

# Proposed Rules

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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.

## OFFICE OF PERSONNEL MANAGEMENT

### 5 CFR Part 294

RIN 3206-AK53

### Freedom of Information Act (FOIA) Regulations

**AGENCY:** Office of Personnel Management.

**ACTION:** Withdrawal of proposed rule.

**SUMMARY:** The Office of Personnel Management (OPM) withdraws a proposed rule to amend its Freedom of Information Act (FOIA) regulations published on July 24, 2008. Due to the time that has elapsed, OPM is withdrawing the proposal. OPM will propose amendments to its FOIA regulations in future rulemaking.

**DATES:** OPM withdraws the proposed rule, published July 24, 2008 at 73 FR 43153, as of March 24, 2026.

**FOR FURTHER INFORMATION CONTACT:** Kalea Lorenzi by email at [foia@opm.gov](mailto:foia@opm.gov) or by telephone at 202-606-3642.

**SUPPLEMENTARY INFORMATION:** On July 24, 2008, OPM published a notice of proposed rulemaking (NPRM or proposed rule) titled "Freedom of Information Act (FOIA) Regulations" in the **Federal Register**. See 73 FR 43153. The NPRM proposed to modify the Freedom of Information Act (FOIA) regulations to allow for more streamlined submission process and to update FOIA regulations that had not been updated in many years. The modernization updates that OPM proposed in the 2008 proposed rule are outdated due to the time that has elapsed since the publication of the NPRM, including new developments in case law and amendments to the FOIA, especially the FOIA Improvement Act of 2016, which strengthened public access to federal records by codifying disclosure standards, updated exemptions, and enhanced agency accountability. OPM plans to make updates to the FOIA regulations in the near future to align with modern

capabilities for submission and processing of FOIA requests. Accordingly, the 2008 NPRM is withdrawn.

### Regulatory Review

OPM has examined the impact of this rule as required by Executive Orders 12866 and 13563, which direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public, health, and safety effects, distributive impacts, and equity). A regulatory impact analysis must be prepared for rules that have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities. This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, as supplemented by Executive Order 13563. Therefore, this rule is not subject to Executive Order 14192.

### Regulatory Flexibility Act

The Director of the Office of Personnel Management certifies that this regulation will not have a significant impact on a substantial number of small entities because it applies only to Federal agencies and employees.

### Signing Statement

The Director of OPM, Scott Kupor, reviewed and approved this document and has authorized the undersigned to electronically sign and submit this document to the Office of the Federal Register for publication.

Office of Personnel Management.

**Jerson Matias,**

*Federal Register Liaison.*

[FR Doc. 2026-05679 Filed 3-23-26; 8:45 am]

**BILLING CODE 6325-48-P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 9 CFR Part 3

[Docket No. APHIS-2025-1000]

### Standards for the Care of Breeding Female Dogs and Exercise and Socialization of Dogs

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Request for information; reopening of comment period.

**SUMMARY:** We are reopening the comment period for a request for information soliciting comments regarding appropriate standards for the care of breeding female dogs at dog breeding facilities and exercise and socialization of dogs subject to the Animal Welfare Act. This action will allow interested persons additional time to prepare and submit comments.

**DATES:** The comment period for the request for information published on February 17, 2026 (91 FR 7162-7163) is reopened. We will consider all comments that we receive on or before April 20, 2026.

**ADDRESSES:** You may submit comments by either of the following methods:

- **Federal eRulemaking Portal:** Go to [www.regulations.gov](http://www.regulations.gov). Enter APHIS-2025-1000 in the Search field. Select the Documents tab, then select the Comment button in the list of documents.

- **Postal Mail/Commercial Delivery:** Send your comment to Docket No. APHIS-2025-1000, Regulatory Analysis and Development, PPD, APHIS, 5601 Sunnyside Ave., #AP760, Beltsville, MD 20705.

Supporting documents and any comments we receive on this docket may be viewed at [Regulations.gov](http://Regulations.gov) or in our reading room, which is located in room 1620 of the USDA South Building, 14th Street and Independence Avenue SW, Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799-7039 before coming.

**FOR FURTHER INFORMATION CONTACT:** Ms. Christine Jones, Acting Animal Care Chief of Staff, 2150 Centre Ave. Bldg. B,

Mailstop 3W11, Fort Collins, CO 80526; (970) 494-7478.

**SUPPLEMENTARY INFORMATION:** On February 17, 2026, we published in the *Federal Register* a request for information (91 FR 7162-7163, Docket No. APHIS-2025-1000) soliciting comments regarding appropriate standards for the care of breeding female dogs at dog breeding facilities and exercise and socialization of dogs subject to the Animal Welfare Act.

Comments on the request for information were initially required to be received on or before March 19, 2026. We are reopening the comment period on Docket No. APHIS-2025-1000 until April 20, 2026. We will also consider all comments received between March 20, 2026 (the day after the close of the original comment period) and the date of this notice.

This action will allow interested persons additional time to prepare and submit comments.

**Authority:** 7 U.S.C. 2131-2159; 7 CFR 2.22, 2.80, and 371.7.

Done in Washington, DC, this 19th day of March 2026.

**Kelly Moore,**

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2026-05684 Filed 3-23-26; 8:45 am]

**BILLING CODE 3410-34-P**

## DEPARTMENT OF AGRICULTURE

### Food Safety and Inspection Service

#### 9 CFR Chapter III

[Docket No. FSIS-2026-0001]

RIN 0583-AE09

#### Revising Establishment Size Definitions

**AGENCY:** Food Safety and Inspection Service (FSIS), U.S. Department of Agriculture (USDA).

**ACTION:** Advance notice of proposed rulemaking.

**SUMMARY:** FSIS is considering revising how it defines establishment sizes for purposes of its oversight of meat and poultry establishments and egg products plants. Since 1996, FSIS has used Hazard Analysis and Critical Control Point (HACCP) size categories, which are based on employee count and annual sales, to analyze the impact of regulations and tailor assistance to small entities. More recently, FSIS has also applied volume-based thresholds to categorize establishments to analyze the impact of regulations and for establishing Agency sampling

frequencies or setting sampling requirements for the regulated industry. This advance notice of proposed rulemaking (ANPR) requests stakeholder input on whether FSIS should update its establishment size definitions and, if so, how.

**DATES:** Submit comments on or before May 26, 2026.

**ADDRESSES:** FSIS invites interested persons to submit comments on this document.

Comments may be submitted by one of the following methods:

- *Federal eRulemaking Portal:* This website provides the ability to type short comments directly into the comment field on this web page or 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-2026-0001. 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:** April Regonlinski, Assistant Administrator for the Office of Policy and Program Development, at (202) 205-0495.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

FSIS is the public health agency within the USDA responsible for providing inspection of establishments producing meat, poultry, and egg products and verifying that these products are safe, wholesome, and properly labeled and packaged. FSIS carries out this mission under 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.*),

which authorize the Secretary to make rules and regulations necessary for their efficient execution (21 U.S.C. 621, 463(b), and 1043).

FSIS is subject to the Regulatory Flexibility Act of 1980 (RFA) (5 U.S.C. 601-612), which requires federal agencies to consider the economic impact of regulatory proposals on small businesses and consider less burdensome alternatives. FSIS must also comply with the Small Business Regulatory Enforcement Fairness Act of 1996,<sup>1</sup> which requires agencies to publish Small Entity Compliance Guides for any final rule classified as “major” that is expected to significantly affect a substantial number of small businesses.

To meet the RFA requirements, FSIS has historically categorized establishments by HACCP size or production volume for regulatory analysis and to tailor assistance for small and very small establishments. Since 1996, FSIS has classified establishments as very small (fewer than 10 employees or annual sales under \$2.5 million), small (10-499 employees), or large (500 or more employees) under definitions established in the Pathogen Reduction/HACCP Systems final rule (61 FR 38806, July 25, 1996). These size definitions are applied to individual establishments and do not account for whether the establishment is part of a larger corporate structure. As of December 2025, there are 2,961 very small, 2,847 small, and 508 large FSIS regulated establishments.<sup>2</sup>

FSIS has used HACCP size categories to phase in requirements, such as notification and documentation for adulterated or misbranded product (77 FR 26929, May 8, 2012) and the regulations that prescribe procedures for controlling contamination throughout the slaughter and dressing process in 9 CFR 310.18(c) and recordkeeping requirements in 9 CFR 310.18(d) (84 FR 52300, October 1, 2019). FSIS also used these categories to determine eligibility for reduced inspection fees (86 FR 37276, July 15, 2021). However, for reduced fees eligibility, FSIS applied the terms “small” and “very small” only to establishments unaffiliated with multiple or large businesses in a way that would effectively place them within the large establishment definition (86 FR 37276, 37277).

<sup>1</sup> Public Law 104-121, title II, §§ 201-224, Mar. 29, 1996, 110 Stat. 857-862, as amended by Public Law 110-28, title VIII, § 8302, May 25, 2007, 121 Stat. 204.

<sup>2</sup> USDA/FSIS, Meat, Poultry and Egg Product Inspection Directory, <https://www.fsis.usda.gov/inspection/establishments/meat-poultry-and-egg-product-inspection-directory>.