

the Gross Domestic Product. This proposed rule would not result in an expenditure in any year that meets or exceeds this amount.

VII. Tribal Consultation Statement

Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments*, requires agencies to consult with Indian Tribes when regulations 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.” Similarly, ACF’s Tribal Consultation Policy says that consultation is triggered for any legislative proposal, new rule adoption, or other policy change that significantly affects Tribes, meaning there exists a reasonable presumption that it has or may have substantial direct effects on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, on the amount or duration of ACF program funding, on the delivery of ACF programs or services to one or more Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes. However, as this is a deregulatory action, per OMB M–25–36, *Streamlining the Review of Deregulatory Actions*, this action presumptively does not trigger the Tribal Consultation requirements of Executive Order 13175 nor does it meet ACF’s standard for consultation.

List of Subjects

45 CFR Part 211

Grant programs-social programs, Health care, Mental health programs, Public assistance programs.

45 CFR Part 212

Grant programs-social programs, Public assistance programs.

For the reasons set forth in the preamble, ACF proposes to amend 45 CFR parts 211 and 212 as follows:

PART 211—CARE AND TREATMENT OF MENTALLY ILL NATIONALS OF THE UNITED STATES, RETURNED FROM FOREIGN COUNTRIES

■ 1. The authority citation for part 211 continues to read as follows:

Authority: Secs. 1–11, 74 Stat. 308–310; 24 U.S.C. 321–329.

§§ 211.1, 211.2, 211.4, 211.5, and 211.7 through 211.15 [Removed and Reserved]

■ 2. Remove and reserve §§ 211.1, 211.2, 211.4, 211.5, 211.5, and 211.7 through 211.15.

PART 212—[REMOVED AND RESERVED]

■ 3. Under the authority 74 Stat. 308–310 (24 U.S.C. 321–329) and Sections 1102 and 1113 of the Social Security Act (42 U.S.C. 1302, 42 U.S.C. 1313), remove and reserve part 212.

Robert F. Kennedy, Jr.,

Secretary, Department of Health and Human Services.

[FR Doc. 2026–05997 Filed 3–26–26; 8:45 am]

BILLING CODE 4184–PL–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

45 CFR Part 1336

RIN 0970–AD36

Reducing Bureaucracy and Burden for Native American Programs

AGENCY: Administration for Native Americans (ANA), Administration for Children and Families (ACF), Department of Health and Human Services (HHS).

ACTION: Notice of proposed rulemaking.

SUMMARY: The Department of Health and Human Services, Administration for Children and Families proposes to amend the Native American Programs Act regulations (45 CFR part 1336) to eliminate unnecessary or obsolete regulations. The docket on <https://www.regulations.gov> will include a plain language summary of the NPRM as required by 5 U.S.C. 553(b)(4).

DATES: In order to be considered, written comments on this proposed rule must be received on or before April 27, 2026.

ADDRESSES: You may submit written comments, identified by docket number ACF–2026–0133 and/or RIN number 0970–AD36, by one of the following methods:

- *Federal eRulemaking Portal:* Go to <https://www.regulations.gov>. Follow the instructions for submitting comments.
- *Email:* Deregulation@acf.hhs.gov. Include the docket number ACF–2026–0133 and/or RIN number 0970–AD36 in the subject line of the message.

Instructions: All submissions received must include the agency name and docket number or RIN number for this rulemaking. All comments received are a part of the public record and will be posted for public viewing on www.regulations.gov, without change. Please be advised that the substance of

the comments and the identity of individuals or entities submitting the comments will be subject to public disclosure.

FOR FURTHER INFORMATION CONTACT: Adam N. Jones, Deputy Chief of Staff, Immediate Office of the Assistant Secretary, Administration for Children and Families, Department of Health and Human Services, Washington, DC 202–417–0115 or Deregulation@acf.hhs.gov.

SUPPLEMENTARY INFORMATION:

I. Statutory Authority

This proposed regulation is being issued under the authority granted to the Secretary of Health and Human Services by the Native American Programs Act of 1974, as amended (42 U.S.C. 2991 *et seq.*), hereafter referred to as the “Act.”

II. Background

The Native American Programs Act of 1974 (NAPA), as amended (42 U.S.C. 2991 *et seq.*), authorizes the Administration for Native Americans (ANA) to promote social development and economic self-sufficiency in Native communities through competitive grant funding. Under Section 803 of NAPA (42 U.S.C. 2991b), ANA provides financial assistance on a single-year or multi-year basis to public and nonprofit private agencies, including governing bodies of Indian Tribes on federal and state reservations, Alaska Native villages and regional corporations established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 *et seq.*), and public and nonprofit agencies serving Native Hawaiians and Indian and Alaska Native organizations in urban or rural areas that are not reservations or Alaska Native villages. ANA implements its mission through competitive discretionary grants that support Native-led, community-based projects aimed at strengthening families and communities and reducing long-term dependency through social and economic development, Native language preservation, and environmental regulatory enhancement. ANA typically provides short-term “seed” funding ranging from 12 to 60 months to help communities launch or expand sustainable efforts. In Federal Fiscal Year (FFY) 2025, ANA awarded a total of \$50,738,495, which included new awards and continued funding for previously awarded projects.

III. Executive Summary

This NPRM proposes to rescind multiple regulations that are either unnecessary or wholly obsolete. These rescissions would impact States,

Territories, and Tribal Lead Agencies. The regulations contained in this NPRM to be removed and reserved can be categorized into three groups: those that are duplicative, those that are better suited as a different type of sub-regulatory format, and those that are obsolete.

The duplicative regulations are those that exist yet, carry no impact as the authority and requirements stated in the regulation exist or are stated elsewhere such as in statute. This renders the language found in the regulation to be either duplicative or otherwise generally unnecessary.

The regulations that are better suited to a different format, *i.e.*, as a sub-regulatory document, are those that generally read like a Frequently Asked Questions document, or are overly prescriptive and carry technical details that belong to programmatic instruction. These documents are being proposed to be removed in order to allow them to be published in the more appropriate format.

Finally, obsolete regulations are those that are outdated. This includes regulations that refer to grant programs that are no longer funded, practices that are no longer followed, or are no longer relevant.

Effective Date

ACF expects all provisions included in the proposed rule, if finalized, to become effective 30 days from the date of publication of the final rule.

Severability

The provisions of this NPRM, once it becomes final, are intended to be severable, such that, in the event a court were to invalidate any particular provision or deem it to be unenforceable, the remaining provisions would continue to be valid. The changes address a variety of issues relevant to the Administration for Native Americans. None of the provisions contained herein are central to an overall intent of the proposed rule, nor are any provisions dependent on the validity of other, separate provisions.

IV. Discussion of Proposed Changes

Subpart B—Purpose of the Native American Programs

§ 1336.20 Program Purpose

This proposed change removes the program's purpose statement. The purpose statement does not carry any policy language that is not already covered in the authorizing statute, the Native American Programs Act of 1974, as amended. See 42 U.S.C. 2991a. As

this Section is needlessly duplicative, it is proposed to be removed.

Subpart C—Native American Projects

§ 1336.30 Eligibility Under Sections 804 and 805 of the Native American Programs Act of 1974

This proposed change removes the regulation that duplicates the statute in that financial assistance made to grantees for research, demonstration and pilot projects as well as technical assistance and training is eligible for public and private agencies. The Act specifically states in Section 803 that funding is available to both public and private non-profit agencies, thus limiting private agencies to non-profits. However, in Sections 804 and 805 of the Act, the terminology is changed to public and private agencies. The removal of the qualifier “non-profit” from Sections 804 and 805 gives statutory authority to allow research, demonstration and pilot projects as well as technical assistance and training dollars to be awarded to for-profit private agencies. Thus, as this Section is needlessly duplicative, it is proposed to be removed and reserved.

§ 1336.31 Project Approval Procedures

This proposed change removes the requirements detailing project approval procedures. This regulation, as it currently exists, has two issues: (1) it essentially states that applicants for financial assistance must submit a work plan that follows the law, which is a statutory requirement, and (2) it states processes and guidelines that are better suited in sub-regulatory documents such as a notice of funding opportunity (NOFO). By moving this kind of unnecessary language out of regulation, grantees and applicants can more easily find important information when reading through CFR. As such, this Section is not needed and is proposed to be removed.

§ 1336.32 Grants

This proposed change removes the requirements detailing the length of grants as well as specific application submission requirements. This type of information is better located in a NOFO than in regulation as other comparable information is historically found in those kinds of sub regulatory documents. If remaining in its current form, grantees and applicants would be required to read the CFR for information that pertains to applications and NOFOs. Thus, this Section is not needed in regulation and is proposed to be removed.

§ 1336.33 Eligible Applicants and Proposed Activities Which Are Ineligible

This proposed change repeals the Section of regulation that details eligible applicants and what proposed activities are ineligible for funding. As this Section is specific to essentially a grant's terms and conditions, and will be found in both locations, it does not make sense to exist in regulation. As such, this Section is being proposed to be removed and inserted into the grant's terms and conditions or into a related NOFO.

Subpart D—Evaluation

§ 1336.40 General

This proposed change removes the unnecessary regulation that applications provide sufficient information for ANA to make a determination as to whether the application meets the standards. This requirement exists irrespective of the regulation as ANA has the authority to review applications and reports and make decisions to award or not award funds for a number of reasons, including the completeness of the application. This Section is being proposed to be removed and reserved as the authority exists with or without the regulation in place.

Subpart E—Financial Assistance Provisions

§ 1336.51 Project Period

This proposed change removes the unneeded regulation specifying that the length of the funding award will be included in the NOFO. This Section is not needed as it is standard practice for agencies to include in the NOFO the length of time for any particular funding opportunity. The removal of this Section will not preclude the duration of the award being included in the NOFOs. As such, this Section is being proposed to be removed and reserved.

Subpart F—Native Hawaiian Revolving Loan Fund Demonstration Project

§ 1336.60 Through § 1336.77

This proposed change removes an outdated and unfunded program titled the Native Hawaiian Revolving Loan Fund. This program had its appropriations end in FY2021 and the demonstration project period has since ended. As such, this regulation serves no current purpose and is proposed to be removed and reserved.

V. Regulatory Process Matters

Paperwork Reduction Act

Under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*, as amended)

(PRA), all Departments are required to submit to the Office of Management and Budget (OMB) for review and approval any reporting or recordkeeping requirements inherent in a proposed or final rule. This NPRM does not contain any information collection requirements requiring OMB approval under the PRA and, therefore, will not create any new paperwork burdens or modify existing burdens subject to OMB review.

Executive Order 13132

Executive Order 13132 requires federal agencies to consult with State and local government officials if they develop regulatory policies with federalism implications. Federalism is rooted in the belief that issues that are not national in scope or significance are most appropriately addressed by the level of government close to the people. This proposed rule would not have substantial direct impact on the States, on the relationship between the federal government and the States, or on the distribution of power and responsibilities among the various levels of government. This NPRM would not pre-empt State law. The changes proposed in the NPRM are removing unnecessary and obsolete regulations from the Native American Program rules. Therefore, in accordance with Section 6 of Executive Order 13132, it is determined that this action does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

Assessment of Federal Regulations and Policies on Families

Assessment of Federal Regulations and Policies on Families Section 654 of the Treasury and General Government Appropriations Act of 1999 (Pub. L. 105–277) requires federal agencies to determine whether a policy or regulation may negatively affect family well-being. If the agency determines a policy or regulation negatively affects family well-being, then the agency must prepare an impact assessment addressing seven criteria specified in the law. HHS believes it is not necessary to prepare a family policymaking assessment because the actions proposed in this NPRM will not have any impact on the autonomy or integrity of the family as an institution.

VI. Regulatory Impact Analysis

We have examined the impacts of the proposed rule under Executive Order 12866, Executive Order 13563, Executive Order 14192, the Regulatory Flexibility Act (5 U.S.C. 601–612), and the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4).

Executive Orders 12866 and 13563 direct us to assess all benefits and costs of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits. Rules are “significant” under Executive Order 12866 Section 3(f)(1) if they “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.” Executive Order 14192 requires that any new incremental costs associated with significant new regulations “shall, to the extent permitted by law, be offset by the elimination of existing costs associated with at least ten prior regulations.” The Office of Information and Regulatory Affairs (OIRA) has determined that this proposed rule is not a significant action under Executive Order 12866 Section 3(f). This analysis indicates that the proposed rule, if finalized would be a deregulatory action as defined by Section 3 of Executive Order 14192.

The Regulatory Flexibility Act (RFA) requires agencies to consider the impact of their regulatory proposals on small entities. Because this is simply repealing obsolete and unnecessary language, we propose to certify that the proposed rule would not have a significant economic impact on a substantial number of small entities.

The Unfunded Mandates Reform Act of 1995 (UMRA) generally requires that each agency conduct a cost-benefit analysis; identify and consider a reasonable number of regulatory alternatives; and select the least costly, most cost effective, or least burdensome alternative that achieves the objectives of the rule before promulgating any proposed or final rule that includes a Federal mandate that may result in expenditures of more than \$100 million (adjusted for inflation) in at least one year by State, local, and tribal governments, in the aggregate, or by the private sector. Each agency issuing a rule with relevant effects over that threshold must also seek input from State, local, and tribal governments. The current threshold after adjustment for inflation is \$193 million, using the most current (2025) Implicit Price Deflator for the Gross Domestic Product. This proposed rule would not result in an expenditure in any year that meets or exceeds this amount.

VII. Tribal Consultation Statement

Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, requires agencies to

consult with Indian Tribes when regulations 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. Consultation and Coordination With Indian Tribal Governments, 65 FR 67249. Similarly, ACF’s Tribal Consultation Policy says that consultation is triggered for a new rule adoption that significantly affects tribes, meaning the new rule adoption has substantial direct effects on one or more Indian tribes, on the amount or duration of ACF program funding, on the delivery of ACF programs or services to one or more Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. However, as this is a deregulatory action, per OMB M–25–36, Streamlining the Review of Deregulatory Actions, this action presumptively does not trigger the consultation requirements of Executive Order 13175. ACF is nevertheless committed to consulting with Indian Tribes and Tribal leadership on this action to the extent practicable and permitted by law.

List of Subjects in 45 CFR Part 1336

Administrative practice and procedure, American Samoa, Grant programs—Indians, Grant programs—social programs, Guam, Hawaiian Natives, Indians, Northern Mariana Islands, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 1336 as follows:

PART 1336—NATIVE AMERICAN PROGRAMS

- 1. The authority citation for part 1336 continues to read:

Authority: 42 U.S.C. 618, 9858 et seq.
* * * * *

- 2. § 1336.20, titled “Program purpose,” is removed and reserved.
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- 3. § 1336.30, titled “Eligibility under sections 804 and 805 of the Native American Programs Act of 1974,” is removed and reserved.
* * * * *

- 4. § 1336.31, titled “Project approval procedures,” is removed and reserved.
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- 5. § 1336.32, titled “Grants,” is removed and reserved.
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■ 6. § 1336.33, titled “Eligible applicants and proposed activities which are ineligible,” is removed and reserved.

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■ 7. § 1336.40, titled “General,” is removed and reserved.

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■ 8. § 1336.51, titled “Project period,” is removed and reserved.

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■ 9. § 1336.60, titled “Purpose of this subpart,” is removed and reserved.

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■ 10. § 1336.61, titled “Purpose of the Revolving Loan Fund,” is removed and reserved.

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■ 11. § 1336.62, titled “Definitions,” is removed and reserved.

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■ 12. § 1336.63, titled “General responsibilities of the Loan Administrator,” is removed and reserved.

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■ 13. § 1336.64, titled “Development of goals and strategies: Responsibilities of the Loan Administrator,” is removed and reserved.

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■ 14. § 1336.65, titled “Staffing and organization of the Revolving Loan Fund: Responsibilities of the Loan Administrator,” is removed and reserved.

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■ 15. § 1336.66, titled “Procedures and criteria for administration of the Revolving Loan Fund: Responsibilities of the Loan Administrator,” is removed and reserved.

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■ 16. § 1336.67, titled “Security and collateral: Responsibilities of the Loan Administrator,” is removed and reserved.

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■ 17. § 1336.68, titled “Defaults, uncollectible loans, liquidations: Responsibilities of the Loan Administrator,” is removed and reserved.

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■ 18. § 1336.69, titled “Reporting requirements: Responsibilities of the Loan Administrator,” is removed and reserved.

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■ 19. § 1336.70, titled “Technical assistance: Responsibilities of the Loan Administrator,” is removed and reserved.

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■ 20. § 1336.71, titled “Administrative costs,” is removed and reserved.

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■ 21. § 1336.72, titled “Fiscal requirements,” is removed and reserved.

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■ 22. § 1336.73, titled “Eligible borrowers,” is removed and reserved.

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■ 23. § 1336.74, titled “Time limits and interest on loans,” is removed and reserved.

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■ 24. § 1336.75, titled “Allowable loan activities,” is removed and reserved.

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■ 25. § 1336.76, titled “Unallowable loan activities,” is removed and reserved.

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■ 26. § 1336.77, titled “Recovery of funds,” is removed and reserved.

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Robert F. Kennedy, Jr.,

Secretary, Department of Health and Human Services.

[FR Doc. 2026–05994 Filed 3–26–26; 8:45 am]

BILLING CODE 4184–34–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

49 CFR Part 392

[Docket No. FMCSA–2021–0050]

RIN 2126–AC39

Railroad Grade Crossings; Stopping Required: Exception for Railroad Grade Crossing Equipped With Active Warning Device Not in Activated State

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notification of data availability; request for comments.

SUMMARY: This notification of data availability (NODA) is to alert interested parties about information that FMCSA believes may be relevant to this proceeding. This NODA identifies information the Agency has developed and provides an opportunity for public comment. The Agency may consider this information in preparation of further regulatory action.

DATES: Comments must be received by April 27, 2026.

ADDRESSES: You may submit comments identified by Docket Number FMCSA–2021–0050 using any of the following methods:

• *Federal eRulemaking Portal:* Go to <https://www.regulations.gov/docket/FMCSA-2021-0050/document>. Follow the online instructions for submitting comments.

• *Mail:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, Washington, DC 20590–0001.

• *Hand Delivery or Courier:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, W58–213, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Dockets Operations.

• *Fax:* (202) 493–2251.

FOR FURTHER INFORMATION CONTACT: Ms. Melissa Williams, Hazardous Materials Division, Office of Enforcement and Compliance, FMCSA, 1200 New Jersey Ave. SE, Washington, DC 20590–0001, (202) 366–4163, melissa.williams@dot.gov. If you have questions on viewing or submitting material to the docket, call Dockets Operations at (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation and Request for Comments

A. Submitting Comments

If you submit a comment, please include the docket number for this proceeding (FMCSA–2021–0050), indicate the specific section of this document to which your comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so FMCSA can contact you if there are questions regarding your submission. To submit your comment online, go to <https://www.regulations.gov/docket/FMCSA-2021-0050/document>, click on this NODA, click “Comment,” and type your comment into the text box on the following screen. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing.

FMCSA will consider all comments and material received during the comment period.

Confidential Business Information (CBI)

CBI is commercial or financial information that is both customarily and