effective crash investigations and the analysis of safety equipment performance, such as advanced restraint systems.

Description of the Need for the Information and Proposed Use of the Information: Under 49 U.S.C. 322(a), the Secretary of Transportation (the ''Secretary'') is authorized to prescribe regulations to carry out the duties and powers of the Secretary. One of the duties of the Secretary is to administer the National Traffic and Motor Vehicle Safety Act, as amended. The Secretary has delegated the responsibility for carrying out the National Traffic and Motor Vehicle Safety Act to NHTSA.[1] Two statutory provisions, 49 U.S.C. 30182 and 23 U.S.C. 403, authorize NHTSA to collect motor vehicle crash data to support its safety mission. NHTSA collects motor vehicle crash information under these authorities to support its statutory mandate to establish motor vehicle safety standards and reduce the occurrence and cost of traffic crashes.[2] NHTSA also utilizes crash data in the enforcement of motor vehicle safety recalls and other motor vehicle highway safety programs that reduce fatalities, injuries, and property damage caused by motor vehicle crashes. In 2006, NHTSA exercised its general authority to issue such rules and regulations as deemed necessary to carry out Chapter 301 of Title 49, United States Code to promulgate 49 CFR part 563.[3]

NHTSA issued Part 563 to improve crash data collection by standardizing data recorded on EDRs to help provide a better understanding of the circumstances in which crashes and injuries occur, which will in turn lead to the development of safer vehicle designs. EDR data are used to improve the quality of crash data collection to assist safety researchers, vehicle manufacturers, and the agency in crash investigations to understand vehicle crashes better and more precisely. Similarly, vehicle manufacturers use EDRs to improve vehicle designs and develop more effective vehicle safety countermeasures.

In addition, the agency's experience in handling unintended acceleration and pedal entrapment allegations has demonstrated that, if a vehicle is equipped with an EDR, the data from that EDR can improve the ability of both the agency and the vehicle's manufacturer to identify and address safety concerns associated with possible defects in the design or performance of the vehicle.

60-Day Notice: A **Federal Register** notice with a 60-day comment period soliciting public comments on the following information collection was published on July 22, 2025 (90 FR 34576). NHTSA received one comment[4] from the People's Republic of China.

The commenter requested NHTSA to provide a detailed list of the data elements required to be recorded by an EDR and asked NHTSA to improve the standard to ensure data survivability in extremely severe events. The comment did not address the estimated cost and hour burden of this information collection, so no response is provided in this notice and no changes have been made to the burden calculations based on the comment.

Affected Public: The respondents are manufacturers that voluntarily equip passenger cars, multipurpose passenger vehicles, trucks, and buses having a GVWR of 3,855 kg (8,500 pounds) or less and an unloaded vehicle weight of 2,495 kg (5,500 pounds) with EDRs.

Estimated Number of Respondents: Approximately 20 vehicle manufacturers.

Frequency: Annually.

Estimated Number of Responses: 15,230,000. The number of responses depends on how many vehicles manufacturers voluntarily choose to equip with EDRs.

Estimated Total Annual Burden Hours: NHTSA estimates that there are no annual reporting or recordkeeping burdens associated with Part 563, except for the owner's manual statement requirement which is incorporated into the consolidated owner's manual requirements information collection (OMB Control Number 2127–0541). Vehicle manufacturers are not required to retain or report information gathered by EDRs because the devices themselves

[1] 49 U.S.C. 105 and 322; delegation of authority at 49 CFR 1.95.

[2] See 49 U.S.C. 30101 and 30111.

[3] 71 FR 50997, August 28, 2006.

[4] NHTSA–2025–0029–0002.

continuously monitor vehicle systems and determine when to record, retain, and/or overwrite information. The information is collected automatically by electronic means. Data are only required to be locked and cannot be overwritten when a recordable event occurs (*e.g.,* an air bag deploys in a crash event). When recordable events do occur, EDRs only capture data for a few seconds. NHTSA estimates that there is no annual hourly burden associated with the information standardization requirements of Part 563.

Estimated Total Annual Burden Cost: NHTSA initially estimated negligible costs for the 2006 final rule that established Part 563 for several key reasons. First, in 2005, approximately 64 percent of new light vehicles already incorporated EDRs within their existing air bag control systems. This meant the rule primarily required these systems to capture information they were already processing. Second, the agency limited the scope of required EDR data elements and associated requirements to the minimum necessary to achieve its objectives. At the time, NHTSA assessed that the industry's existing EDR technology largely satisfied the aims of Part 563, negating the need for costly additional sensors or hardware. NHTSA stated in the 2006 final rule that the most significant potential costs may result from data storage upgrades.

NHTSA estimated that 99.5 percent of model year 2021 light vehicles had compliant EDRs, indicating that manufacturers had largely absorbed the costs of meeting the original Part 563 requirements. Given this near-universal adoption, NHTSA continues to believe that the currently effective Part 563 requirements impose no additional or negligible costs. Consequently, the cost burden for this information collection is discussed qualitatively.

Part 563 applies only to vehicles voluntarily equipped with EDRs. Therefore, any burden is based on the cost difference between compliant and non-compliant EDRs. In assessing additional burden for compliant EDRs, NHTSA considered: (1) the added cost of meeting the 10-day data crash survivability requirement; and (2) the added cost of meeting the data format requirements. Part 563 requires that an EDR must remain functional during and after the compliance tests specified in FMVSS Nos. 208 and 214, and the stored data must be downloadable 10 days after the crash test. While this ensures a basic level of functionality and survivability, it does not guarantee EDR survival in extremely severe events such as fires or submersion. The potential burden for data survivability could include expenses for an additional power supply and enhancements to the Controller Area Network (CAN), such as wiring, data bus, and harness. However, prior to Part 563, the agency had not documented widespread EDR survivability issues, except in rare and extreme circumstances. Thus, NHTSA does not anticipate vehicle manufacturers incurring additional costs to ensure the retrieval of essential data elements 10 days after the crash test.

NHTSA believes the current Part 563 requirements align with industry EDR practices and international EDR requirements in terms of the minimum duration and sample rate for recorded data elements. Regarding the data storage for Part 563 requirements, the adequacy of existing memory in non-compliant EDRs remains unknown due to proprietary concerns. However, EDRs have been nearly universally adopted in the vehicle fleet and manufacturers have not had issues meeting the minimum data capture requirements. Manufacturers may continue to equip EDRs that voluntarily capture a broader range of data elements than the Part 563 minimum. Manufacturers can also continue capturing EDR data at longer durations and higher sample rates than the current minimum requirements if they believe there are added benefits for additional data elements at increased sample rates or durations.

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.

Jane Doherty,

Acting Associate Administrator, Rulemaking.

[FR Doc. 2026–05503 Filed 3–19–26; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2026–0430]

Agency Information Collection Activities; Notice and Request for Comment; Consolidated Labeling Requirements and Procedures for Selecting Lines To Be Covered by the Theft Prevention Standard

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Notice and request for comments on request for reinstatement of a previously approved information collection.

SUMMARY: NHTSA invites public comments about its intention to request approval from the Office of Management and Budget (OMB) to reinstate a previously approved 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 on Consolidated Labeling Requirements for 49 CFR parts 541 and Procedures for Selecting Lines to be Covered by the Theft Prevention Standard for 542—Federal Motor Vehicle Theft Prevention Standard.

DATES: Comments must be submitted on or before May 19, 2026.

ADDRESSES: You may submit comments identified by the Docket No. NHTSA–2026–0430 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 W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Instructions: All submissions must include the Agency name and docket number for this notice. 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: For additional information or access to background documents, contact Mr. Walter Lysenko (*walter.lysenko@dot.gov*). Address: National Highway Traffic Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590. Mr. Lysenko's telephone number is (202) 366–1810. Please identify the relevant collection of information by referring to its OMB Control Number.

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: Consolidated Labeling Requirements for 49 CFR parts 541 and Procedures for Selecting Lines to be Covered by the Theft Prevention Standard for 542—Federal Motor Vehicle Theft Prevention Standard.

OMB Control Number: 2127–0539.

Form Number(s): N/A.

Type of Request: Request for reinstatement of a previously approved information collection.

Type of Review Requested: Regular.

Requested Expiration Date of Approval: Three years from approval date.

Summary of Information Collection: This information collection pertains to 49 CFR part 541, Federal Motor Vehicle Theft Prevention Standard, and 49 CFR part 542, Procedures for Selecting Lines to be Covered. Under 49 U.S.C. Chapter 331, manufacturers of certain passenger motor vehicles and light-duty trucks must:

(1) mark major component parts and replacement parts with identifying numbers for vehicle lines designated as high theft;

(2) submit target area information identifying the location of required markings;

(3) submit evaluations of whether new light-duty truck lines are likely to be high-theft; and

(4) submit evaluations of whether new light-duty truck lines share interchangeable major parts with high-theft passenger motor vehicle lines.

Manufacturers must comply annually with parts-marking requirements for each covered line and must submit reports when they introduce new vehicle lines that may trigger coverage under 49 CFR parts 541 and 542. Approximately 23 manufacturers are expected to submit target-area reports annually, and one manufacturer per year is expected to submit each of the two evaluations under Part 542.

Description of the Need for the Information and Proposed Use: NHTSA collects this information to determine which vehicle lines must comply with the Federal Motor Vehicle Theft Prevention Standard, to evaluate whether new vehicle lines are high-theft, and to ensure that manufacturers properly mark major component parts as required by statute. These submissions allow NHTSA to carry out its statutory responsibilities under 49 U.S.C. Chapter 331. The information also supports enforcement and ensures consistent application of theft-prevention requirements across the vehicle fleet.

Affected Public: Motor vehicle manufacturers of passenger motor vehicles and light-duty trucks subject to the Federal Motor Vehicle Theft Prevention Standard.

Estimated Number of Respondents: Approximately 21 manufacturers for annual target-area submissions and one manufacturer per year for each type of evaluation under 49 CFR part 542.

Frequency: Target-area reports: Annual; High-theft determinations and parts-interchangeability evaluations: As needed, typically one per year.

Number of Responses: For the four information collections in part 541 and part 542, NHTSA estimates the annual number of responses as follows: (1) 4.5 million responses for the parts-marking requirement; (2) 23 for submissions of target area information; (3) 1 for reporting on whether a LDT line is likely to be high-theft; and (4) 1 for reporting on whether a LDT line shares interchangeable parts with a high theft line subject to the parts-marking requirements.

Estimated Total Annual Burden Hours: 150,550 hours per year.

This total consists of 150,000 hours for parts-marking of approximately 4.5 million vehicles, 460 hours for reporting of target areas to NHTSA (23 responses from 21 manufacturers at 20 hours per response), 45 hours for one annual high-theft determination under Part 542, and 45 hours for one annual interchangeability determination under Part 542.

Estimated Total Annual Burden Cost: $24,003,000 NHTSA estimates that the average cost to print each label is $0.38. There are an average 14 parts per vehicle to label; therefore, the printing cost per vehicle is $5.33. At present, the agency estimates that 4.5 million motor vehicles annually must have their major parts marked. The total annual fleet costs are estimated to be $24,003,000 for label identifiers ($5.33 × 4.5 million vehicles).

Information collection	Number of parts labeled per vehicle	Printing cost per label	Total printing cost per vehicle	Number of vehicles per year (million)	Total estimated printing cost
541: Parts—Marking on 14 major parts (49 CFR 541.5(a)	14	$0.381	$5.33	4.5	$24,003,000

Target area submissions require no additional costs to the respondents above and beyond the labor costs.

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.

Jane Doherty,

Acting Associate Administrator, Office of Rulemaking.

[FR Doc. 2026–05502 Filed 3–19–26; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA–2026–0464]

Pipeline Safety: Request for Special Permit; Sable Offshore Corp. (Sable)

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA); U.S. Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: On February 24, 2026, PHMSA published a notice to solicit public comment on a request for a special permit submitted by Sable Offshore Corp. (Sable). The comment period is currently set to expire on March 26, 2026. PHMSA is issuing this notice to extend the comment period until 14 days from the date of this notice to give the public time to review the proposed special permit in light of recent developments. At the conclusion of the extended comment period, PHMSA will review the comments received from this notice as part of its evaluation to grant or deny the special permit request.

DATES: Submit any comments regarding this special permit request by April 3, 2026.

ADDRESSES: Comments should reference the docket number for this special permit request and may be submitted in the following ways:

- *E-Gov Website: http://www.regulations.gov.* This site allows the public to enter comments on any **Federal Register** notice issued by any agency.
- *Fax:* 1–202–493–2251.
- *Mail:* Docket Management System: 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:* Docket Management System: U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

Instructions: You should identify the docket number for the special permit request you are commenting on at the beginning of your comments. If you submit your comments by mail, please submit two copies. To receive confirmation that PHMSA has received your comments, please include a self-addressed stamped postcard. Internet users may submit comments at *http://www.regulations.gov.*

Note: There is a privacy statement published on *http://www.regulations.gov.* Comments, including any personal information provided, are posted without changes or edits to *http://www.regulations.gov.*

Confidential Business Information: Confidential business information (CBI) is commercial or financial information that is both customarily and 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 notice contain commercial or financial information that is customarily treated as private, that you treat as private, and that is relevant or responsive to this notice, it is important that you clearly designate the submitted comments as CBI. Pursuant to 49 Code of Federal Regulations (CFR) 190.343, you may ask PHMSA to give confidential treatment to information you give to the agency by taking the following steps: (1) mark each page of the original document submission containing CBI as ''Confidential''; (2) send PHMSA, along with the original document, a second copy of the original document with the CBI deleted; and (3) explain why the information you are submitting is CBI. Unless you are notified otherwise, PHMSA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this notice. Submissions containing CBI should be sent to Lee Cooper, DOT, PHMSA–PHP–80, 1200 New Jersey Avenue SE, Washington, DC 20590–0001. Any commentary PHMSA receives that is not specifically designated as CBI will be placed in the public docket for this matter.

FOR FURTHER INFORMATION CONTACT:

General: Mr. Lee Cooper by telephone at 202–913–3171, or by email at *lee.cooper@dot.gov.*

Technical: Ms. Gabrielle St. Pierre by telephone at 907–202–0029, or by email at *gabrielle.st.pierre@dot.gov.*

SUPPLEMENTARY INFORMATION: On January 22, 2026, PHMSA received a special permit application from Sable requesting a waiver of the requirement in 49 CFR 195.452(h)(4)(iii)(H) to remediate certain longitudinal seam weld corrosion on hazardous liquid pipelines within 180 days of discovery. The waiver would apply to two segments of the Santa Ynez Pipeline System, an interstate hazardous liquid pipeline facility that transports crude oil produced on the Outer Continental Shelf through an onshore processing facility located in Santa Barbara County, California, to a terminal located in Kern County, California. The two segments that would be subject to the waiver are known as Lines CA–324 and CA–325 (including CA–325A and CA–325B). On February 24, 2026, PHMSA published a notice to solicit public comment on a request for a special permit submitted by Sable Offshore Corp. (Sable). The comment period is currently set to expire on March 26, 2026.

On March 13, 2026, the Secretary of Energy, acting under authority delegated

in Executive Order ''Adjusting Certain Delegations Under the Defense Production Act,'' directed Sable to restart transportation of crude oil on the pipeline segments subject to this special permit request pursuant to the Defense Production Act (DPA). PHMSA is issuing this notice to extend the comment period until 14 days after the date of this notice to give the public time to review the proposed special permit in light of the Secretary's recent action. In particular, PHMSA is soliciting public comments on any potential impact that the DPA order might have on this proceeding, including whether the special permit remains necessary and, if so, whether safety or environmental analysis should be adjusted in light of the restart of the pipeline segments.

At the conclusion of the extended comment period, PHMSA will review the comments received from this notice as part of its evaluation to grant or deny the special permit request.

Issued in Washington, DC, under authority delegated in 49 CFR 1.97.

Linda Daugherty,

Acting Associate Administrator for Pipeline Safety.

[FR Doc. 2026–05541 Filed 3–19–26; 8:45 am]

BILLING CODE 4910–60–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Action

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of one or more persons that have been placed on OFAC's Specially Designated Nationals and Blocked Persons List (SDN List) based on OFAC's determination that one or more applicable legal criteria were satisfied. All property and interests in property subject to U.S. jurisdiction of these persons are blocked, and U.S. persons are generally prohibited from engaging in transactions with them.

DATES: This action was issued on March 12, 2026. See **SUPPLEMENTARY INFORMATION** for relevant dates.

FOR FURTHER INFORMATION CONTACT: OFAC: Associate Director for Global Targeting, 202–622–2420; Assistant Director for Licensing, 202–622–2480; Assistant Director for Sanctions Compliance, 202–622–2490 or *https://ofac.treasury.gov/contact-ofac.*

SUPPLEMENTARY INFORMATION:

Electronic Availability

The SDN List and additional information concerning OFAC sanctions programs are available on OFAC's website: *https://ofac.treasury.gov.*

Notice of OFAC Action

On March 12, 2026, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following persons are blocked under the relevant sanctions authority listed below.

Entities

1. HAYAT YOLU (Arabic: طريق الحياة) (a.k.a. HAYAT YOLU ASSOCIATION; a.k.a. HAYAT YOLU KALKINMA YARDIMLASMA EGITIM VE KULTUR DERNEGI), Cakmak, Sht., Burak Kurtulus Cd., No: 2, 34774, Umraniye, Istanbul, Turkey; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Organization Established Date 2014; Organization Type: Other human health activities; Target Type Charity or Nonprofit Organization; Registered Charity No. 34-207-158 (Turkey) [SDGT] (Linked To: HAMAS).

Designated pursuant to section 1(a)(iii)(C) of E.O. 13224 of September 23, 2001, ''Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism,'' 66 FR 49079, 3 CFR, 2001 Comp., p. 786, as amended by Executive Order 13886 of September 9, 2019, ''Modernizing Sanctions To Combat Terrorism,'' 84 FR 48041, 3 CFR, 2019 Comp., p. 356 (E.O. 13224, as amended), for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, HAMAS, a person whose property and interests in property are blocked pursuant to E.O. 13224.

2. KOMITE NASIONAL UNTUK RAKYAT PALESTINA (a.k.a. KNRP INDONESIA; a.k.a. NATIONAL COMMITTEE FOR THE PALESTINIAN PEOPLE), Jl. Jabir No. 11 B, Ragunan, Pasar Minggu, Jakarta 12550, Indonesia; website *https://knrp.org/;* Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Organization Established Date 08 May 2006; Organization Type: Other human health activities; Target Type Charity or Nonprofit Organization [SDGT] (Linked To: HAMAS).

Designated pursuant to section 1(a)(iii)(C) of E.O. 13224, as amended, for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, HAMAS, a person whose property and interests in property are blocked pursuant to E.O. 13224.

3. GHAZI DESTEK DERNEGI (a.k.a. GAZZE DESTEK ORGANIZATION; a.k.a. ''GDD''), Aksemsettin Mahallesi, Akdeniz Caddesi, Hakperest Sokak No: 16, Daire 18 Fatih, Istanbul, Turkey; website *https://gdd.org;* Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Organization Established Date 2014; Organization Type: Other human health activities; Target Type Charity or Nonprofit Organization; Registered Charity No. 34–209–183 (Turkey) [SDGT] (Linked To: HAMAS).

Designated pursuant to section 1(a)(iii)(C) of E.O. 13224, as amended, for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, HAMAS, a person whose property and interests in property are blocked pursuant to E.O. 13224.

4. PALESTINIAN WHITE HANDS ASSISTANCE AND SOLIDARITY ASSOCIATION (a.k.a. BEYAZ ELLER ASSOCIATION; a.k.a. BEYAZ ELLER YARDIMLASMA VE DAYANISMA DERNEGI; a.k.a. WHITE HANDS CHARITY), Ikitelli Osb, Giyim Sanatkarlar Kooperatifi, 3 Ada A Blok No: 203, Basaksehir, Istanbul, Turkey; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by

Executive Order 13886; Organization Established Date 16 Nov 2011; Organization Type: Other human health activities; Target Type Charity or Nonprofit Organization [SDGT] (Linked To: HAMAS).

Designated pursuant to section 1(a)(iii)(C) of E.O. 13224, as amended, for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, HAMAS, a person whose property and interests in property are blocked pursuant to E.O. 13224.

Bradley T. Smith,

Director, Office of Foreign Assets Control.

[FR Doc. 2026–05454 Filed 3–19–26; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF THE TREASURY

Agency Information Collection Activities; Proposed Collection; Comment Request; Contract Solicitation and Post-Award Information Requirements

AGENCY: Departmental Offices, U.S. Department of the Treasury.

ACTION: Notice of Information Collection; request for comment.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other federal agencies to comment on the proposed information collections listed below, in accordance with the Paperwork Reduction Act of 1995.

DATES: Written comments must be received on or before May 19, 2026.

ADDRESSES: Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestions for reducing the burden, to Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW, Suite 8100, Washington, DC 20220, or email at *PRA@treasury.gov.*

FOR FURTHER INFORMATION CONTACT: Copies of the submissions may be obtained from Spencer W. Clark by emailing *PRA@treasury.gov,* calling (202) 927–5331, or viewing the entire information collection request at *www.reginfo.gov.*

SUPPLEMENTARY INFORMATION:

1. Title: Post-Contract Award Information.

OMB Control Number: 1505–0080.

Type of Review: Extension without change of a currently approved collection.

Description: Treasury Bureaus and the Office of the Procurement Executive collect post-award information from contractors, when necessary, in administering public contracts for supplies and services. Information requested of contractors is specific to each contract and is required for Treasury to properly evaluate the progress made and/or management controls used by contractors providing supplies or services to the Government, and to determine contractors' compliance with contract terms placed in the contract as authorized by the Federal Property and Administrative Services Act (41 U.S.C. 251 *et seq.*), the Federal Acquisition Regulation (FAR) (48 CFR Chapter 1) and applicable acquisition regulations.

Form: Monthly Workforce Report.

Affected Public: Entities holding contracts with the Department of the Treasury.

Estimated Number of Respondents: 6,304.

Frequency of Response: Monthly, On Occasion.

Estimated Total Number of Annual Responses: 6,304.

Estimated Time per Response: Various, depending on contract type and contract requirements. Average burden is 24 hours per contract.

Estimated Total Annual Burden Hours: 151,296.

2. Title: Solicitation of Proposal Information for Award of Public Contracts.

OMB Control Number: 1505–0081.

Type of Review: Extension without change of a currently approved collection.

Description: Treasury Bureaus and the Office of the Procurement Executive collect information when inviting firms to submit proposals for public contracts for supplies and services. The information collection is necessary for compliance with the Federal Property and Administrative Services Act (41 U.S.C. 251 *et seq.*), the Federal Acquisition Regulation (FAR) (48 CFR Chapter 1) and applicable acquisition regulations. Information requested from offerors is specific to each procurement solicitation and is required for Treasury to properly evaluate the capabilities and experience of potential contractors who desire to provide the supplies or services to be acquired. Evaluation will be used to determine which proposal most benefits the Government.

Form: Initial Staffing Plan.

Affected Public: Entities seeking contracts with the Department of the Treasury.

Estimated Number of Respondents: 20,946.

Frequency of Response: Once, On Occasion.

Estimated Total Number of Annual Responses: 6,304.

Estimated Time per Response: Various, depending on proposal type and proposal requirements. Average burden is 10.4 hours per submission.

Estimated Total Annual Burden Hours: 217,812.

Request for Comments: Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget approval. All comments will become a matter of public record. 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 technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services required to provide information.

Authority: 44 U.S.C. 3501 *et seq.*

Spencer W. Clark,

Treasury PRA Clearance Officer.

[FR Doc. 2026–05545 Filed 3–19–26; 8:45 am]

BILLING CODE 4810–AK–P

DEPARTMENT OF THE TREASURY

Agency Information Collection Activities; Proposed Collection; Comment Request; Emergency Capital Investment Program Initial Supplemental Report and Quarterly Supplemental Report

AGENCY: Departmental Offices, U.S. Department of the Treasury.

ACTION: Notice of information collection; request for comment.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other federal agencies to comment on the proposed information collections listed below, in accordance with the Paperwork Reduction Act of 1995.

DATES: Written comments must be received on or before May 19, 2026.

ADDRESSES: Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestions for reducing the burden, to Treasury PRA Clearance Officer, 1750

Pennsylvania Ave. NW, Suite 8100, Washington, DC 20220, or email at *PRA@treasury.gov.*

FOR FURTHER INFORMATION CONTACT: Copies of the submissions may be obtained from Spencer W. Clark by emailing *PRA@treasury.gov,* calling (202) 927–5331, or viewing the entire information collection request at *www.reginfo.gov.*

SUPPLEMENTARY INFORMATION:

Title: Emergency Capital Investment Program Initial Supplemental Report and Quarterly Supplemental Report.

OMB Control Number: 1505–0275.

Type of Request: Extension without change of a previously approved collection.

Description: Authorized by the Consolidated Appropriations Act, 2021, the Emergency Capital Investment Program (ECIP) was created to encourage low- and moderate-income community financial institutions to augment their efforts to support small businesses and consumers in their communities. Under the program, Treasury provided approximately $8.70 billion in capital directly to depository institutions that are certified Community Development Financial Institutions (CDFIs) or minority depository institutions (MDIs) to, among other things, provide loans, grants, and forbearance for small businesses, minority-owned businesses, and consumers, especially in low-income and underserved communities, that may have been disproportionately impacted by the economic effects of the COVID–19 pandemic. ECIP capital is eligible for a reduction in the dividend or interest rate payable on the instruments depending on the increase in lending by the recipients of the capital (Recipients) within minority, rural, and urban low-income and underserved communities and to low and moderate-income borrowers over a baseline amount of lending. Recipients were required to submit an Initial Supplemental Report and are required to submit quarterly reports to determine their increase in lending to the specified targeted communities over the baseline and therefore their qualification for rate reductions on the dividend or interest rates payable on the ECIP instruments. In addition, these reports will collect data necessary for Treasury and other oversight bodies to evaluate program outcomes over time. Treasury used the Initial Supplemental Report to establish a baseline amount of qualified lending. Treasury proposes to continue use of a variation of this form to collect additional or restated data on a Recipient's amount of baseline lending, such as in connection with mergers, acquisitions, or other business combinations. Instructions may be modified from time to time to accommodate these uses. Treasury uses the Quarterly Supplemental Report to collect the information required to establish a Recipient's increase in lending. The Quarterly Supplemental Report has two components: (1) schedules which must be completed each quarter that collect data on activity for the preceding quarter and (2) schedules that collect data on the preceding calendar year of activity that are submitted annually. There are separate schedules and instructions for insured depository institutions, bank holding companies, and savings and loan holding companies; and credit unions.

Forms: Quarterly Report Schedules: Recipients of ECIP investments will be required to submit two schedules on a quarterly basis. Schedule A—Summary Qualified Lending is used to collect the Qualified Lending and Deep Impact Lending, as defined in the Glossary in the Instructions to the Quarterly Supplemental Report, of a Recipient for a given quarter. Schedule A is therefore used to establish the growth in a Recipient's Qualified Lending over its baseline Qualified Lending for the purposes of calculating the payment rate on the ECIP preferred shares or subordinated debt issued by the Recipient. Schedule B—Disaggregated Qualified Lending is used to present further detail on the composition of the Participant's Qualified and Deep Impact Lending. Annual Report Schedules: Annually, Recipients will report on up to ten (10) additional schedules, depending on the origination activity that took place during the prior year. Schedule C—Additional Demographic Data on Qualified Lending collects additional demographic data on certain categories of Qualified Lending and Deep Impact Lending. Schedule D—Additional Place based Data on Qualified Lending collects additional geographic data on certain categories of Qualified Lending and Deep Impact Lending.

Legal Certifications: Annually, under the terms of the ECIP investments, Recipient institutions must provide certain certifications. Treasury has prepared the form of these certifications for use on an annual basis by Recipients.

Affected Public: Recipients of investments through the Emergency Capital Investment Program.

Estimated Number of Respondents: 165.

Frequency of Response: Quarterly Supplemental Report—Four times annually for Schedules A and B, annually for Schedules C and D; One time annually for the Legal Certifications; As needed for the Initial Supplemental Report for Mergers & Acquisitions.

Estimated Total Number of Annual Responses: Initial Supplemental Report—10 for cases of mergers and acquisition; Quarterly Supplemental Report—660 for Schedules A & B and 165 for Schedule C and D; and Legal Certifications—495.

Estimated Time per Response: 160 hours annually for the Initial Supplemental Report, for cases of mergers and acquisition; 10 hours annually for the Quarterly Supplemental Report Schedules A & B + 120 hours for Schedules C & D; 0.2 hours for the Legal Certifications.

Estimated Total Annual Burden Hours: 28,143.

Request for Comments: Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget approval. All comments will become a matter of public record. 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 technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services required to provide information.

Authority: 44 U.S.C. 3501 *et seq.*

Spencer W. Clark,

Treasury PRA Clearance Officer.

[FR Doc. 2026–05546 Filed 3–19–26; 8:45 am]

BILLING CODE 4810–AK–P

DEPARTMENT OF THE TREASURY

United States Mint

Establish Prices for 2026 United States Mint Numismatic Products

AGENCY: United States Mint, Department of the Treasury.

ACTION: Notice.

The United States Mint is announcing pricing for new United States Mint

numismatic products in accordance with the table below:

Product	Retail price
2026 Semiquincentennial Rolls and Bags—Emerging Liberty Dime (2-Roll Set)	$40.00
2026 Semiquincentennial Rolls and Bags—Emerging Liberty Dime (200-Coin Bag)	54.00

FOR FURTHER INFORMATION CONTACT: Erin Haas, Product Management; United States Mint; 801 9th Street NW, Washington, DC 20220; or call 202–354–7608.

Authorizing Legislation: 31 U.S.C. 5112(y).

Eric Anderson,

Executive Secretary, United States Mint.

[FR Doc. 2026–05514 Filed 3–19–26; 8:45 am]

BILLING CODE 4810–37–P

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