REGULATORY INFORMATION SERVICE CENTER

Introduction to the Unified Agenda of Federal Regulatory and Deregulatory Actions–2026

AGENCY: Regulatory Information Service Center.

ACTION: Introduction to the Unified Agenda of Federal Regulatory and Deregulatory Actions.

SUMMARY: Publication of the 2026 Unified Agenda of Federal Regulatory and Deregulatory Actions represents a key component of the regulatory planning mechanism prescribed in Executive Order (''E.O.'') 12866, ''Regulatory Planning and Review,'' (58 FR 51735, as amended) and reaffirmed in E.O. 13563, ''Improving Regulation and Regulatory Review,'' (76 FR 3821) and E.O. 14192, ''Unleashing Prosperity Through Deregulation.'' The Regulatory Flexibility Act requires that agencies publish semiannual regulatory agendas in the **Federal Register** describing regulatory actions they are developing that may have a significant economic impact on a substantial number of small entities (5 U.S.C. 602). The Unified Agenda of Federal Regulatory and Deregulatory Actions (Unified Agenda) helps agencies fulfill all of these requirements. All Federal regulatory agencies have chosen to publish their regulatory agendas as part of this publication. The complete publication of the 2026 Unified Agenda contains 78 Federal agency regulatory agendas available to the public at *www.reginfo.gov.*

The 2026 Unified Agenda publication appearing in the **Federal Register** includes the agency Regulatory Flexibility Agendas, in accordance with the publication requirements of the Regulatory Flexibility Act. Agency Regulatory Flexibility Agendas contain only those Agenda entries for rules that are likely to have a significant economic impact on a substantial number of small entities and entries that have been selected for periodic review under section 610 of the Regulatory Flexibility Act.

ADDRESSES: Regulatory Information Service Center (TTS), General Services Administration, 1800 F Street NW, Washington, DC 20405.

FOR FURTHER INFORMATION CONTACT: For further information about specific regulatory actions, please refer to the agency contact listed for each entry. To provide comment on or to obtain further information about this publication, contact: Amber Van Amburg, Director, Regulatory Information Service Center (TTS), General Services Administration, 1800 F Street NW, Washington, DC 20405, 703–795–0816. You may also send comments to us by email at: *RISC@gsa.gov.*

SUPPLEMENTARY INFORMATION:

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INTRODUCTION TO THE UNIFIED AGENDA OF FEDERAL REGULATORY AND DEREGULATORY ACTIONS

I. What is the Unified Agenda?

The Unified Agenda provides information about regulations that the Government is considering or reviewing. The Unified Agenda has appeared in the **Federal Register** since 1983 and has been available online since 1995. The complete Unified Agenda is available to the public at *www.reginfo.gov.* The online Unified Agenda offers flexible search tools and access to the historic Unified Agenda database dating back to 1995. The complete online edition of the Unified Agenda includes regulatory agendas from 78 Federal agencies. Agencies of the United States Congress are not included.

The 2026 Unified Agenda publication appearing in the **Federal Register** consists of the Regulatory Flexibility Agendas, in accordance with the publication requirements of the Regulatory Flexibility Act. Agency Regulatory Flexibility Agendas contain only those Agenda entries for rules that are likely to have a significant economic impact on a substantial number of small entities and entries that have been selected for periodic review under section 610 of the Regulatory Flexibility Act. Printed entries display only the fields required by the Regulatory Flexibility Act. Complete Unified Agenda information for those entries appears online in a uniform format at *www.reginfo.gov.*

The regulatory agendas for agencies not publishing Regulatory Flexibility Agendas are listed below and are available to the public at *www.reginfo.gov.*

Cabinet Departments

Department of Education
Department of Housing and Urban Development
Department of State
Department of Veterans Affairs

Other Executive Agencies

Advisory Council on Historic Preservation
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Architectural and Transportation Barriers Compliance Board
Committee for Purchase From People Who Are Blind or Severely Disabled
Corporation for National and Community Service
Council on Environmental Quality
Court Services and Offender Supervision Agency for the District of Columbia
Equal Employment Opportunity Commission
Export-Import Bank of the United States
Federal Labor Relations Authority
Federal Mediation Conciliation Service
Merit Systems Protection Board
National Aeronautics and Space Administration
National Endowment for the Arts
National Endowment for the Humanities
National Science Foundation
Office of Government Ethics
Office of National Drug Control Policy
Office of the National Cyber Director
Office of Personnel Management
Peace Corps
Pension Benefit Guaranty Corporation
Presidio Trust
Railroad Retirement Board
Selective Service System
Social Security Administration
Tennessee Valley Authority
U.S. Agency for Global Media
Appraisal Subcommittee of the FFIEC
Commodity Futures Trading Commission
Defense Nuclear Facilities Safety Board
Delta Regional Authority
Farm Credit Administration
Federal Deposit Insurance Corporation
Federal Housing Finance Agency
Federal Maritime Commission
Federal Permitting Improvement Steering Council
Federal Reserve System
Federal Retirement Thrift Investment Board
Gulf Coast Ecosystem Restoration Council
Marine Mammal Commission
Millennium Challenge Corporation
National Credit Union Administration
National Indian Gaming Commission
National Transportation Safety Board
Postal Regulatory Commission
U.S. Chemical Safety and Hazard Investigation Board
U.S. Election Assistance Commission

The Regulatory Information Service Center compiles the Unified Agenda for the Office of Information and Regulatory Affairs (OIRA), part of the Office of Management and Budget. OIRA is responsible for overseeing the Federal Government's regulatory, paperwork, and information resource management activities, including implementation of Executive Order 12866, as amended (incorporated in Executive Order 13563). The Center also provides information about Federal regulatory activity to the President and his Executive Office, the Congress, agency officials, and the public.

The activities included in the Agenda are, in general, those that will have a regulatory action within the next 12 months. Agencies may choose to include activities that will have a longer timeframe than 12 months. Agency agendas also show actions or reviews completed or withdrawn since the last Unified Agenda. Executive Order 12866, as amended, does not require agencies to include regulations concerning military or foreign affairs functions or regulations related to agency organization, management, or personnel matters.

Agencies prepared entries for this publication to give the public notice of their plans to review, propose, and issue regulations. They have tried to predict their activities over the next 12 months as accurately as possible, but dates and schedules are subject to change. Agencies may withdraw some of the regulations now under development, and they may issue or propose other regulations not included in their agendas. Agency actions in the rulemaking process may occur before or after the dates they have listed. The Unified Agenda does not create a legal obligation on agencies to adhere to schedules in this publication or to confine their regulatory activities to those regulations that appear within it.

II. Why is the Unified Agenda published?

The Unified Agenda helps agencies comply with their obligations under the Regulatory Flexibility Act and various Executive orders and other statutes.

Regulatory Flexibility Act

The Regulatory Flexibility Act requires agencies to identify those rules that may have a significant economic impact on a substantial number of small entities (5 U.S.C. 602). Agencies meet that requirement by including the information in their submissions for the Unified Agenda. Agencies may also indicate those regulations that they are reviewing as part of their periodic review of existing rules under the Regulatory Flexibility Act (5 U.S.C. 610). Executive Order 13272, ''Proper Consideration of Small Entities in Agency Rulemaking,'' signed August 13, 2002 (67 FR 53461), provides additional guidance on compliance with the Act.

Executive Order 12866

Executive Order 12866, ''Regulatory Planning and Review,'' September 30, 1993 (58 FR 51735), as amended, requires covered agencies to prepare an agenda of all regulations under development or review. The Order also requires that certain agencies prepare annually a regulatory plan of their ''most important significant regulatory actions,'' which appears as part of the fall Unified Agenda. Executive Order 13497, signed January 30, 2009 (74 FR 6113), revoked the amendments to Executive Order 12866 that were contained in Executive Order 13258 and Executive Order 13422.

Executive Order 14192

Executive Order 14192, ''Unleashing Prosperity Through Deregulation,'' signed January 31, 2025, (90 FR 9065) requires that for every one new regulation issued, at least ten prior regulations be identified for elimination, and that the cost of planned regulations be prudently managed and controlled through a budgeting process.

Executive Order 13563

Executive Order 13563, ''Improving Regulation and Regulatory Review,'' January 18, 2011 (76 FR 3821) supplements and reaffirms the principles, structures, and definitions governing contemporary regulatory review that were established in Executive Order 12866, which includes the general principles of regulation and public participation, and orders integration and innovation in coordination across agencies; flexible approaches where relevant, feasible, and consistent with regulatory approaches; scientific integrity in any scientific or technological information and processes used to support the agencies' regulatory actions; and retrospective analysis of existing regulations.

Executive Order 13132

Executive Order 13132, ''Federalism,'' August 4, 1999 (64 FR 43255), directs agencies to have an accountable process to ensure meaningful and timely input by State and local officials in the development of regulatory policies that have ''federalism implications'' as defined in the Order. Under the Order, an agency that is proposing a regulation with federalism implications, which either preempt State law or impose non-statutory unfunded substantial direct compliance costs on State and local governments, must consult with State and local officials early in the process of developing the regulation. In addition, the agency must provide to the Director of the Office of Management and Budget a federalism summary impact statement for such a regulation, which consists of a description of the extent of the agency's prior consultation with State and local officials, a summary of their concerns and the agency's position supporting the need to issue the regulation, and a statement of the extent to which those concerns have been met. As part of this effort, agencies include in their submissions for the Unified Agenda information on whether their regulatory actions may have an effect on the various levels of government and whether those actions have federalism implications.

Unfunded Mandates Reform Act of 1995

The Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4, title II) requires agencies to prepare written assessments of the costs and benefits of significant regulatory actions ''that may result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $100,000,000 or more in any 1 year.'' The requirement does not apply to historically independent regulatory agencies, nor does it apply to certain subject areas excluded by section 4 of the Act. Affected agencies identify in the Unified Agenda those regulatory actions they believe are subject to title II of the Act.

Executive Order 13211

Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use,'' May 18, 2001 (66 FR 28355), directs agencies to provide, to the extent possible, information regarding the adverse effects that agency actions may have on the supply, distribution, and use of energy. Under the Order, the agency must prepare and submit a Statement of Energy Effects to the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, for ''those matters identified as significant energy actions.'' As part of this effort, agencies may optionally include in their submissions for the Unified Agenda information on whether they have prepared or plan to prepare a Statement of Energy Effects for their regulatory actions.

Small Business Regulatory Enforcement Fairness Act

The Small Business Regulatory Enforcement Fairness Act (Pub. L. 104–121, title II) established a procedure for congressional review of rules (5 U.S.C. 801 *et seq.*), which defers, unless exempted, the effective date of a ''major'' rule for at least 60 days from the publication of the final rule in the **Federal Register**. The Act specifies that a rule is ''major'' if it has resulted, or is likely to result, in an annual effect on the economy of $100 million or more or meets other criteria specified in that Act. The Act provides that the Administrator of OIRA will make the final determination as to whether a rule is major.

III. How is the Unified Agenda organized?

Agency regulatory flexibility agendas are printed in a single daily edition of the **Federal Register**. A Regulatory Flexibility Agenda is printed for each agency whose agenda includes entries for rules which are likely to have a significant economic impact on a substantial number of small entities or rules that have been selected for periodic review under section 610 of the Regulatory Flexibility Act. Each printed agenda appears as a separate part. The parts of the Unified Agenda are organized alphabetically in four groups: Cabinet departments; other executive agencies; the Federal Acquisition Regulation, a joint authority (Agenda only); and historically independent regulatory agencies. Agencies may in turn be divided into subagencies. Each printed agency agenda has a table of contents listing the agency's printed entries that follow. Each agency's part of the Agenda contains a preamble providing information specific to that agency. Each printed agency agenda has a table of contents listing the agency's printed entries that follow.

The online, complete Unified Agenda contains the preambles of all participating agencies. Unlike the printed edition, the online Agenda has no fixed ordering. In the online Agenda, users can select the particular agencies' agendas they want to see. Users have broad flexibility to specify the characteristics of the entries of interest to them by choosing the desired responses to individual data fields. To see a listing of all of an agency's entries, a user can select the agency without specifying any particular characteristics of entries.

Each entry in the Agenda is associated with one of five rulemaking stages. The rulemaking stages are:

1. Prerule Stage—actions agencies will undertake to determine whether or how to initiate rulemaking. Such actions occur prior to a Notice of Proposed Rulemaking (NPRM) and may include Advance Notices of Proposed Rulemaking (ANPRMs) and reviews of existing regulations.

2. Proposed Rule Stage—actions for which agencies plan to publish a Notice of Proposed Rulemaking as the next step in their rulemaking process or for which the closing date of the NPRM Comment Period is the next step.

3. Final Rule Stage—actions for which agencies plan to publish a final rule or an interim final rule or to take other final action as the next step.

4. Long-Term Actions—items under development but for which the agency does not expect to have a regulatory action within the 12 months after publication of this edition of the Unified Agenda. Some of the entries in this section may contain abbreviated information.

5. Completed Actions—actions or reviews the agency has completed or withdrawn since publishing its last agenda. This section also includes items the agency began and completed between issues of the Agenda.

Long-Term Actions are rulemakings reported during the publication cycle that are outside of the required 12-month reporting period for which the Agenda was intended. Completed Actions in the publication cycle are rulemakings that are ending their lifecycle either by Withdrawal or completion of the rulemaking process. Therefore, the Long-Term and Completed RINs do not represent the ongoing, forward-looking nature intended for reporting developing rulemakings in the Agenda pursuant to Executive Order 12866, section 4(b) and 4(c). To further differentiate these two stages of rulemaking in the Unified Agenda from active rulemakings, Long-Term and Completed Actions are reported separately from active rulemakings, which can be any of the first three stages of rulemaking listed above. A separate search function is provided on *www.reginfo.gov* to search for Completed and Long-Term Actions apart from each other and active RINs.

A bullet (•) preceding the title of an entry indicates that the entry is appearing in the Unified Agenda for the first time.

In the printed edition, all entries are numbered sequentially from the beginning to the end of the publication. The sequence number preceding the title of each entry identifies the location of the entry in this edition. The sequence number is used as the reference in the printed table of contents. Sequence numbers are not used in the online Unified Agenda because the unique Regulation Identifier Number (RIN) is able to provide this cross-reference capability.

Editions of the Unified Agenda prior to fall 2007 contained several indexes, which identified entries with various characteristics. These included regulatory actions for which agencies believe that the Regulatory Flexibility Act may require a Regulatory Flexibility Analysis, actions selected for periodic review under section 610(c) of the Regulatory Flexibility Act, and actions that may have federalism implications as defined in Executive Order 13132 or other effects on levels of government. These indexes are no longer compiled, because users of the online Unified Agenda have the flexibility to search for entries with any combination of desired characteristics. The online edition retains the Unified Agenda's subject index based on the **Federal Register** Thesaurus of Indexing Terms. In addition, online users have the option of searching Agenda text fields for words or phrases.

IV. What Information Appears for Each Entry?

All entries in the online Unified Agenda contain uniform data elements including, at a minimum, the following information:

Title of the Regulation—a brief description of the subject of the regulation. In the printed edition, the notation ''Section 610 Review'' following the title indicates that the agency has selected the rule for its periodic review of existing rules under the Regulatory Flexibility Act (5 U.S.C. 610(c)). Some agencies have indicated completions of section 610 reviews or rulemaking actions resulting from completed section 610 reviews. In the online edition, these notations appear in a separate field.

Priority—an indication of the significance of the regulation. Agencies assign each entry to one of the following five categories of significance.

(1) Economically Significant

As defined in Executive Order 12866, a rulemaking action that will have an annual effect on the economy of $100 million or more or will 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. The definition of an ''economically significant'' rule is similar but not identical to the definition of a ''major'' rule under 5 U.S.C. 801 (Pub. L. 104–121). (See below.)

(2) Other Significant

A rulemaking that is not Economically Significant but is considered Significant by the agency. This category includes rules that the agency anticipates will be reviewed under Executive Order 12866, as amended, or rules that are a priority of the agency head.

(3) Substantive, Nonsignificant

A rulemaking that has substantive impacts, but is neither Significant, nor Routine and Frequent, nor Informational/Administrative/Other.

(4) Routine and Frequent

A rulemaking that is a specific case of a multiple recurring application of a regulatory program in the Code of Federal Regulations and that does not alter the body of the regulation.

(5) Informational/Administrative/Other

A rulemaking that is primarily informational or pertains to agency matters not central to accomplishing the agency's regulatory mandate but that the agency places in the Unified Agenda to inform the public of the activity.

Major—whether the rule is ''major'' under 5 U.S.C. 801 (Pub. L. 104–121) because it has resulted or is likely to result in an annual effect on the economy of $100 million or more or meets other criteria specified in that Act. The Act provides that the Administrator of the Office of Information and Regulatory Affairs will make the final determination as to whether a rule is major.

Unfunded Mandates—whether the rule is covered by section 202 of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4). The Act requires that, before issuing an NPRM likely to result in a mandate that may result in expenditures by State, local, and tribal governments, in the aggregate, or by the private sector of more than $100 million in 1 year, agencies, other than historically independent regulatory agencies, shall prepare a written statement containing an assessment of the anticipated costs and benefits of the Federal mandate.

Legal Authority—the section(s) of the United States Code (U.S.C.) or Public Law (Pub. L.) or the Executive order (E.O.) that authorize(s) the regulatory action. Agencies may provide popular name references to laws in addition to these citations.

CFR Citation—the section(s) of the Code of Federal Regulations that will be affected by the action.

Relevant Executive Order—the top three to five EOs that direct or necessitate the regulatory action. This excludes EOs of general applicability such as E.O. 12866 or 14192.

Legal Deadline—whether the action is subject to a statutory or judicial deadline, the date of that deadline, and whether the deadline pertains to an NPRM, a Final Action, or some other action.

Abstract—a brief description of the problem the regulation will address; the need for a Federal solution; to the extent available, alternatives that the agency is considering to address the problem; and potential costs and benefits of the action.

Timetable—the dates and citations (if available) for all past steps and a projected date for at least the next step for the regulatory action. A date displayed in the form 12/00/24 means the agency is predicting the month and year the action will take place but not the day it will occur. In some instances, agencies may indicate what the next action will be, but the date of that action is ''To Be Determined.'' ''Next Action Undetermined'' indicates the agency does not know what action it will take next.

E.O. 14192 Designation—the preliminary E.O. 14192 designation as defined by Guidance: ''deregulatory,'' ''regulatory,'' ''exempt,'' ''waived,'' ''other.'' A similar menu will accompany Information Collection Request (ICR) submissions.

Regulatory Flexibility Analysis Required—whether an analysis is required by the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) because the rulemaking action is likely to have a significant economic impact on a substantial number of small entities as defined by the Act.

Small Entities Affected—the types of small entities (businesses, governmental jurisdictions, or organizations) on which the rulemaking action is likely to have an impact as defined by the Regulatory Flexibility Act. Some agencies have chosen to indicate likely effects on small entities even though they believe that a Regulatory Flexibility Analysis will not be required.

Government Levels Affected—whether the action is expected to affect levels of government and, if so, whether the governments are State, local, tribal, or Federal.

International Impacts—whether the regulation is expected to have international trade and investment effects, or otherwise may be of interest to the Nation's international trading partners.

Federalism—whether the action has ''federalism implications'' as defined in Executive Order 13132. This term refers to actions ''that 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.'' Historically independent regulatory agencies are not required to supply this information.

Included in the Regulatory Plan—whether the rulemaking was included in the agency's current regulatory plan published in the fall 2024.

Agency Contact—the name and phone number of at least one person in the agency who is knowledgeable about the rulemaking action. The agency may also provide the title, address, fax number, email address, and TDD for each agency contact.

Some agencies have provided the following optional information:

RIN Information URL—the internet address of a site that provides more information about the entry.

Public Comment URL—the internet address of a site that will accept public comments on the entry.

Alternatively, timely public comments may be submitted at the Governmentwide e-rulemaking site, *www.regulations.gov.*

Additional Information—any information an agency wishes to include that does not have a specific corresponding data element.

Compliance Cost to the Public—the estimated gross compliance cost of the action.

Affected Sectors—the industrial sectors that the action may most affect, either directly or indirectly. Affected sectors are identified by North American Industry Classification System (NAICS) codes.

Energy Effects—an indication of whether the agency has prepared or plans to prepare a Statement of Energy Effects for the action, as required by Executive Order 13211 ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use,'' signed May 18, 2001 (66 FR 28355).

Related RINs—one or more past or current RIN(s) associated with activity related to this action, such as merged RINs, split RINs, new activity for previously completed RINs, or duplicate RINs.

Statement of Need—a description of the need for the regulatory action.

Summary of the Legal Basis—a description of the legal basis for the action, including whether any aspect of the action is required by statute or court order.

Alternatives—a description of the alternatives the agency has considered or will consider as required by section 4(c)(1)(B) of Executive Order 12866.

Anticipated Costs and Benefits—a description of preliminary estimates of the anticipated costs and benefits of the action.

Risks—a description of the magnitude of the risk the action addresses, the amount by which the agency expects the action to reduce this risk, and the relation of the risk and this risk reduction effort to other risks and risk reduction efforts within the agency's jurisdiction.

V. Abbreviations

The following abbreviations appear throughout this publication:

ANPRM—An Advance Notice of Proposed Rulemaking is a preliminary notice, published in the **Federal Register**, announcing that an agency is considering a regulatory action. An agency may issue an ANPRM before it develops a detailed proposed rule. An ANPRM describes the general area that may be subject to regulation and usually asks for public comment on the issues and options being discussed. An ANPRM is issued only when an agency believes it needs to gather more information before proceeding to a notice of proposed rulemaking.

CFR—The Code of Federal Regulations is an annual codification of the general and permanent regulations published in the **Federal Register** by the agencies of the Federal Government. The Code is divided into 50 titles, each title covering a broad area subject to Federal regulation. The CFR is keyed to and kept up to date by the daily issues of the **Federal Register**.

E.O.—An Executive order is a directive from the President to Executive agencies, issued under constitutional or statutory authority. Executive orders are published in the **Federal Register** and in title 3 of the Code of Federal Regulations.

FR—The **Federal Register** is a daily Federal Government publication that provides a uniform system for publishing Presidential documents, all proposed and final regulations, notices of meetings, and other official documents issued by Federal agencies.

FY—The Federal fiscal year runs from October 1 to September 30.

NPRM—A Notice of Proposed Rulemaking is the document an agency issues and publishes in the **Federal Register** that describes and solicits public comments on a proposed regulatory action. Under the Administrative Procedure Act (5 U.S.C. 553), an NPRM must include, at a minimum: A statement of the time, place, and nature of the public rulemaking proceeding;

Legal Authority—A reference to the legal authority under which the rule is proposed; and either the terms or substance of the proposed rule or a description of the subjects and issues involved.

Pub. L.—A public law is a law passed by Congress and signed by the President or enacted over his veto. It has general applicability, unlike a private law that applies only to those persons or entities specifically designated. Public laws are numbered in sequence throughout the 2-year life of each Congress; for example, Public Law 112–4 is the fourth public law of the 112th Congress.

RFA—A Regulatory Flexibility Analysis is a description and analysis of the impact of a rule on small entities, including small businesses, small governmental jurisdictions, and certain small not-for-profit organizations. The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires each agency to prepare an initial RFA for public comment when it is required to publish an NPRM and to make available a final RFA when the final rule is published, unless the agency head certifies that the rule would not have a significant economic impact on a substantial number of small entities.

RIN—The Regulation Identifier Number is assigned by the Regulatory Information Service Center to identify each regulatory action listed in the Unified Agenda, as directed by Executive Order 12866 (section 4(b)). Additionally, OMB has asked agencies to include RINs in the headings of their Rule and Proposed Rule documents when publishing them in the **Federal Register**, to make it easier for the public and agency officials to track the publication history of regulatory actions throughout their development.

Seq. No.—The sequence number identifies the location of an entry in the printed edition of the Unified Agenda. Note that a specific regulatory action will have the same RIN throughout its development but will generally have different sequence numbers if it appears in different printed editions of the Unified Agenda. Sequence numbers are not used in the online Unified Agenda.

U.S.C.—The United States Code is a consolidation and codification of all general and permanent laws of the United States. The U.S.C. is divided into 50 titles, each title covering a broad area of Federal law.

VI. How can users get copies of the Unified Agenda?

Copies of the **Federal Register** issue containing the printed edition of the Unified Agenda (agency regulatory flexibility agendas) are available from the Superintendent of Documents, U.S. Government Publishing Office, P.O. Box 371954, Pittsburgh, PA 15250–7954. Telephone: (202) 512–1800 or 1–866–512–1800 (toll-free). Copies of individual agency materials may be available directly from the agency or may be found on the agency's website. Please contact the particular agency for further information. All editions of The Regulatory Plan and the Unified Agenda of Federal Regulatory and Deregulatory Actions since fall 1995 are available in electronic form at *www.reginfo.gov,* along with flexible search tools. The Government Publishing Office's GPO GovInfo website contains copies of the Agendas and Regulatory Plans that have been printed in the **Federal Register**. These documents are available at *www.govinfo.gov.*

David Cochennic On behalf of Amber Van Amburg,

Director.

Introduction to the 2026 Regulatory Plan

Thanks to President Donald J. Trump's historic deregulatory efforts to kick off his second term in office, a new era of American prosperity is upon us. After four years of stifling overregulation and astonishing government weaponization, 2025 marked the first chapter of the latest American comeback story under President Trump. Now, the President is writing the next chapter. America is in a new Golden Age.

This 2026 Unified Regulatory Agenda and Regulatory Plan details the many ways that the Trump Administration is continuing to put America—and Americans—first. Taken together, the deregulatory actions in this Regulatory Plan will achieve extraordinary cost savings for Americans that will underscore the President's unmatched deregulatory record. Equally important, the Trump Administration's Regulatory Plan will promote liberty, unleash American energy dominance, preserve products consumers love, and eradicate the ideology of Diversity, Equity, and Inclusion (DEI).

The North Star of this Regulatory Plan is improving the lives of Americans. At its core, this document outlines how the Trump Administration is promoting economic growth, jobs, and affordability. The President's bold deregulatory efforts yielded $211.8 billion in cost savings for Americans in Fiscal Year 2025—a level of regulatory savings never before achieved in American history. Yet Fiscal Year 2026 will go far beyond even that number with a record-setting $1.5 trillion in projected cost savings.

President Trump is improving the American people's lives beyond economic cost savings. The federal government has imposed onerous restrictions on everything from the cars that Americans may drive to the appliances that they can use in their homes. This Regulatory Plan will continue President Trump's heroic restoration of our immigration laws and sealing of the border, end DEI in federal regulations, and restore sanity to the operations of government.

President Trump's Regulatory Plan advances an affirmative vision of American greatness. In the 250 years since the signing of the Declaration of Independence, the United States has grown from a loose collection of colonies to the greatest Nation that the world has ever known. And in this 250th year, as America marks yet another great milestone in her history, this Regulatory Plan embodies the spirit of the Declaration: our rights come from God, not government. I am therefore proud to share President Trump's Regulatory Plan for 2026, which offers a window into how the Trump Administration plans to continue solidifying America's Golden Age as we look ahead to the Republic's next 250 years.

Mark Paoletta

General Counsel Performing the Delegated Duties of the OIRA Administrator

DEPARTMENT OF AGRICULTURE

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
1	Revise Conditions for Payment of Indemnity and Compensation for HPAI	0579–AE79	Final Rule Stage.
2	Streamlining the Community Facilities Regulation, 7 CFR 3570, Subpart E (Servicing).	0575–AD20	Final Rule Stage.
3	Strengthening Integrity and Reducing Retailer Fraud in the Supplemental Nutrition Assistance Program (SNAP).	0584–AE71	Proposed Rule Stage.
4	Enhancing Electronic Benefit Transfer (EBT) Card Security Measures	0584–AE99	Proposed Rule Stage.
5	Supplemental Nutrition Assistance Program: Modification to Work Requirements for Able-Bodied Adults.	0584–AF09	Proposed Rule Stage.
6	Supplemental Nutrition Assistance Program: Reforming Categorical Eligibility	0584–AF10	Proposed Rule Stage.
7	Amendment of definition of "eligible food" in the Supplemental Nutrition Assistance Program (SNAP).	0584–AF14	Proposed Rule Stage.
8	Supplemental Nutrition Assistance Program: Alien Eligibility	0584–AF23	Proposed Rule Stage.
9	Enhancing Integrity in Non-Congregate Meal Service in the Summer Meal Programs.	0584–AF24	Proposed Rule Stage.
10	Combating Fraud in the Child and Adult Care Food Program and the Summer Food Service Program.	0584–AF25	Proposed Rule Stage.
11	Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Program Integrity.	0584–AF26	Proposed Rule Stage.
12	Special Supplemental Nutrition Program for Women, Infants and Children (WIC): WIC Online Ordering and Transactions and Food Delivery Revisions to Meet the Needs of a Modern, Data-Driven Program.	0584–AE85	Final Rule Stage.
13	Updated Staple Food Stocking Standards for Retailers in the Supplemental Nutrition Assistance Program.	0584–AF12	Final Rule Stage.
14	Maximum Line Speed Rates for Young Chicken and Turkey Establishments Operating Under the New Poultry Inspection System.	0583–AE01	Proposed Rule Stage.
15	Maximum Line Speed under the New Swine Slaughter Inspection System (NSIS)	0583–AE02	Proposed Rule Stage.
16	Modernization of Beef Slaughter Inspection	0583–AE08	Proposed Rule Stage.
17	Revision of the Nutrition Facts Labels for Meat and Poultry Products and Updating Certain Reference Amounts Customarily Consumed.	0583–AD56	Final Rule Stage.
18	Special Areas: Roadless Area Conservation Repeal	0596–AD66	Proposed Rule Stage.

DEPARTMENT OF COMMERCE

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
19	Endangered and Threatened Wildlife and Plants; Regulations for Listing Species and Designating Critical Habitat.	0648–BN70	Proposed Rule Stage.
20	Endangered and Threatened Wildlife and Plants; Interagency Cooperation Regulations.	0648–BN79	Proposed Rule Stage.
21	Setting and Adjusting Patent Fees	0651–AD88	Proposed Rule Stage.

DEPARTMENT OF WAR

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
22	Solicitation Provisions and Contract Clauses	0790–AK52	Final Rule Stage.
23	National Industrial Security Program Operating Manual (NISPOM); Second Amendment.	0790–AL52	Final Rule Stage.
24	Cybersecurity Maturity Model Certification (CMMC) Program	0790–AM01	Final Rule Stage.
25	Updated Definition of "Waters of the United States"	0710–AB59	Proposed Rule Stage.
26	TRICARE Removal of Temporary Regulation Change and Freestanding End-Stage Renal Disease (ESRD) Facilities as TRICARE-Authorized Institutional Providers and Reimbursement Methods for ESRD facilities.	0720–AB85	Final Rule Stage.

DEPARTMENT OF EDUCATION

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
27	Elimination of Disparate Impact Theory Under Title VI of the 1964 Civil Rights Act.	1870–AA20	Final Rule Stage.
28	Implementation of Title IX based on Definition of "Sex" Identified in EO 14168	1870–AA23	Final Rule Stage.
29	Documentation of Foreign Source Gifts and Contracts, Section 117 of the Higher Education Act of 1965.	1840–AD50	Prerule Stage.
30	Reducing Anti-Competitive Regulatory Barriers	1840–AE01	Prerule Stage.
31	Addressing Title IV Eligibility Issues	1840–AE04	Prerule Stage.
32	Accreditation Issues	1840–AD82	Proposed Rule Stage.

DEPARTMENT OF EDUCATION—Continued

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
33	Equity in IDEA (Individuals with Disabilities Education Act)	1820–AB84	Proposed Rule Stage.

DEPARTMENT OF ENERGY

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
34	Procedures, Interpretations, and Policies for Consideration in New or Revised Energy Conservation Standards and Test Procedures for Consumer Products and Commercial/Industrial Equipment.	1904–AF72	Proposed Rule Stage.
35	Petroleum-Equivalent Fuel Economy Calculation	1904–AG09	Final Rule Stage.
36	Worker Safety and Health Requirements to Support Reform of Nuclear Reactor Testing.	1901–AB74	Proposed Rule Stage.
37	Energy Dominance Financing Amendments	1901–AB72	Final Rule Stage.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
38	Privacy Act Regulations	0991–AC05	Proposed Rule Stage.
39	Petition Process for Rulemaking and Regulatory Review	0991–AC43	Final Rule Stage.
40	Making Technical Changes and Clarifying How OCR Addresses Conscience Authorities in Health Care; Delegation of Authority.	0945–AA24	Proposed Rule Stage.
41	HIPAA Privacy Rule: Changes to Support Coordinated Care and Individual Engagement and Reduce Regulatory Burdens.	0945–AA00	Final Rule Stage.
42	Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance.	0945–AA27	Final Rule Stage.
43	Health Data, Technology, and Interoperability: Application Programming Interfaces and Information Blocking.	0955–AA10	Proposed Rule Stage.
44	Control of Communicable Diseases; Foreign Quarantine: Dog Importation	0920–AA87	Proposed Rule Stage.
45	Administrative Detention of Tobacco Products	0910–AI05	Proposed Rule Stage.
46	Modernizing Regulations to Promote Electronic Submission and Reduce Paper Submission.	0910–AI50	Proposed Rule Stage.
47	Substances Generally Recognized as Safe	0910–AJ02	Proposed Rule Stage.
48	Transparency in Direct-to-Consumer Advertising	0910–AJ14	Proposed Rule Stage.
49	Proactive Disclosure of Complete Response Letters	0910–AJ16	Proposed Rule Stage.
50	Electronic Labeling for Medical Devices	0910–AJ17	Proposed Rule Stage.
51	Nutrient Content Claims for Added Sugars	0910–AJ20	Proposed Rule Stage.
52	Modification of Certain Terminology in Title 21	0910–AJ26	Proposed Rule Stage.
53	Amendments to 21 CFR Parts 56 and 312; Expedited Investigational New Drug Application for Phase 1 Clinical Trial Reform.	0910–AJ30	Proposed Rule Stage.
54	Strengthening Regulatory Oversight of the Organ Procurement and Transplantation Network to Ensure Patient Safety.	0906–AB34	Proposed Rule Stage.
55	Human Research Protections: Exemptions and Clarifying Provisions Related to Institutional Review Board Oversight.	0937–AA16	Proposed Rule Stage.
56	Interoperability Standards and Prior Authorization for Drugs (CMS–0062)	0938–AV44	Proposed Rule Stage.
57	Strengthening the Integrity of Medicaid and CHIP Managed Care, Financing, and Access to Care (CMS–2450).	0938–AV70	Proposed Rule Stage.
58	CY 2027 Revisions to Payment Policies under the Physician Fee Schedule and Other Revisions to Medicare Part B (CMS–1848).	0938–AV82	Proposed Rule Stage.
59	Comprehensive Regulations to Uncover Suspicious Healthcare (CRUSH) (CMS–6098).	0938–AV97	Proposed Rule Stage.
60	Strengthening Oversight of Accrediting Organizations (AO), Burden Reduction, and Related Provisions (CMS–3367).	0938–AU88	Final Rule Stage.
61	Establishing State Community Engagement Requirements for Certain Individuals Under Section 1902(xx) of the Social Security Act (CMS–2454).	0938–AV98	Final Rule Stage.
62	Reducing Bureaucracy and Burden in the Child Care and Development Fund (CCDF).	0970–AD29	Proposed Rule Stage.
63	Modernize the Head Start Program by Reducing Requirements and Enhancing Alignment with State and Local Systems.	0970–AD30	Proposed Rule Stage.
64	Reforming Federal Reporting and Assessments in Child Welfare	0970–AD32	Proposed Rule Stage.
65	Reducing Bureaucracy and Burden for Children, Youth and Families	0970–AD37	Proposed Rule Stage.
66	Reducing Bureaucracy and Burden for Family Assistance Programs	0970–AD38	Proposed Rule Stage.
67	Reducing Bureaucracy and Burden for Child Support Enforcement	0970–AD39	Proposed Rule Stage.
68	Reducing Bureaucracy and Burden in Community Services	0970–AD41	Proposed Rule Stage.
69	Reducing Bureaucracy and Burden in Family Violence and Prevention Services	0970–AD42	Proposed Rule Stage.
70	Reducing Bureaucracy and Burden for Refugee Resettlement Programs	0970–AD28	Final Rule Stage.

DEPARTMENT OF HOMELAND SECURITY

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
71	Improving the Process of Certification of Form N–648, Medical Certification for Disability Exceptions.	1615–AD07	Proposed Rule Stage.
72	Naturalization Application Fee Adjustments	1615–AD08	Proposed Rule Stage.
73	Protecting the Integrity of Naturalization through Enhanced Educational Standards.	1615–AD13	Proposed Rule Stage.
74	Sponsor Reimbursement and Deeming 8 CFR § 213a	1615–AD15	Proposed Rule Stage.
75	Clarification of Certain Mariner Training Requirements	1625–AC48	Proposed Rule Stage.
76	Shipping Safety Fairways Along the Atlantic Coast	1625–AC57	Proposed Rule Stage.
77	Electronic Chart and Navigation Equipment Carriage Requirements	1625–AC74	Final Rule Stage.
78	Advance Passenger Information System: Electronic Validation of Travel Documents.	1651–AB43	Final Rule Stage.
79	Automated Commercial Environment (ACE) Electronic Export Manifest for Rail Cargo.	1651–AB52	Final Rule Stage.
80	Vetting of Certain Surface Transportation Employees	1652–AA69	Final Rule Stage.
81	Minimum Standards for Driver's Licenses and Identification Cards Acceptable by Federal Agencies for Official Purposes; Procedures for Remote Application and Issuance.	1652–AA78	Final Rule Stage.
82	Normalizing Unmanned Aircraft Systems Beyond Visual Line of Sight Operations	1652–AA80	Final Rule Stage.
83	Establishing a Fixed Time Period of Admission and an Extension of Stay Procedure for Nonimmigrant Academic Students, Exchange Visitors, and Representatives of Foreign Information Media.	1653–AA95	Final Rule Stage.
84	Removal of Updates to Floodplain Management and Protection of Wetlands Regulations.	1660–AB18	Final Rule Stage.
85	Cyber Incident Reporting for Critical Infrastructure Act (CIRCIA) Reporting Requirements.	1670–AA04	Final Rule Stage.
86	Electronic Bond Transmission	1685–AA24	Final Rule Stage.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
87	Housing and Community Development Act of 1980: Verification of Eligible Status (FR–6524).	2501–AE16	Final Rule Stage.
88	Revising the Definition of "Manufactured Home" to Lower Housing Costs	2502–AJ80	Proposed Rule Stage.

DEPARTMENT OF THE INTERIOR

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
89	Offshore Wind Regulatory Reform	1010–AE38	Proposed Rule Stage.

DEPARTMENT OF JUSTICE

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
90	Special Registrations for Telemedicine and Limited State Telemedicine Registrations.	1117–AB40	Final Rule Stage.

DEPARTMENT OF LABOR

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
91	Rescission of Executive Order 11246 Implementing Regulations	1250–AA17	Final Rule Stage.
92	Employee or Independent Contractor Status Under the Fair Labor Standards Act, Family and Medical Leave Act, and Migrant and Seasonal Agricultural Worker Protection Act.	1235–AA46	Proposed Rule Stage.
93	Joint Employer Status Under the Fair Labor Standards Act, Family and Medical Leave Act, and Migrant and Seasonal Agricultural Worker Protection Act.	1235–AA48	Proposed Rule Stage.
94	Application of the Fair Labor Standards Act to Domestic Service	1235–AA51	Final Rule Stage.
95	Improving Wage Protections for the Temporary and Permanent Employment of Certain Foreign Nations in the United States.	1205–AC30	Proposed Rule Stage.
96	Adverse Effect Wage Rate Methodology for the Temporary Employment of H–2A Nonimmigrants in Non-Range Occupations in the United States.	1205–AC24	Final Rule Stage.

DEPARTMENT OF LABOR—Continued

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
97	Rescission of Final Rule: Improving Protections for Workers in Temporary Agricultural Employment in the United States.	1205–AC25	Final Rule Stage.
98	Prudence and Loyalty in Selecting Plan Investments and Exercising Shareholder Rights.	1210–AC37	Proposed Rule Stage.
99	Fiduciary Duties In Selecting Designated Investment Alternatives	1210–AC38	Proposed Rule Stage.
100	Improving Transparency into Pharmacy Benefit Manager Fee Disclosure	1210–AB37	Final Rule Stage.
101	Transparency in Coverage	1210–AC30	Final Rule Stage.
102	Respirable Crystalline Silica	1219–AC22	Proposed Rule Stage.
103	Lock-Out/Tag-Out Update	1218–AD00	Proposed Rule Stage.

DEPARTMENT OF TRANSPORTATION

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
104	Commercial Driver's License (CDL) Standards	2126–AD03	Proposed Rule Stage.

DEPARTMENT OF VETERANS AFFAIRS

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
105	Removing Barriers to Service Connection by Updating Hypertension Notes	2900–AS24	Proposed Rule Stage.
106	Expanding Options for Veterans to Avoid Home Foreclosures	2900–AS78	Proposed Rule Stage.
107	Schedule for Rating Disabilities: Ear, Nose, Throat, and Audiology Disabilities; Special Provisions Regarding Evaluation of Respiratory Conditions; Schedule for Rating Disabilities: Respiratory System.	2900–AQ72	Final Rule Stage.
108	Schedule for Rating Disabilities: Neurological Conditions and Convulsive Disorders.	2900–AQ73	Final Rule Stage.
109	Schedule for Rating Disabilities: Mental Disorders	2900–AQ82	Final Rule Stage.
110	Amendments to the Program of Comprehensive Assistance for Family Caregivers	2900–AR96	Final Rule Stage.
111	Telehealth Grant Program	2900–AS20	Final Rule Stage.
112	Implementing Regulation for National Environmental Policy Act (NEPA): Environmental Effects of the Department of Veterans Affairs Actions.	2900–AS33	Final Rule Stage.

ENVIRONMENTAL PROTECTION AGENCY

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
113	Amendments to the Model Year 2027 and Later Heavy-Duty Highway Engine Criteria Pollutant Program.	2060–AW83	Proposed Rule Stage.
114	Revision to "Begin Actual Construction" in the New Source Review Preconstruction Permitting Program.	2060–AW84	Proposed Rule Stage.
115	Revision of Tier 4 Phase-in Schedule for Light-Duty and Medium-Duty Vehicles	2060–AW96	Proposed Rule Stage.
116	Formaldehyde; Regulation under the Toxic Substances Control Act (TSCA)	2070–AL22	Proposed Rule Stage.
117	Perchloroethylene (PCE); Amendments to Regulation Under the Toxic Substances Control Act (TSCA).	2070–AL39	Proposed Rule Stage.
118	Trichloroethylene (TCE); Amendments to Regulation Under the Toxic Substances Control Act (TSCA).	2070–AL41	Proposed Rule Stage.
119	Carbon Tetrachloride (CTC); Amendments to Regulation under the Toxic Substances Control Act (TSCA).	2070–AL42	Proposed Rule Stage.
120	Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act; Common Sense Approach to Chemical Accident Prevention.	2050–AH37	Proposed Rule Stage.
121	Hazardous and Solid Waste Management System: Disposal of Coal Combustion Residuals from Electric Utilities; Legacy/CCRMU Amendments.	2050–AH39	Proposed Rule Stage.
122	Clean Water Act Effluent Limitations Guidelines and Standards for PFAS Manufacturers Under the Organic Chemicals, Plastics and Synthetic Fibers Point Source Category.	2040–AG10	Proposed Rule Stage.
123	Steam Electric Effluent Limitations Guideline Reconsideration Rule	2040–AG41	Proposed Rule Stage.
124	Rescission of Regulatory Determinations and Removal of Related Provisions for Four PFAS Substances (PFHxS, PFNA, HFPO–DA (GenX), and the mixture of these three PFAS plus PFBS).	2040–AG53	Proposed Rule Stage.
125	Carbon Pollution Standards Repeal	2060–AW55	Final Rule Stage.
126	Reconsideration of the Greenhouse Gas Reporting Program	2060–AW76	Final Rule Stage.
127	Procedures for Chemical Risk Evaluation Under the Toxic Substances Control Act (TSCA).	2070–AL27	Final Rule Stage.

ENVIRONMENTAL PROTECTION AGENCY—Continued

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
128	Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) Data Reporting and Recordkeeping under the Toxic Substances Control Act (TSCA); Revision to Regulation.	2070–AL29	Final Rule Stage.
129	Updated Definition of "Waters of the United States"	2040–AG44	Final Rule Stage.
130	Updating the Water Quality Certification Rule	2040–AG47	Final Rule Stage.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
131	Rescission of EEO–1, EEO–2, EEO–3, EEO–4, EEO–5, And Reporting Requirement Under Title VII, the ADA, GINA, and the PWFA.	3046–AB37	Proposed Rule Stage.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
132	Implementation of the Administrative False Claims Act	2700–AE79	Proposed Rule Stage.
133	Procedures for Implementing the National Environmental Policy Act	2700–AE80	Final Rule Stage.
134	Nondiscrimination in Federally-Assisted Programs of NASA—Effectuation of Title VI of the Civils Rights Act of 1964.	2700–AE89	Final Rule Stage.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
135	Interagency Security Classification Appeals Panel Bylaws, Rules, and Appeals Procedures.	3095–AC30	Proposed Rule Stage.

OFFICE OF PERSONNEL MANAGEMENT

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
136	Recruitment and Selection Through Competitive Examination	3206–AO24	Proposed Rule Stage.
137	Personnel Management in Agencies: Strategic Human Capital Management	3206–AO77	Proposed Rule Stage.
138	Attorney Fees and Personnel Action Coverage under the Back Pay Act	3206–AO87	Proposed Rule Stage.
139	Federal Employees Benefits: Enrollment Integrity	3206–AO93	Proposed Rule Stage.
140	Determining Rate of Basic Pay for Certain General Schedule Positions	3206–AO95	Proposed Rule Stage.
141	Reduction in Force	3206–AO86	Final Rule Stage.
142	Managing Senior Professional Performance	3206–AO88	Final Rule Stage.
143	Suitability Action Appeals	3206–AO97	Final Rule Stage.
144	Reduction in Force Appeals	3206–AO99	Final Rule Stage.
145	Elimination of Time in Grade	3206–AP05	Final Rule Stage.
146	Performance Management Systems for General Schedule, Prevailing Rate, and Certain Other Employees.	3206–AP06	Final Rule Stage.

SOCIAL SECURITY ADMINISTRATION

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
147	Standardizing Requesting and Scheduling Hearings Before an Administrative Law Judge.	0960–AJ01	Proposed Rule Stage.
148	Revised Medical Criteria for Evaluating Cardiovascular Disorders	0960–AI43	Final Rule Stage.
149	Ticket to Work: Rescission of Obsolete Regulatory Provisions	0960–AJ08	Final Rule Stage.

CONSUMER FINANCIAL PROTECTION BUREAU

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
150	Personal Financial Data Rights Reconsideration	3170–AB39	Proposed Rule Stage.

CONSUMER FINANCIAL PROTECTION BUREAU—Continued

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
151	Small Business Lending Data Collection Under the Equal Credit Opportunity Act Reconsideration.	3170–AB40	Final Rule Stage.
152	Equal Credit Opportunity Act (Regulation B)	3170–AB54	Final Rule Stage.

CONSUMER PRODUCT SAFETY COMMISSION

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
153	Safety Standard for Lithium-Ion Batteries Used in Micromobility Products	3041–AE10	Proposed Rule Stage.
154	Safety Standard for Portable Generators	3041–AC36	Final Rule Stage.

FEDERAL DEPOSIT INSURANCE CORPORATION

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
155	Basel III Revisions: Amendments to the Capital Rule for Large Banking Organizations.	3064–AF29	Proposed Rule Stage.
156	Prohibition on Use of Reputation Risk by Regulators	3064–AG12	Proposed Rule Stage.
157	Regulatory Capital Rule: Revisions to the Community Bank Leverage Ratio Framework.	3064–AG17	Proposed Rule Stage.
158	GENIUS Act Requirements for FDIC-Supervised Permitted Payment Stablecoin Issuers.	3064–AG19	Proposed Rule Stage.
159	Resolution Plans Required for Insured Depository Institutions with $100B or More in Total Assets; Informational Filings Required for IDIs with at Least $50B but Less Than $100B in Total Assets.	3064–AG21	Proposed Rule Stage.
160	Unsafe or Unsound Practices, Matters Requiring Attention	3064–AG16	Final Rule Stage.

SECURITIES AND EXCHANGE COMMISSION

Sequence No.	Title	Regulation Identifier No.	Rulemaking stage
161	Evaluating the Consolidated Audit Trail	3235–AN54	Prerule Stage.
162	Crypto Assets	3235–AN38	Proposed Rule Stage.
163	Enhancement of Emerging Growth Company Accommodations and Simplification of Filer Status for Reporting Companies.	3235–AN40	Proposed Rule Stage.
164	Registered Offerings Reform	3235–AN41	Proposed Rule Stage.
165	Amendments to the Custody Rules	3235–AN46	Proposed Rule Stage.
166	Crypto Market Structure Amendments	3235–AN49	Proposed Rule Stage.
167	Semiannual Reporting	3235–AN58	Proposed Rule Stage.
168	Enhancing Retail Exposure to Private Markets	3235–AN59	Proposed Rule Stage.

Millennium Challenge Corporation

Millennium Challenge Corporation is proposing companion revisions to the Office of Management and Budget's (OMB) proposed updates to Title 2 of the Code of Federal Regulations (CFR), Subtitle A Office of Management and Budget Guidance for Federal Financial Assistance. Consistent with the review requirements in 2 CFR 200.109, the intent of these proposed revisions in Subtitle B Federal Agency Regulations for Grants and Agreements is to improve transparency, accountability, and oversight for Federal awards across the Federal Government by ensuring continued alignment with Administration priorities, revising indirect cost policy, reducing burden, and converting guidance to regulation.

U.S. Department Of Agriculture

Statement of Regulatory Priorities

The U.S. Department of Agriculture (USDA) is dedicated to supporting American agriculture, farmers, ranchers, foresters, and rural communities, while ensuring the efficient delivery of services. For the upcoming year, USDA's regulatory focus will promote innovation, strengthening markets for U.S. agricultural products, enhancing program integrity, and improving operational efficiency. These priorities align with the Administration's emphasis on fostering economic growth, reducing regulatory burdens, and ensuring effective, lawful governance.

USDA's regulatory agenda reflects its commitment to implementing Executive Order 14192, *Unleashing Prosperity Through Deregulation,* and Executive Order 14219, *Ensuring Lawful Governance and Implementing the President's ''Department of Government Efficiency'' Deregulatory Initiative.* Additionally, USDA will continue to implement the *One Big Beautiful Bill Act (OBBBA)* to enhance program payments, strengthen farm security, and provide long-term certainty for American farmers and ranchers.

Key Regulatory Priorities

The Administration is pursuing goals in four key areas: enhancing oversight, strengthening eligibility standards, streamlining regulatory burden(s), and promoting American energy.

Enhancing Oversight

USDA will pursue rulemakings to strengthen oversight, reduce fraud, and improve program integrity through the following actions:

- *Agricultural Foreign Investment Disclosure Act (AFIDA).* To strengthen the federal government's ability to monitor and safeguard U.S. farmland from foreign adversarial interests, USDA initiated an Advance Notice of Proposed Rulemaking (ANPR) to modernize the reporting requirements under the Agricultural Foreign Investment Disclosure Act (AFIDA). This action supports the Administration's National Farm Security Action Plan and reflects a renewed emphasis on farmland security as a matter of national interest. The ANPR solicits public input on how to close longstanding gaps in foreign ownership reporting, improve data accuracy and timeliness, and enhance USDA's coordination with federal partners. By updating and expanding the scope of 7 CFR part 781, USDA will replace a regulation that has not been revised since 2006 and ensure the Department has the tools necessary to detect, deter, and disclose foreign acquisitions of U.S. agricultural land.
- *Strengthening Integrity and Reducing Retailer Fraud in the Supplemental Nutrition Assistance Program (SNAP).* To strengthen program integrity and reduce retailer fraud in the Supplemental Nutrition Assistance Program (SNAP), this rule proposes new requirements designed to deter fraud, abuse, and non-compliance. The proposed regulations would enhance oversight for SNAP retailers and improve the program's overall integrity for all stakeholders.
- *Enhancing Electronic Benefit Transfer (EBT) Card Security Measures.* USDA is advancing measures to strengthen Electronic Benefit Transfer (EBT) card security and protect program participants against fraud. Implementing Section 501(a)(2) of the Consolidated Appropriations Act, 2023, the Food and Nutrition Service (FNS) will modernize EBT requirements to combat card skimming, cloning, and similar fraudulent activities. These improvements will safeguard taxpayer funds and streamline program administration by reducing fraud and enhancing system integrity.
- *Enhancing Integrity in the Summer Meal Programs.* USDA will propose strengthening oversight of summer meal programs to ensure benefits reach children as intended while reducing waste and abuse. Building on recent experiences, the Department will update regulations for non-congregate meal service under the Summer Food Service Program (SFSP) and the Seamless Summer Option (SSO). These updates will tighten integrity controls, promote accountability, and focus participation on providers best equipped to deliver meals efficiently and responsibly.
- *Combating Fraud in Child and Adult Care Food Program and Summer Food Service Program.* This rulemaking proposes significant changes to combat fraud in the Child and Adult Care Food Program (CACFP) and the Summer Food Service Program (SFSP). The proposed changes are intended to minimize false and fraudulent claims, providing state agencies and sponsoring organizations with new tools to identify and remove fraudulent operators. The proposed rule will protect taxpayer dollars through strengthened integrity measures, including reciprocal disqualification procedures as mandated by Section 12(r) of the National School Lunch Act. Additionally, oversight is enhanced through modified monitoring and recordkeeping requirements.
- *Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Program Integrity.* To strengthen program integrity in the WIC program, this proposed rule modernizes vendor integrity requirements by shifting from paper-based to electronic benefits transfer (EBT) processes nationwide. The regulations will protect WIC participants' personal information and taxpayer funds. Furthermore, the rule enhances state agency vendor selection criteria and investigation techniques to reduce vendor fraud, abuse, and waste. Stronger regulatory requirements for vendor investigations, violations, and sanctions will significantly improve oversight.

Strengthening Eligibility Standards

USDA will refine eligibility requirements to ensure programs responsibly serve their intended populations:

- *Supplemental Nutrition Assistance Program: Modification to Work Requirements for Able-Bodied Adults.* This proposed rule refines eligibility requirements for the Supplemental Nutrition Assistance Program (SNAP) to ensure it serves its intended population. It codifies provisions of Public Law 119–21 that includes modifying which participants are subject to the time limit and changes to the waiver requirements to ensure that exemptions from work requirements are provided only in appropriate circumstances.
- *Supplemental Nutrition Assistance Program: Reforming Categorical Eligibility.* This proposal refines SNAP eligibility requirements by reforming categorical eligibility to serve households that have demonstrated a need for assistance. Under the proposed rule, categorical eligibility would be limited to households that receive cash or other substantial assistance from the Temporary Assistance to Needy Families (TANF) program. This change would align categorical eligibility with its statutory purpose of streamlining program administration while ensuring only households truly in need are deemed eligible.
- *Updated Staple Food Stocking Standards for Retailers in the Supplemental Nutrition Assistance Program.* This final rule refines the eligibility requirements for retailers participating in the SNAP program in accordance with a provision of the Agricultural Act of 2014 that increases the minimum number of varieties for staple foods from three to seven. These changes aim to ensure that authorized retailers can effectively serve the intended population of SNAP participants by offering a wider variety of staple foods. The rule also provides some flexibility for retailers while simplifying the overall criteria.
- *Amendment of definition of "eligible food" in the Supplemental Nutrition Assistance Program (SNAP).* In support of the Administration's Make America Healthy Again (MAHA) initiative, USDA proposes to update the definition of "eligible foods" under SNAP to better align program benefits with national nutrition goals. This action reinforces SNAP's statutory purpose—helping low-income households obtain a more nutritious diet—by promoting access to wholesome foods and discouraging purchases inconsistent with dietary health. Through this reform, USDA will strengthen the program's role as a cornerstone of the MAHA movement to improve health outcomes, reduce diet-related disease, and advance self-sufficiency.
- *Supplemental Nutrition Assistance Program: Alien Eligibility.* Consistent with the Administration's commitment to restore lawful governance and ensure that federal benefits serve their intended recipients, USDA will refine eligibility standards for aliens in the Supplemental Nutrition Assistance Program (SNAP). By implementing provisions of Public Law 119–21, this action reaffirms that SNAP benefits are reserved for U.S. citizens and certain lawfully present aliens, as established by federal law.
- *Revise Conditions for Payment of Indemnity and Compensation for HPAI.* To strengthen disease prevention and ensure taxpayer-funded indemnities reward responsible producers, USDA

will finalize the conditions for payment related to highly pathogenic avian influenza (HPAI) announced in the earlier interim final rule. These regulations will require commercial poultry premises to pass a biosecurity audit before receiving compensation, thereby ensuring that payments are directed only to operations that have implemented robust measures to prevent the spread of disease. By tying eligibility to compliance, this action promotes accountability, protects animal health, and reduces the overall risk of future outbreaks.

- *Eligibility Requirement to Serve on a Farm Service Agency (FSA) County Committee.* USDA is strengthening standards for service on Farm Service Agency (FSA) county committees to ensure these bodies operate with integrity, professionalism, and respect. Under this update, any individual who has been formally restricted or banned from entering an FSA office—for example, due to misconduct or harassment—will be ineligible to serve on a county committee. This safeguard ensures that committee members can fully and safely participate in meetings, protects staff and producers, and upholds public confidence in the program's administration.

Streamlining Regulatory Burden(s)

To modernize and streamline its regulatory processes, USDA is proposing several changes to improve efficiency and reduce unnecessary burdens.

- *Modernize food safety inspection:* USDA is modernizing meat and poultry inspection to strengthen food safety outcomes, reduce cross-contamination risks, and improve operational efficiency for industry and inspectors alike. The Food Safety and Inspection Service (FSIS) will propose updates allowing establishments under the New Swine Inspection System and New Poultry Inspection System to increase line speeds where process control is maintained, supporting innovation without compromising safety. FSIS will also remove outdated inspection procedures—such as the incision of mandibular lymph nodes and palpation of viscera—that research shows are unnecessary and can increase contamination risk. Finally, the agency will update staffing standards to reflect actual operational needs, ensuring resources are deployed effectively to safeguard the food supply.
- *Removal of Standard of Identity for Canned* ''*Tripe with Milk*''*:* To reduce redundant regulatory requirements, FSIS is proposing to remove the standards of identity for canned ''Tripe with Milk, eliminating needless rules while not impacting food safety. FSIS has determined that the existing standard for the finished canned article is unnecessary.
- *WIC program modernization:* FNS is proposing to modernize the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) regulations to provide greater program flexibility. This includes updating outdated regulations, incorporating electronic benefits transfer (EBT), and streamlining processes to better align with the changing retail marketplace and improve customer service.
- *Outdated regulatory removal:* FNS plans to remove multiple outdated or duplicative regulatory provisions to simplify the program and reduce administrative burden.
- *Streamlined regulations for loan and grant programs:* Rural Development is consolidating and simplifying regulations for several programs to improve efficiency and customer experience.
  - *Community Facilities (CF) Program:* The CF Program will move from seven separate regulations to a single, streamlined rule, which will improve loan servicing options for borrowers.
  - *Single Family Housing (SFH) Direct Programs:* The Rural Housing Service (RHS) is proposing changes to its SFH programs to create a more efficient application process and simplify regulations that impose burdensome requirements on borrowers and applicants. This will improve regulatory efficiencies and customer service.
  - *SFH Self-Help Technical Assistance Grants:* Proposed improvements aim to streamline and simplify requirements, reduce paperwork, and improve processes for organizations that assist low-income families in constructing their own homes.

Unleashing American Energy

To advance the goals of Executive Order 14153, ''Unleashing Alaska's Extraordinary Resource Potential,'' and Executive Order 14154, ''Unleashing American Energy,'' USDA is modernizing several regulations to increase resource development, improve energy independence, and streamline processes.

Advancing Alaskan Resource Development

- *Special Areas: Roadless Area Conservation Repeal:* The Forest Service is repealing the rule that established prohibitions on road construction and timber harvesting in inventoried roadless areas on National Forest System lands. This change, which is consistent with Executive Order 14153, will allow management requirements to be guided by individual land management plans, supporting sustainable communities in Southeast Alaska through increased management flexibility.

Expanding American Energy and Mineral Production

- *Oil and Gas Resource Revision:* USDA will modernize and streamline the framework governing oil and gas activities on National Forest System lands to reduce delays, improve coordination, and support responsible energy development. Consistent with Executive Orders 14154 and 14153, the revised approach will clarify leasing consent and surface use permitting processes, align analytical requirements with other federal agencies, and eliminate duplicative reviews. These improvements will provide regulatory certainty for operators and advance the Administration's goal of unleashing American energy. USDA published a final rule on January 28, 2026, 91 FR 3643.
- *Update and Clarification of the Locatable Minerals Regulations:* USDA will modernize and clarify the framework governing locatable mineral activities on National Forest System lands to deliver timelier, more predictable reviews for critical mineral projects. Consistent with Executive Order 14154, this action will improve coordination with partner agencies, align procedures across the federal government, and remove outdated or duplicative requirements. These improvements will enhance efficiency, strengthen consistency, and support the Administration's goal of expanding domestic critical mineral production to bolster national defense and economic prosperity.
- *Unleashing American Energy and Economic Prosperity under the Rural Energy for America Program (REAP):* USDA will streamline and simplify the Rural Energy for America Program (REAP) to help agricultural producers and rural small businesses access affordable energy solutions more efficiently. Consistent with Executive Order 14154, these improvements will reduce compliance burdens, accelerate processing times, and promote cost-effective investments in renewable energy systems and energy efficiency upgrades. By modernizing program delivery, USDA will expand participation, lower energy costs, and advance rural prosperity while supporting the Administration's goal of unleashing American energy.

Conclusion

USDA's regulatory priorities for the coming year reflect its commitment to supporting American agriculture, ensuring program integrity, and improving operational efficiency. By focusing on oversight, eligibility, and streamlined implementation, USDA will continue to deliver on its mission to serve farmers, ranchers, and rural communities while reducing regulatory burdens and promoting economic growth.

USDA—Animal and Plant Health Inspection Service (APHIS)	Final Rule Stage

1. REVISE CONDITIONS FOR PAYMENT OF INDEMNITY AND COMPENSATION FOR HPAI

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Regulatory

Legal Authority: 7 U.S.C. 8301, *et seq.*

Relevant Executive Orders: 13771; 14249; 14303

CFR Citation: 9 CFR 53

Legal Deadline: None

Abstract: The Animal and Plant Health Inspection Service (APHIS) amended the regulations pertaining to conditions for payment of indemnity for highly pathogenic avian influenza (HPAI) to require commercial poultry premises to successfully pass a biosecurity audit for HPAI-infected premises intending to restock and for buffer zone (uninfected) premises that wish to request that poultry be moved onto the premises.

Statement of Need: Conditioning restocking of poultry flocks on passing a biosecurity audit will help reduce introduction of HPAI virus from wild bird populations, particularly chronically noncompliant ''hot spots'' that can serve as reservoir for the spread of HPAI.

Summary of Legal Basis: Animal Health Protection Act.

Alternatives: APHIS considered alternatives to the interim rule. APHIS considered a more traditional rulemaking process, or utilizing the NPIP biennial rulemaking process, which involves industry participation. However, the extended timeline associated with this approach made it unsuitable when APHIS has identified a need for immediate action. Immediate action is necessary to incentivize commercial poultry producers to implement critical biosecurity measures to reduce the risk of introduction of HPAI and avoid actions that contribute to its spread. Lastly, APHIS considered a proposal that would tie indemnity payments to a tiered system based on performance in the biosecurity audit. However, this approach lacked sufficient scientific backing.

Anticipated Cost and Benefits: APHIS estimated costs of producers to comply with the interim final rule will result in $0.49 to $0.79 million in time, materials, and recordkeeping costs. Examples of costs include time and labor to implement improvements to current biosecurity practices, time to complete and pass biosecurity audits, delays to restocking, and costs associated with the purchase of or upgrade to equipment needed to conduct a virtual audit, if the producer wishes to have a virtual audit. APHIS expects the benefits of reduced infections from HPAI will outweigh the aforementioned costs associated with this interim rule.

APHIS estimates that this interim rule will reduce overall costs to APHIS and State partners between $39.56 million and $88.66 million. These estimates include reductions in indemnity and response costs, less costs incurred by APHIS and State partners for buffer zone movement audits and previously infected premises audits. Overall, APHIS estimates that this rule will have a net benefit of between $38.55 and $87.65 million. In addition to these quantified benefits, APHIS also anticipates that this interim rule will have small unquantified effects on international trade, consumer prices, animal welfare, public health, and producer welfare.

Risks: Some premises are becoming reinfected multiple times with HPAI within a short period of time. For example, since 2022, some premises have now experienced five HPAI introductions.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/31/24	89 FR 106981
Interim Final Rule Effective.	12/31/24	
Interim Final Rule Comment Period Reopened.	03/14/25	90 FR 12105
Interim Final Rule Comment Period End.	04/14/25	
Final Rule	10/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Additional Information: Additional information about APHIS and its programs is available on the internet at *http://www.aphis.usda.gov.*

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USDA—Rural Housing Service (RHS)	Final Rule Stage

2. STREAMLINING THE COMMUNITY FACILITIES REGULATION, 7 CFR 3570, SUBPART E (SERVICING)

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 5 U.S.C. 301; 7 U.S.C. 1989

Relevant Executive Orders: 14247; 14222; 14219

CFR Citation: 7 CFR 3570 subpart E

Legal Deadline: None

Abstract: The Community Facilities (CF) Program currently utilizes seven existing regulations to service the CF Direct Loans (7 CFR part 1951, subparts E, F, and 0; 7 CFR part 1955, subparts A, B, and C; and 7 CFR part 1956, subpart C). The CF Program will be removed from the existing seven regulations. The Agency will place all regulations for servicing the loans and grants of the CF program into one streamlined regulation; that regulation will apply solely to the CF Program. While this proposed regulation consolidates seven existing regulations, it does not remove any of the servicing options currently available. All authorities authorized in the Consolidated Farm and Agricultural Act are included in this proposed regulation. The proposed regulation will provide internal and external users with a single regulation to implement all authorities available, providing more streamlined service.

Statement of Need: The service regulation covering only CF policies and the proposed changes will result in one streamlined, user-friendly document. The servicing regulation will improve the Agency's ability to service its portfolio and ensure that the Government's investment is protected and maximized.

Summary of Legal Basis: This action will not raise any novel legal or policy issues and this action is not in conflict with Executive Order 12866.

Alternatives: The other alternative is to stay status quo and not change the rule. This alternative would not be in the best interest of the Government.

Anticipated Cost and Benefits: There are no expected long-term costs associated with this change as it will incorporate information, Administrative Notices and Unnumbered Letters that have been issued and reissued for many years. Some modifications to forms and systems will be required, but costs will be minimal. Savings may be realized in more efficient and timely servicing options, which may reduce the number of delinquencies and foreclosures.

Risks: The proposed action will have no financial impact on the public or the Agency.

Timetable:

Action	Date	FR Cite
Final Rule With Comment.	07/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 0575–AD20

USDA—Food and Nutrition Administration (FNA)	Proposed Rule Stage

3. STRENGTHENING INTEGRITY AND REDUCING RETAILER FRAUD IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Regulatory

Legal Authority: Pub. L. 113–79; Pub. L. 115–334

CFR Citation: 7 CFR 271; 7 CFR 274; 7 CFR 278

Legal Deadline: None

Abstract: This proposed rule would implement statutory provisions of the Food, Conservation, and Energy Act of 2008 (the 2008 Farm Bill), the Agriculture Improvement Act of 2018 (the 2018 Farm Bill), and other language intended to deter retailer fraud, abuse, and non-compliance in the Supplemental Nutrition Assistance Program (SNAP). Stakeholders are SNAP retailers and communities in which SNAP retailers provide SNAP participants access to food, other Programs that require SNAP authorization or where reciprocal actions impact participation, and SNAP participants.

Statement of Need: Current USDA SNAP regulations do not allow for the assessment of financial penalties in conjunction with periods of disqualification for SNAP violations. Additionally, existing regulatory requirements do not directly address a number of retailer integrity concerns, such as firms that fail to report changes of ownership, firms that conspire to commit unauthorized redemptions, and firms that violate SNAP equal treatment provisions.

Summary of Legal Basis: This would implement statutory provisions of the Food, Conservation, and Energy Act of 2008, and the Federal Civil Penalties Inflation Adjustment of 2015.

Alternatives: Unavailable

Anticipated Cost and Benefits: The proposed rule is expected to increase the penalties assessed against firms found committing violations by FNS and, as a result, deter violations in SNAP. FNS expects that the administrative costs associated with this proposed rule are minimal.

Risks: N/A

Timetable:

Action	Date	FR Cite
NPRM	10/00/26	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 0584–AE71

USDA—FNA	

4. ENHANCING ELECTRONIC BENEFIT TRANSFER (EBT) CARD SECURITY MEASURES

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Regulatory

Legal Authority: Consolidated Appropriations Act, 2023 (Pub. Law No: 117–328)

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This proposed rule implements Division HH, title IV, section 501(a)(2) of the Consolidated Appropriations Act, 2023. Under section 501(a)(2), the Department of Agriculture, Food and Nutrition Service (FNS) is instructed to promulgate regulations through the notice and comment process that require State agencies to implement new card security measures to protect against card skimming, card cloning, and other similar fraudulent means.

Statement of Need: This proposed rule implements Division HH, Title IV, section 501(a)(2) of the Consolidated Appropriations Act, 2023. Under section 501(a)(2), the Department of Agriculture, Food and Nutrition Service (FNS) is instructed to promulgate regulations through the notice and comment process that require State agencies to implement new card security measures to protect against card skimming, card cloning, and other similar fraudulent means.

Summary of Legal Basis: The legal authority can be found in the Consolidated Appropriations Act, 2023 (Pub. L. 117–328).

Alternatives: No reasonable alternative is known.

Anticipated Cost and Benefits: The anticipated costs and benefits will be discussed in the Regulatory Impact Analysis which will accompany the rule.

Risks: If there are any associated risks, those would be discussed in the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	09/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State

Federalism: Undetermined

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RIN: 0584–AE99

USDA—FNA	

5. • SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM: MODIFICATION TO WORK REQUIREMENTS FOR ABLE-BODIED ADULTS

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Regulatory
Legal Authority: Pub. L. 119–21; 7 U.S.C. 2011 to 2036
CFR Citation: 7 CFR 273
Legal Deadline: None
Abstract: This proposed rule codifies provisions of Public Law 119–21. These changes include modifying the list of exceptions from the time limit; updating requirements for areas to qualify for waivers for the time limit; and adding the temporary good faith exemptions in Alaska and Hawaii. Additionally, this rule would strengthen requirements for requesting waivers of the time limit.

Statement of Need: Changes are needed to codify provisions of Public Law 119–21 that expand the scope of participants subject to time limits, as well as changes to the requirements for States seeking waivers from time limits. The proposed changes would reflect that exemptions and exceptions from work requirements are consistent with Federal statute and provided to the appropriate populations.

Summary of Legal Basis: The legal basis for this proposed rule can be found in Public Law 119–21, Section 10102, ''Modifications to SNAP work requirements for able-bodied adults''.

Alternatives: No reasonable alternative is known, given the requirements of the statute.

Anticipated Cost and Benefits: The anticipated costs and benefits will be discussed in the Regulatory Impact Analysis which will accompany the rule.

Risks: Any associated risks will be discussed in the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: No
Government Levels Affected: State
Federalism: Undetermined
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USDA—FNA	

6. SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM: REFORMING CATEGORICAL ELIGIBILITY

Priority: Economically Significant. Major under 5 U.S.C. 801.
Regulatory Accounting: Regulatory
Unfunded Mandates: Undetermined
Legal Authority: 7 U.S.C. 2011 to 2036
CFR Citation: 7 CFR 273
Legal Deadline: None
Abstract: Under section 5(a) of the Food and Nutrition Act of 2008, households in which all members receive benefits under a State program funded by the Temporary Assistance to Needy Families (TANF) program are categorically eligible to participate in the Supplemental Nutrition Assistance Program (SNAP). This proposal would change the regulations at 7 CFR 273.2(j)(2) pertaining to categorically eligible TANF households by limiting categorical eligibility to certain households that receive cash TANF or other substantial assistance from TANF. The proposed revisions would create a clearer and more consistent nationwide policy that ensures categorical eligibility is extended only to households that have sufficiently demonstrated eligibility by qualifying for ongoing and substantial benefits from TANF-funded programs designed to assist households and move them towards self-sufficiency.

Statement of Need: This proposal refines SNAP eligibility requirements by reforming categorical eligibility to better serve households that have demonstrated a need for assistance. Under the proposed rule, categorical eligibility would be limited to households that receive cash or other substantial assistance from the Temporary Assistance to Needy Families (TANF) program. This change would create a clearer, more consistent nationwide policy that ensures only households truly in need and on a path to self-sufficiency are deemed eligible.

Summary of Legal Basis: The legal basis for this proposed rule can be found in 7 U.S.C. 2011–2036.

Alternatives: The Department considered alternative approaches including the ongoing and substantial framework proposed in the 2019 proposed rule. The Department believes the current proposed rule best aligns with Congressional intent for categorical eligibility; however, the Department is seeking public comment on the proposed approach.

Anticipated Cost and Benefits: The anticipated costs and benefits will be discussed in the Regulatory Impact Analysis which will accompany the rule.

Risks: Any associated risks will be discussed in the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	11/00/26	

Regulatory Flexibility Analysis Required: No
Government Levels Affected: Undetermined
Federalism: Undetermined
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RIN: 0584–AF10

USDA—FNA	

7. AMENDMENT OF DEFINITION OF ''ELIGIBLE FOOD'' IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)

Priority: Other Significant
Regulatory Accounting: Regulatory
Legal Authority: 7 U.S.C. 2013(a)
CFR Citation: 7 CFR 271.2
Legal Deadline: None
Abstract: The Food and Nutrition Service is proposing to amend the definition of ''eligible foods'' in SNAP to align with the program's purpose of assisting low-income households in obtaining a more nutritious diet and advance USDA's goal to ''Make America Healthy Again.''

Statement of Need: To ensure the SNAP program effectively serves its intended population of low-income households by providing a nutritious diet, the Food and Nutrition Service is proposing to amend the definition of ''eligible foods.'' This change aligns the program with its purpose of promoting better nutrition and supports USDA's goal to ''Make America Healthy Again.''

Summary of Legal Basis: The legal basis for this proposed rule can be found at 7 U.S.C. 2013(a).

Alternatives: Retaining the current definition is an alternative to this reform, but the proposal better aligns the program with its purpose of promoting better nutrition.

Anticipated Cost and Benefits: Anticipated costs and benefits will be discussed in the Regulatory Impact Analysis which will accompany the rule.

Risks: Any associated risks will be discussed in the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	12/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0584–AF14

USDA—FNA

8. • SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM: ALIEN ELIGIBILITY

Priority: Other Significant

Regulatory Accounting: Regulatory

Legal Authority: Pub. L. 119–21 (7 U.S.C. 2015(f))

Relevant Executive Orders: 14218

CFR Citation: 7 CFR 271; 7 CFR 273

Legal Deadline: None

Abstract: Federal law and regulations limit eligibility for SNAP benefits to U.S. citizens and certain lawfully present aliens. This proposed rule implements provisions of Public Law 119–21 which changes alien eligibility.

Statement of Need: This proposed rule would conform SNAP regulations with Public Law 119–21 and refine the eligibility requirements for aliens to ensure the SNAP program effectively serves its intended population. These changes restrict the eligibility and participation of certain aliens, building on existing Federal policy that limits SNAP benefits to U.S. citizens and certain lawfully present aliens.

Summary of Legal Basis: The legal basis for this proposed rule can be found in Public Law 119–21, Section 10108. Alien SNAP eligibility.

Alternatives: There are no known alternatives that effectively implement the requirements of the statute.

Anticipated Cost and Benefits: Anticipated costs and benefits will be discussed in the Regulatory Impact Analysis which will accompany the rule.

Risks: Any associated risks will be discussed in the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

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RIN: 0584–AF23

USDA—FNA

9. • ENHANCING INTEGRITY IN NON–CONGREGATE MEAL SERVICE IN THE SUMMER MEAL PROGRAMS

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Regulatory

Legal Authority: 42 U.S.C. 1761

CFR Citation: 7 CFR parts 225, 226

Legal Deadline: None

Abstract: This rulemaking proposes changes to streamline program operations and enhance program integrity related to non-congregate meal service operations under the Summer Food Service Program (SFSP) and the National School Lunch Program's Seamless Summer Option (SSO). These updates are intended to assist State and local Program operators overcome operational challenges that limit their ability to manage these Programs efficiently and effectively. The proposed rule also includes provisions to strengthen oversight controls and ensure that summer non-congregate meal service is operated by sponsors who are best equipped to maintain program integrity.

Statement of Need: Would implement provisions of the Consolidated Appropriations Act, 2023 (Pub. L. 117–328) authorizing a rural non-congregate meal service option in the Summer Food Service Program (SFSP). This would codify the flexibility for rural program operators to provide non-congregate meal service in the SFSP. Implementation would expand the reach of FNS's summer nutrition programs, providing greater access for communities and families whom the traditional SFSP cannot reliably reach.

Summary of Legal Basis: Section 502 of the Consolidated Appropriations Act, 2023 (Pub. L. 117–328), amended section 13 of the Richard B. Russell National School Lunch Act, 42 U.S.C. 1761, to establish a non-congregate meal service option in the Summer Food Service Program.

Alternatives: None.

Anticipated Cost and Benefits: Implementation is expected to add to current program costs at the Federal, State, and local levels. Implementation is anticipated to benefit families with children by enabling families access to critical nutrition assistance for their children.

Risks: N/A.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	
Final Action	09/00/27	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Local, State, Tribal

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RIN: 0584–AF24

USDA—FNA

10. • COMBATING FRAUD IN THE CHILD AND ADULT CARE FOOD PROGRAM AND THE SUMMER FOOD SERVICE PROGRAM

Priority: Other Significant

Regulatory Accounting: Regulatory

Legal Authority: 5 U.S.C. 552a; 42 U.S.C. 1760(r); 42 U.S.C. 1761, 1766

CFR Citation: 7 CFR parts 225, 226

Legal Deadline: None

Abstract: This rulemaking proposes changes to minimize false and fraudulent claims in the Child and Adult Care Food Program (CACFP) and the Summer Food Service Program (SFSP). The proposed changes are intended to provide State agencies and sponsoring organizations with additional tools needed to effectively and efficiently identify and remove fraudulent operators and protect taxpayer dollars in CACFP and SFSP. As an additional integrity measure, this rule also proposes to apply reciprocal disqualification procedures to school meal programs, CACFP, and SFSP as required by Section 12(r) of the National School Lunch Act (NSLA) (42 U.S.C.

1760(r)). Finally, this rule proposes changes to the monitoring of day care homes and modifies recordkeeping requirements.

Statement of Need: The rule is consistent with the Administration's priority to promote fiscal responsibility and minimize fraudulent claims in the Child and Adult Care Food Program and the Summer Food Service Program by providing State agencies and sponsoring organizations with new tools to effectively identify and remove fraudulent operators.

Summary of Legal Basis: Richard B. Russell National School Lunch Act.

Alternatives: None identified.

Anticipated Cost and Benefits: Costs to State agencies and program operators to be determined are expected to be outweighed by minimizing false and fraudulent claims and strengthen integrity measures to save taxpayer dollars.

Risks: None identified.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	
Final Action	11/00/27	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Local, State, Tribal

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USDA—FNA

11. • SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS AND CHILDREN (WIC) PROGRAM INTEGRITY

Priority: Other Significant

Regulatory Accounting: Regulatory

Legal Authority: Pub. L. 89–642

CFR Citation: 7 CFR part 246.2, 246.4, 246.7, 246.12; 246.1

Legal Deadline: None

Abstract: The proposed rule would modernize vendor integrity requirements by reflecting the WIC program's nationwide implementation of electronic benefits transfer (EBT) and its move away from paper-based processes. It would advance security requirements to protect WIC participants' personal information and taxpayers in a modern marketplace. Further, it would enhance requirements regarding State agency vendor selection criteria and investigation techniques to reduce vendor fraud, abuse, and waste. The rule would also strengthen vendor investigation, violation, and sanction regulatory requirements.

Statement of Need: To strengthen program integrity in the WIC program, this proposed rule modernizes vendor integrity requirements by shifting from paper-based to electronic benefits transfer (EBT) processes nationwide. The regulations will protect WIC participants' personal information and taxpayer funds. Furthermore, the rule enhances state agency vendor selection criteria and investigation techniques to reduce vendor fraud, abuse, and waste. Stronger regulatory requirements for vendor investigations, violations, and sanctions will significantly improve oversight.

Summary of Legal Basis: The legal basis for this proposed rule can be found in Public Law 89–642.

Alternatives: There are no known alternatives that prevent program abuse and enhance integrity in the modern electronic benefits transfer operational environment as effectively as the proposed rule.

Anticipated Cost and Benefits: Anticipated costs and benefits will be discussed in the Regulatory Impact Analysis which will accompany the rule.

Risks: Any associated risks will be discussed in the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	09/00/26	
Final Action	03/00/28	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Federal, Local, State, Tribal

Federalism: Undetermined

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RIN: 0584–AF26

USDA—FNA

12. SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS AND CHILDREN (WIC): WIC ONLINE ORDERING AND TRANSACTIONS AND FOOD DELIVERY REVISIONS TO MEET THE NEEDS OF A MODERN, DATA-DRIVEN PROGRAM

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: Pub. Law 111–296

CFR Citation: 7 CFR 246.2; 7 CFR 246.4; 7 CFR 246.12

Legal Deadline: None

Abstract: This ''final rule with comment'' addresses key regulatory barriers to online ordering in the WIC Program by making changes to the provisions that prevent online transactions and types of online capable stores from participating in the Program. This rule will also allow FNS to modernize WIC vendor regulations that do not reflect current technology and facilitate the Program's transition to Electronic Benefit Transfer (EBT). The final rule is responsive to prior proposed rule public comments from WIC state, public and private industry stakeholders to ensure that the final rule reflects their substantive feedback as online shopping and FNS' modernization efforts are made permanent.

Statement of Need: USDA FNS will set forth final rulemaking to reduce barriers to WIC Program services, foster innovation in the retail market, and provide the best possible customer service to participants. The retail grocery industry has changed over the past several years. Online shopping has become an increasingly common method for purchasing groceries. Pursuing online ordering in WIC will ensure that WIC participants have access to a broader array of shopping options and are not left behind as the industry continues to innovate. Households that participate in WIC should have the opportunity to shop for foods, especially those needed to address nutritional deficits, the way others shop for food, by ordering online. State agencies have been able to request and receive waivers from these regulatory barriers as a result of shorter-term statutory flexibilities. A long-term solution is required in order to continue to support modernization of the WIC program.

Summary of Legal Basis: Pub. L. 111–296

Alternatives: None identified at this time.

Anticipated Cost and Benefits: This will be discussed in the Regulatory Impact Analysis to accompany the regulation.

Risks: Risks, if any, would be discussed in the regulation.

Timetable:

Action	Date	FR Cite
NPRM	02/23/23	88 FR 11516
NPRM Comment Period End.	05/24/23	
Final Action	07/00/26	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Federal, Local, State, Tribal

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RIN: 0584–AE85

USDA—FNA	

13. UPDATED STAPLE FOOD STOCKING STANDARDS FOR RETAILERS IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

Priority: Other Significant

Regulatory Accounting: Regulatory

Legal Authority: Pub. L. 113–79; 7 U.S.C. 2011 to 2036

Relevant Executive Orders: 14212

CFR Citation: 7 CFR 271; 7 CFR 278

Legal Deadline: None

Abstract: The Agricultural Act of 2014 amended the Food and Nutrition Act of 2008 to increase the requirement that certain Supplemental Nutrition Assistance Program (SNAP) authorized retail food stores have available on a continuous basis at least three varieties of items in each of food staple food categories, to a mandatory minimum of seven varieties. This final rule would provide some retailers participating in SNAP as authorized food stores with more flexibility in meeting the enhanced SNAP eligibility requirements while also simplifying the criteria.

Statement of Need: This final rule refines the eligibility requirements for retailers participating in the SNAP program. The updated standards implement the Agricultural Act of 2014 by increasing the minimum number of varieties for food staples from three to seven. These changes aim to ensure that authorized retailers can effectively serve the intended population of SNAP participants by offering a wider variety of staple foods. The rule also provides some flexibility for retailers while simplifying the overall criteria.

Summary of Legal Basis: The legal basis for this rule can be found in the Agricultural Act of 2014 (Pub. L. 113–79), as codified at 7 U.S.C. 2011–2036.

Alternatives: There are no known alternatives that implement the enhanced stocking requirements of Pub L. 113–79 in ways that are practical and flexible for SNAP-authorized retailers.

Anticipated Cost and Benefits:

Benefits: The proposed rule will increase the variety of staple food products offered for sale at SNAP-authorized firms, which will help to ensure that SNAP households have access to healthier foods on a continuous basis.

Costs: The Department has estimated the proposed rule's total cost to the Federal Government as approximately $4 million in fiscal year (FY) 2027, and to incur no further costs after implementation. The cost to currently authorized retailers is estimated to be approximately $55 million in the first year and about $2 million per year over the following four years.

Risks: Any associated risks will be discussed in the rule.

Timetable:

Action	Date	FR Cite
NPRM	09/25/25	90 FR 46081
Final Action	07/00/26	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

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Related RIN: Related to 0584–AE27

RIN: 0584–AF12

USDA—Food Safety and Inspection Service (FSIS)	Proposed Rule Stage

14. MAXIMUM LINE SPEED RATES FOR YOUNG CHICKEN AND TURKEY ESTABLISHMENTS OPERATING UNDER THE NEW POULTRY INSPECTION SYSTEM

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Deregulatory

Legal Authority: 21 U.S.C. 451, et. seq.

Relevant Executive Orders: 14212; 14267

CFR Citation: 9 CFR part 381

Legal Deadline: None

Abstract: The Food Safety and Inspection Service (FSIS) is proposing to amend the regulations that prescribe the maximum line speed rates under the New Poultry Inspection System (NPIS) to allow NPIS young chicken and turkey establishments to operate at more efficient line speeds.

Statement of Need: This proposed rule is needed to give poultry slaughter establishments the ability to operate under inspection systems and at line speeds that would allow them slaughter birds more efficiently without the need for a regulatory waiver while continuing to ensure food safety and effective FSIS online carcass inspection.

Summary of Legal Basis: FSIS has been delegated the authority to exercise the functions of the Secretary (7 CFR 2.18, 2.53), as specified in the Poultry Products Inspection Act (21 U.S.C 451 *et seq.*). This statute mandates that FSIS protect the public by verifying that poultry products are safe, wholesome, unadulterated, and properly labeled and packaged. The PPIA also requires, among other things, that [t]he Secretary [of Agriculture], whenever processing operations are being conducted, shall cause to be made by inspectors postmortem inspection of the carcasses of each bird processed (21 U.S.C. 455(b)). The PPIA provides that the Secretary shall promulgate such other rules and regulations as are necessary to carry out the provisions of the statutes (21 U.S.C. 463(b)).

Alternatives: FSIS may consider alternatives during the development of the proposed rule.

Anticipated Cost and Benefits: Overall, this proposed rule would benefit establishments that slaughter poultry, other than ratites, by ending the need for certain waivers. The proposed rule would allow certain poultry establishments to increase efficiency and decrease production costs by eliminating unnecessary barriers efficiency while maintaining or even improving food safety.

Allowing additional NPIS young chicken and young turkey establishments to operate at more efficient line speeds would likely result in cost savings through reducing their production costs by using resources more efficiently and optimizing their production process. Further, allowing non-NPIS establishments that slaughter poultry classes other than ratites to operate under NPIS or SIS would give industry additional flexibility to choose the inspection system that is best suited for their operations.

If NPIS establishments currently operating without a line speed waiver choose to increase their line speeds, they would likely incur costs associated with hiring additional labor, training, and Hazard Analysis and Critical Control Point (HACCP) plan reassessment. An establishment would only incur these costs if the benefits outweigh the costs, since the choice to operate at increased line speeds is a voluntary business decision.

Risks: If the Agency does not proceed with the proposed poultry line speed rule, establishments may continue to be unable to operate at full capacity. This could limit the number of birds processed each day, slow production, and create inefficiencies across the supply chain. Without a clear regulatory framework to increase line speeds, establishments may delay investments in modernization and may not operate under NPIS, which could reduce productivity, make it harder for the industry to respond to market demand, and increase Agency costs.

Timetable:

Action	Date	FR Cite
NPRM	02/19/26	91 FR 7926
NPRM Comment Period End.	04/20/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 0583–AE01

USDA—FSIS	

15. MAXIMUM LINE SPEED UNDER THE NEW SWINE SLAUGHTER INSPECTION SYSTEM (NSIS)

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Deregulatory

Legal Authority: 21 U.S.C. 601, *et. seq.*

Relevant Executive Orders: 14212; 14267

CFR Citation: 9 CFR part 310

Legal Deadline: None

Abstract: The Food Safety and Inspection Service (FSIS) is proposing to amend the pork products inspection regulations to eliminate line speed limits for NSIS establishments and allow NSIS establishments to determine their line speeds based on their ability to maintain process control. FSIS intends to republish 9 CFR 310.26(c) (previously struck down by the U.S. District Court of the District of Minnesota) to eliminate the existing maximum line speed of 1,106 head per hour (hph) for NSIS establishments. The worker safety study found that line speed is not a leading factor for work-related musculoskeletal disorders (MSDs) in swine slaughter establishments.

Statement of Need: In October 2019, FSIS established the NSIS (84 FR 52300). The NSIS regulations, among other things, eliminated the existing maximum line speed of 1,106 hph for NSIS establishments and authorized establishments to determine their own line speeds based on their ability to maintain process control and food safety.

On June 30, 2021, based on a court decision, all NSIS establishments had to return to a maximum linespeed of 1,106 hph, unless an establishment has obtained a regulatory waiver from FSIS.

In November 2021, in response to a court decision, FSIS announced that the agency, in collaboration with OSHA, developed a time-limited trial (TLT) that allowed existing NSIS establishments to experiment with ergonomics, automation, and crewing to create custom work environments that will both protect food safety and worker safety while increasing productivity. The TLT has allowed six NSIS establishments to operate at increased line speeds under regulatory waivers. During the TLT, third-party contractors that the Agency hired to conduct a worker safety study in NSIS establishments collected data that measures how evisceration line speeds impact work-related MSD risk.

In January 2025,USDA published the contractor's report on the linespeed worker safety study.The study concluded that piece rate (*i.e.,* the number of hog parts handled per minute by a worker) is a better measure of MSD risk than line speed and that all establishments, regardless of current or anticipated future increased line speed, can mitigate MSD risk by increasing job-specific staffing levels, decreasing job-specific line speeds, or both. On March 17, 2025, USDA announced that it would extend the waivers and that rulemaking to propose line speed increases would begin immediately.

Summary of Legal Basis: FSIS has been delegated the authority to exercise the functions of the Secretary (7 CFR 2.18, 2.53), as specified in the FMIA. This statute mandates that FSIS protect the public by verifying that meat products are safe, wholesome, unadulterated, and properly labeled and packaged. The Act also prohibits the distribution in commerce of any meat products that are adulterated or misbranded. The FMIA gives FSIS broad authority to promulgate such rules and regulations as are necessary to carry out provisions of the Act (21 U.S.C. 621).

Alternatives: FSIS may consider alternatives during the development of the proposed rule.

Anticipated Cost and Benefits: Republishing and amending 9 CFR 310.26(c) to eliminate maximum linespeeds at NSIS establishments would reduce regulatory uncertainty and allow industry to operate more efficiently, likely reducing their production costs by optimizing their production process without compromising food safety.

This proposed rule, if finalized, would benefit NSIS establishments operating with a line speed waiver by eliminating potential regulatory uncertainty regarding the duration of the waivers. Allowing NSIS establishments currently operating without a line speed waiver to operate without a line speed limit would likely result in cost savings through reducing their production costs. This proposed rule may also benefit non-NSIS establishments that voluntarily choose to switch to NSIS and operate at more efficient line speeds.

If an NSIS establishment currently operating without a line speed waiver chooses to increase their line speeds, they would likely incur costs associated with hiring additional labor, training, and Hazard Analysis and Critical Control Point (HACCP) plan reassessment. Non-NSIS establishments that voluntarily choose to convert to NSIS would incur costs for hiring additional labor, training, ready to cook requirements, and HACCP plan reassessment. An establishment would only incur these costs if the benefits outweigh the costs, since the choice to operate at increased line speeds is a voluntary business decision.

Risks: If the Agency does not proceed with the proposed swine line speed rule, establishments may continue to be unable to operate at full capacity. This could limit the number of animals processed each day, slow production, and create inefficiencies across the supply chain. Without a clear regulatory framework to increase line speeds, establishments may delay investments in modernization and may not operate under NSIS, which could reduce productivity, make it harder for the industry to respond to market demand, and increase Agency costs.

Timetable:

Action	Date	FR Cite
NPRM	02/19/26	91 FR 7905
NPRM Comment Period End.	04/20/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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USDA—FSIS	

16. • MODERNIZATION OF BEEF SLAUGHTER INSPECTION

Priority: Other Significant

Regulatory Accounting: Regulatory

Legal Authority: 21 U.S.C. 601 *et seq.*

Relevant Executive Orders: 14212; 14267

CFR Citation: 9 CFR parts 301, 307, and 310

Legal Deadline: None

Abstract: The Food Safety and Inspection Service (FSIS) intends to propose amendments to the Federal meat inspection regulations to create an optional new inspection system for beef slaughter establishments. The system is expected to help FSIS use its resources more efficiently while still providing a level of public health protection equivalent to the current inspection system. It would also remove unnecessary regulatory obstacles to innovation. Establishments that do not opt in would continue under their current inspection system. FSIS also intends to propose changes that would apply to all beef slaughter establishments, giving them more flexibility to design sampling plans that fit their operations and improve how they monitor process control.

Statement of Need: The proposed action is necessary to make better use of the Agency's resources and remove unnecessary regulatory obstacles to innovation.

Summary of Legal Basis: FSIS has been delegated the authority to exercise the functions of the Secretary (7 CFR 2.18, 2.53), as specified in the FMIA. This statute mandates that FSIS protect the public by verifying that meat products are safe, wholesome, unadulterated, and properly labeled and packaged. The Act also prohibits the distribution in commerce of any meat products that are adulterated or misbranded. The FMIA gives FSIS broad authority to promulgate such rules and regulations as are necessary to carry out provisions of the Act (21 U.S.C. 621).

Alternatives: FSIS may consider alternatives during the development of the proposed rule.

Anticipated Cost and Benefits: The proposed regulations are expected to benefit beef slaughter establishments by removing unnecessary regulatory obstacles to innovation and allowing establishments more flexibility in how they configure their slaughter lines. The proposed changes are also expected to reduce establishments' sampling costs. FSIS anticipates that the proposed actions would make better use of the Agency's resources, which may reduce personnel and training costs. Establishments may incur increased labor and recordkeeping costs as a result of the proposed requirements.

Risks: If FSIS does not move forward with this rulemaking, establishments may continue to face regulatory requirements that limit their ability to adjust line configurations or adopt new technologies. Without changes to the current regulations, establishments may also continue to incur higher sampling costs and have fewer options for tailoring their food safety procedures to their specific operations. In addition, FSIS may need to maintain higher staffing levels and continue investing in training for inspection procedures that could be streamlined. This could limit the Agency's ability to use its resources more efficiently and respond to changing inspection needs across the industry.

Timetable:

Action	Date	FR Cite
NPRM	11/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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USDA—FSIS	Final Rule Stage

17. REVISION OF THE NUTRITION FACTS LABELS FOR MEAT AND POULTRY PRODUCTS AND UPDATING CERTAIN REFERENCE AMOUNTS CUSTOMARILY CONSUMED

Priority: Other Significant

Regulatory Accounting: Regulatory

Legal Authority: 21 U.S.C. 601 *et seq.;* 21 U.S.C. 451 *et seq.*

Relevant Executive Orders: 14212

CFR Citation: 9 CFR part 317; 9 CFR part 381; 9 CFR part 413

Legal Deadline: None

Abstract: Consistent with the changes that the Food and Drug Administration (FDA) finalized, the Food Safety and Inspection Service (FSIS) is amending the Federal meat and poultry products inspection regulations to update and revise the nutrition labeling requirements for meat and poultry products to reflect recent scientific research and dietary recommendations and to improve the presentation of nutrition information to assist consumers in maintaining healthy dietary practices.

Statement of Need: On May 27, 2016, the Food and Drug Administration (FDA) published two final rules: (1) ''Food Labeling: Revision of the Nutrition and Supplement Facts Labels'' (81 FR 33742); and (2) ''Food Labeling: Serving Sizes of Foods that Can Reasonably be Consumed at One Eating Occasion; Dual-Column Labeling; Updating, Modifying, and Establishing Certain Reference Amounts Customarily Consumed; Serving Size for Breath Mints; and Technical Amendments'' (81 FR 34000). FDA finalized these rules to update the Nutrition Facts label to reflect new nutrition and public health research, to reflect recent dietary recommendations from expert groups, and to improve the presentation of nutrition information to help consumers make more informed choices and maintain healthy dietary practices. FSIS has reviewed FDA's analysis and, to ensure that nutrition information is presented consistently across the food supply, FSIS is amending the nutrition labeling regulations for meat and poultry products to parallel, to the extent possible, FDA's regulations. This approach will help increase clarity of information for consumers and will improve efficiency in the marketplace.

Summary of Legal Basis: Under the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601–695, at 607), the Poultry Products Inspection Act (PPIA) (21 U.S.C. 451–470, at 457), and the Egg Products Inspection Act (21 U.S.C. 1031–1056, at 1036) (the Acts), the labels of meat, poultry, and egg products must be approved by the Secretary of Agriculture, who has delegated this authority to FSIS, before these products can enter commerce. The Acts prohibit the sale or offer for sale by any person, firm, or corporation of any article in commerce under any name or other marking or labeling that is false or misleading or in any container of a misleading form or size (21 U.S.C. 607(d); 21 U.S.C. 457(c)). The Acts also prohibit the distribution in commerce of meat or poultry products that are adulterated or misbranded. The FMIA and PPIA give FSIS broad authority to promulgate such rules and regulations as are necessary to carry out the provisions of the Acts (21 U.S.C. 621 and 463(b)).

To prevent meat and poultry products from being misbranded, the meat and poultry product inspection regulations require that the labels of meat and poultry products include specific information, such as nutrition labels, and that such information be displayed as prescribed in the regulations (9 CFR parts 317 and 381). The nutrition labeling requirements for meat and meat food products are in 9 CFR 317.300–317.400, and the nutrition labeling requirements for poultry products are in 9 CFR 381.400–381.500.

Alternatives: FSIS considered five alternatives in the proposed rule: (1.) No action; (2.) A 24-month compliance period for large manufacturers and a 36-month compliance period for small manufacturers (as proposed); (3.) A 42-month compliance period for all manufacturers; (4.) A 24-month compliance period for all manufactures; or (5.) A 12-month compliance period for large manufacturers and a 24-month compliance period for small manufacturers.

Anticipated Cost and Benefits: These regulations are expected to benefit consumers by increasing and improving dietary information available in the market. Firms will incur a one-time cost for relabeling, recordkeeping costs, and costs associated with voluntary reformulation. Many firms have voluntarily begun using the FDA format, which will reduce costs.

Risks: None

Timetable:

Action	Date	FR Cite
NPRM	01/19/17	82 FR 6732
NPRM Comment Period End.	04/19/17	
Final Action	07/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 0583–AD56

USDA—Forest Service (FS)	Proposed Rule Stage

18. SPECIAL AREAS: ROADLESS AREA CONSERVATION REPEAL

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Legal Authority: 16 U.S.C. 472, 551, and 1604; 42 U.S.C. 4321

Relevant Executive Orders: 14308; 14153; 14219

CFR Citation: 36 CFR 294

Legal Deadline: None

Abstract: The rulemaking would repeal 36 CFR 294 subpart B, which established prohibitions on road construction, road reconstruction, and timber harvesting in inventoried roadless areas on National Forest System lands. With the repeal, management requirements for inventoried roadless areas would be guided by individual land management plans. This rulemaking is in accordance with Executive Order 14153, *Unleashing Alaska's Extraordinary Resource Potential,* section 3(c), which directs the Secretary of Agriculture to reinstate the 2020 Alaska Roadless Rule (85 FR 68688). By removing the nationwide roadless standard under the 2001 Roadless Rule, a Tongass National Forest exemption under the 2020 Alaska Roadless Rule is no longer needed.

Statement of Need: The Department of Agriculture (USDA) is proposing this rule to establish a more effective and efficient administrative framework for managing the National Forest System's (NFS) inventoried roadless areas (IRAs). The current 2001 Roadless Rule established a single, nationwide set of prohibitions on road construction, road reconstruction, and timber harvesting in IRAs. The Department believes that this ''one-size-fits-all'' approach is no longer appropriate given changing resource conditions and shifts in policy priorities.

The promulgation of this rule will:

1. Address Evolving Conditions and Policy Priorities: Resource conditions within and adjacent to NFS lands have dramatically changed since 2001, including the expansion of the wildland-urban interface, growing impacts of extreme wildfire, drought, and insect and disease infestations. Management flexibility is required for the Agency to achieve its multiple-use conservation mission, including wildfire suppression and fuel reduction treatments.

2. Align with National Directives: This action is being proposed in accordance with Executive Order 14192, Unleashing Prosperity Through Deregulation, to alleviate unnecessary regulatory burdens. It also responds to Executive Order 14153, Unleashing Alaska's Extraordinary Resource Potential, which directs the Secretary of Agriculture to reinstate the 2020 Alaska Roadless Rule (the effect of which is achieved by rescinding the nationwide rule).

3. Restore Local Management Flexibility: Rescinding the 2001 Roadless Rule would return discretion for local land managers to tailor management, as appropriate, to local land conditions. Conservation and management of roadless area characteristics can be more effectively achieved through the robust public process and site-specific analysis inherent in the National Forest Management Act (NFMA) forest planning framework. This approach addresses longstanding administrative and policy challenges that have created uncertainty since 2001.

4. Enable Economic Development: The rule aims to enable job creation and economic development in rural America through responsible timber production and promotion of direct and indirect forest-related jobs.

Summary of Legal Basis: The Secretary of Agriculture has broad authority to protect and administer the National Forest System (NFS) through regulation. The legal basis for this rulemaking stems primarily from:

- The Organic Administration Act of 1897 (Organic Act): This Act provides the Secretary with the authority to issue rules and regulations to ''regulate the occupancy and use of the forests and to preserve them from destruction''.
- The Multiple-Use Sustained-Yield Act of 1960 (MUSYA): This Act mandates the Forest Service to manage NFS lands for multiple uses and sustained yield of renewable surface

resources to meet the needs of the American people.

• The National Forest Management Act of 1976 (NFMA): This statute requires the Forest Service to prepare comprehensive land and resource management plans (forest plans) for each NFS unit. The decision to rescind the national prohibition is an exercise of the Secretary's discretion to determine the proper uses within any area.

This proposed rule is an exercise of the Secretary of Agriculture's discretion to determine the most appropriate administrative process for balancing competing values and uses in IRAs.

Alternatives: The Environmental Impact Statement (EIS) being prepared to analyze this proposal will evaluate the effects of the proposed action and a reasonable range of alternatives. The alternatives generally include:

1. Proposed Action (Rescission of the 2001 Roadless Rule): The USDA proposes to rescind the 2001 Roadless Area Conservation Rule (36 CFR Subpart B), including its application to the Tongass National Forest, while maintaining the state-specific roadless conservation rules for Idaho (36 CFR Subpart C) and Colorado (36 CFR Subpart D). This action would remove the nationwide prohibitions on road construction, road reconstruction, and timber harvesting on IRAs, returning decision-making authority to local land managers guided by existing Forest-level land management plans.

2. No Action Alternative: This alternative would retain the 2001 Roadless Rule in its current form. This maintains the designation of 9,368,000 acres of IRAs on the Tongass (as established in 2001) and continues the prohibitions on timber harvest and road construction/reconstruction nationwide, with limited exceptions. The No Action Alternative serves as the baseline condition for comparison.

3. Other Alternatives for Roadless Area Conservation: The EIS will study alternatives for roadless area conservation on NFS lands, including the Tongass National Forest, in the context of multiple-use management.

Anticipated Cost and Benefits: The benefits and costs associated with rescinding the 2001 Roadless Rule are largely programmatic and are generally described qualitatively.

Anticipated Benefits:

• Increased Management Flexibility: Provides local land managers the flexibility needed to respond to changing local conditions, such as reducing the risk of uncharacteristic wildfire effects and addressing insect and disease infestations.

• Economic Opportunity: Potentially expands the land base available for timber harvest and offers greater flexibility in locating and designing timber sales. This improved flexibility could improve the Forest Service's ability to offer economic sales that contribute to rural economies.

• Infrastructure and Development: Benefits for the transportation, infrastructure, and mineral development sectors are anticipated due to the rescission of prohibitions on road building.

• Local Decision-making: Returns decision-making authority to the local forest level, potentially enhancing local collaboration and aligning management with regional goals.

Anticipated Costs:

• Loss of Roadless Values: Increased development (road construction/reconstruction and timber harvest) resulting from the proposed rule could adversely affect the scenic beauty of roadless areas, water quality, fisheries, wildlife, and associated recreation opportunities. Road construction, reconstruction, and timber harvest pose the greatest risks of altering and fragmenting natural landscapes.

• Increased Administrative Costs: The proposed rule may result in increased administrative costs related to the necessary maintenance of any new roads constructed.

• Distributional Effects: While the overall change in resource availability across most regions is expected to be small, effects may be more pronounced in specific regions (*e.g.,* Alaska).

Risks: The programmatic nature of this rulemaking means that specific on-the-ground risks are difficult to quantify, but potential risks include:

1. Environmental Degradation: The primary risk is the loss of the ecological and social values afforded by IRAs, such as high quality or undisturbed soil, water, and air; sources of public drinking water; diversity of plant and animal communities; and habitat for sensitive species.

2. Increased Public Controversy and Litigation: The rule is expected to generate significant public interest, including strong opposition from some state and local governments, Tribal communities, and environmental groups concerned about diminished protections. There is ongoing litigation related to roadless areas, particularly concerning the Tongass National Forest. Rescinding the rule may exacerbate controversy by replacing national uniformity with varying, localized management approaches.

3. Impacts on Subsistence Uses (Tongass Context): In the context of the Tongass, removing the 2001 Roadless Rule protections increases the risk of adverse effects to subsistence uses due to increased competition for resources or impacts on resource distribution and abundance, particularly deer habitat.

4. Compliance and Consultation Risk: Although the agency maintains commitment to consultation, the rulemaking must ensure compliance with requirements such as the Endangered Species Act (ESA) and Executive Order 13175 (Tribal Consultation), as programmatic rules affecting vast areas carry inherent risk regarding potential effects on threatened and endangered species or Tribal interests.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

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BILLING CODE 3410–90–P

Department Of Commerce

Statement of Regulatory and Deregulatory Priorities

Established in 1903, the Department of Commerce (Commerce or Department) is one of the oldest Cabinet-level agencies in the Federal Government. Commerce's mission is to create the conditions for economic growth and opportunity across American communities by promoting innovation, entrepreneurship, competitiveness, national security, and environmental stewardship. Commerce has 13 operating units, which manage a diverse portfolio of programs and services ranging from export controls, trade promotion, and improved broadband access to overseeing the National Weather Service, developing standards for the U.S. and the world, and producing statistical data. The Department executes the census, oversees the Patent and Trademark Office, and take care of the nation's oceans and fisheries. Across these varied activities, Commerce seeks to provide a foundation for a more dynamic, resilient, and globally competitive economy.

To fulfill its mission, Commerce works in partnership with businesses, educational institutions, community organizations, government agencies, and individuals to:

• Innovate by developing new ideas through cutting-edge science and technology, from advances in nanotechnology to ocean exploration to broadband deployment, and by protecting and incentivizing American innovations through the patent and trademark system;

• Promote entrepreneurship and commercialization by strengthening capital markets, incentivizing growth, facilitating community development, and empowering small businesses.

• Maintain U.S. economic competitiveness in the global marketplace by promoting exports and foreign direct investment, securing a level playing field for U.S. businesses, and ensuring that technology transfer is consistent with our nation's economic and security interests;

• Provide effective management and stewardship of our nation's resources and assets to ensure sustainable economic opportunities; and

• Make informed policy decisions and enable better understanding of the economy and our communities by providing timely, accessible, and accurate economic and demographic data.

Commerce's Regulatory Plan tracks the most important regulations that the Department anticipates issuing to implement these policy and program priorities and foster new and sustainable growth. Of Commerce's 13 primary operating units, three bureaus—the National Oceanic and Atmospheric Administration (NOAA), the United States Patent and Trademark Office (USPTO), and the Bureau of Industry and Security (BIS)—issue the vast majority of the Department's regulations, and these three bureaus account for all the planned actions that are considered the Department's most important significant pre-regulatory or regulatory actions for FY 2026.

Consistent with Executive Order 14094, moreover, the Department and its bureaus routinely seek to inform their rulemaking with meaningful opportunities for public input. The efforts of NOAA, USPTO, and BIS to promote public engagement are discussed in their respective sections, below.

National Oceanic and Atmospheric Administration

NOAA's mission is built on three pillars: science, service, and stewardship—to understand and predict changes in climate, weather, oceans, and coasts; to share that knowledge and information with others; and to conserve and manage coastal and marine ecosystems and resources.

NOAA seeks to conserve our lands, waters, and natural resources, protecting people and the environment now and for future generations. As part of Commerce, moreover, NOAA recognizes that environmental stewardship must go hand-in hand with economic growth. For example, with respect to the nation's fisheries, NOAA looks simultaneously to ensure sustainability and optimize resources in order to boost long-term economic growth and competitiveness in the vital fisheries sector of the U.S. economy. In doing so, we are guided by the ambitious agenda to revitalize our U.S. fisheries set forth by the President in E.O. 14276, ''Restoring American Seafood Competitiveness.'' Similarly, national marine sanctuaries both protect important natural resources and also are significant drivers of eco-tourism and local recreation.

Within NOAA, the National Marine Fisheries Services (NMFS) and the National Ocean Service (NOS) are the components that most often exercise regulatory authority to implement NOAA's mission. NMFS oversees the management and conservation of the nation's marine fisheries; protects marine mammals and Endangered Species Act (ESA)-listed marine and anadromous species; authorizes incidental take of marine mammals and provides consultations for interagency partners when ESA-listed species may be affected by certain activities that are important to the economy, national security, or other reasons; and promotes economic development of the U.S. fishing industry. NOS supports the coastal states in their management of land and ocean resources in their coastal zones, including estuarine research reserves; manages national marine sanctuaries; monitors marine pollution; and directs the national program for deep-seabed minerals and ocean thermal energy.

In FY 2025, the agency finalized 5 deregulatory actions (RINs 0648–BN45, 0648–BN64, 0648–BN51, 0648–BN18, and 0648–BN36) as defined under E.O. 14192, ''Unleashing Prosperity Through Deregulation'' and anticipates finalizing approximately 14 more in FY 2026 (RINs 0648–BL64, 0648–BM54, 0648–BN70, 0648–BN52, 0648–BN90, 0648–BM08, 0648–BN68, 0648–BN55, 0648–BN43, 0648–BI10, 0648–BN60, 0648–BN24, 0648–BN59, and 0648–BN95).

Many of NOAA's rulemakings, of which roughly 13 are expected to be significant rulemakings, as defined in Executive Order 12866, are issued pursuant to the following key statutes:

Magnuson-Stevens Fishery Conservation and Management Act

Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) rulemakings concern the conservation and management of fishery resources in the U.S. Exclusive Economic Zone (generally 3–200 nautical miles from shore). Pursuant to the Magnuson-Stevens Act, NOAA manages the nation's fisheries with input from eight regional Fishery Management Councils (Councils). The Councils are comprised of representatives from the commercial and recreational fishing sectors, environmental groups, academia, and Federal and State government. Under the Act, the Councils prepare fishery management plans (FMPs) and amendments to FMPs, and they recommend implementing regulations for each managed fishery. With certain exceptions, rulemakings under the Magnuson-Stevens Act are usually recommended by the actions of the Councils. FMPs address a variety of issues, including maximizing fishing opportunities on healthy stocks, rebuilding overfished stocks, and addressing gear conflicts. In turn, after considering the Councils' recommendations in light of the standards and requirements set forth in the Magnuson-Stevens Act and other applicable laws, NOAA (exercising delegated authority) makes decisions on whether to issue regulations to implement the proposed FMPs and FMP amendments. This collaboration with the Councils gives NMFS the flexibility to incorporate local level input to develop management strategies appropriate for each region's unique fisheries, challenges, and opportunities. It also provides for a robust public process. Throughout the Council process, there is significant opportunity for public engagement, including participating on advisory panels, providing testimony at public hearings, and commenting on Council actions. After considering the Councils' recommendations in light of the standards and requirements set forth in the Magnuson-Stevens Act and in other applicable laws, NOAA may issue regulations to implement the proposed FMPs and FMP amendments. As itemized in the Unified Agenda, NOAA plans to take several hundred actions in FY 2026 under Magnuson-Stevens Act authority to achieve optimum yield for our fisheries.

Marine Mammal Protection Act

The Marine Mammal Protection Act of 1972 (MMPA) provides the authority for the conservation and management of marine mammals under U.S. jurisdiction. The MMPA expressly prohibits, with certain exceptions, the intentional take of marine mammals. The MMPA allows, upon request and subsequent authorization, the incidental take of marine mammals by U.S. citizens who engage in a specified activity (*e.g.,* offshore energy-related activities, scientific research) within a specified geographic region. NMFS authorizes incidental take under the MMPA if it finds that the taking would be of small numbers, have no more than a ''negligible impact'' on those marine mammal species or stock, and would not have an ''unmitigable adverse impact'' on the availability of the species or stock for ''subsistence'' uses. NMFS also initiates rulemakings under the MMPA to establish a management regime to reduce marine mammal mortalities and injuries as a result of interactions with fisheries. In addition, the MMPA allows NMFS to permit the take or import of wild animals for scientific research or public display or to enhance the survival of a species or stock.

Endangered Species Act

The Endangered Species Act of 1973 (ESA) provides for the conservation of species that are determined to be ''endangered'' or ''threatened,'' and the conservation of the ecosystems on which these species depend. NMFS and the Department of Interior's Fish and Wildlife Service (FWS) jointly administer the provisions of the ESA: NMFS manages marine and several anadromous species, and FWS manages land and freshwater species. NMFS rulemaking actions under the ESA are focused on determining whether any species under its jurisdictional responsibility is endangered or threatened and whether those species must be added to the List of Threatened and Endangered Species. NMFS is also responsible for designating, reviewing and revising critical habitat for any listed species. One of the agency's priorities under the ESA is a joint action with FWS to rescind the definition of ''harm'' (0648–BN93). The existing regulatory definition of ''harm,'' which includes habitat modification, runs contrary to the best meaning of the statutory term ''take.'' This action will adhere to the single, best meaning of the ESA.

The National Marine Sanctuaries Act

The National Marine Sanctuaries Act (NMSA) authorizes the Secretary of Commerce to designate and protect as national marine sanctuaries areas of the marine environment with special national significance due to their conservation, recreational, ecological, historical, scientific, cultural, archeological, educational, or aesthetic qualities. The primary objective of the NMSA is to protect marine resources, such as coral reefs, sunken historical vessels, or unique habitats.

NOAA's Office of National Marine Sanctuaries (ONMS), within NOS, has the responsibility for management of national marine sanctuaries. Regulations issued pursuant to NMSA describe and define the boundaries of the designated national marine sanctuaries, and set up a system of permits to allow the conduct of certain types of activities that would otherwise not be allowed.

These regulations can, among other things, regulate and restrict activities that may injure natural resources, including all extractive and destructive activities, consistent with community-specific needs and NMSA's purpose to ''facilitate to the extent compatible with the primary objective of resource protection, all public and private uses of the resources of these marine areas.'' In FY 2025, NOAA published three regulatory actions under NMSA.

Coastal Zone Management Act

The Coastal Zone Management Act (CZMA) was passed in 1972 to preserve, protect, and develop and, where possible, to restore and enhance the resources of the nation's coastal zone. The CZMA creates a voluntary state-federal partnership, where coastal states (States in, or bordering on, the Atlantic, Pacific or Arctic Ocean, the Gulf of America, Long Island Sound, one or more of the Great Lakes, and Pacific and Caribbean U.S. territories and commonwealths), may elect to develop comprehensive programs that meet federal approval standards. Currently, 34 of the 35 eligible entities are implementing a federally approved coastal management plan approved by NOAA.

Of the numerous regulatory actions that NOAA is planning for this year and that are included in the Unified Agenda, the Department describes three below.

NOAA's Regulatory Plan Actions

1. Endangered and Threatened Wildlife and Plants; Regulations for Listing Species and Designating Critical Habitat (0648–BN70): This action responds to the E.O. 14154, titled ''Unleashing American Energy,'' which directed all departments and agencies to immediately review agency actions that potentially impose an undue burden on the identification, development, or use of domestic energy resources, and, as appropriate and consistent with applicable law, consider suspending, revising, or rescinding agency actions that conflict with this national objective. The Department of Interior (DOI) issued Secretarial Order (SO) 3418 to implement E.O. 14154 and requires that the FWS, in cooperation with NMFS, take action to suspend, revise, or rescind the ESA regulations that were revised in 2024. E.O. 14219 also directs all departments and agencies to review and rescind unlawful regulations that are ''based on anything other than the best reading of the underlying statutory authority.''

2. Endangered and Threatened Wildlife and Plants; Interagency Cooperation (0648–BN79): This action responds to the E.O. 14154, titled ''Unleashing American Energy,'' which directed the removal of impediments imposed on the development and use of the country's energy and natural resources by the previous administration's regulations, and the Department of Interior (DOI) Secretarial Order (SO) 3418, to implement E.O. 14154 which specifically requires that the FWS, in cooperation with the NMFS take action to suspend, revise, or rescind the ESA regulations that were revised in 2024. E.O. 14219 also directs all departments and agencies to review and rescind unlawful regulations that are ''based on anything other than the best reading of the underlying statutory authority.''

3. Deep Seabed Mining: Revisions to Regulations for Exploration License and Commercial Recovery Permit Applications (0648–BN96): This action is to revise NOAA's regulations (15 CFR parts 970 and 971) that implement the Deep Seabed Hard Mineral Resources Act, 30 U.S.C. 1401, et. seq., (DSHMRA or the Act). DSHMRA is an important part of the President's directive, E.O. 14285, ''Unleashing America's Offshore Critical Minerals and Resources,'' to establish policies to advance U.S. leadership in seabed mineral exploration and responsible commercial recovery. Currently, the DSHMRA regulations require a sequential process. Applicants must first obtain an exploration license from NOAA before they can submit a commercial recovery permit application. When NOAA promulgated the DSHMRA regulations in the 1980s, this sequential approach was appropriate due to the nascent stage of deep seabed mining technology and

the data needed for a commercial recovery application. However, at that time NOAA reserved a section of the regulations for a consolidated review once the industry matured. See 51 FR 26794, 26796 (July 25, 1986).

The United States Patent and Trademark Office

The USPTO's mission is to foster innovation, competitiveness, and economic growth, domestically and abroad, by delivering high quality and timely examination of patent and trademark applications, guiding domestic and international intellectual property policy, and delivering intellectual property information and education worldwide.

Major Programs and Activities

The USPTO is responsible for granting U.S. patents and registering trademarks. This system of secured property rights, which has its foundation in Article I, Section 8, Clause 8, of the Constitution (providing that Congress shall have the power to ''promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries'') has enabled American industry to flourish. New products have been invented, new uses for old ones discovered, and employment opportunities created for millions of Americans. The continued demand for patents and trademarks underscores the importance to the U.S. economy of effective mechanisms to protect new ideas and investments in innovation, as well as the ingenuity of American inventors and entrepreneurs.

In addition to granting patents and trademarks, the USPTO advises the President of the United States, the Secretary of Commerce, and U.S. government agencies on intellectual property (IP) policy, protection, and enforcement; and promotes strong and effective IP protection around the world. The USPTO furthers effective IP protection for U.S. innovators and entrepreneurs worldwide by working with other agencies to secure strong IP provisions in free trade and other international agreements. It also provides training, education, and capacity building programs designed to foster respect for IP and encourage the development of strong IP enforcement regimes by U.S. trading partners.

Of the rulemaking actions that the USPTO is planning for this year and that are included in the Unified Agenda, outlined below is the USPTO's most important upcoming regulatory action for this year.

The USPTO's Regulatory Plan Actions

1. Setting and Adjusting Patent Fees (0651–AD88): This final rule would set and adjust Patent fee amounts to provide the Office with sufficient aggregate revenue to recover its aggregate cost of operations thereby maintaining a sustainable funding model.

Bureau of Industry and Security

BIS advances U.S. national security, foreign policy, and economic objectives by administering and enforcing export controls, conducting Section 232 investigations, and performing various other functions to strengthen national security and the defense industrial base.

Major Programs and Activities

BIS administers five sets of regulations.

- The Export Administration Regulations (EAR) regulate exports and reexports to protect national security, foreign policy, and short supply interests. The EAR includes the Commerce Control List (CCL), which describes commodities, software, and technology that are subject to licensing requirements for specific reasons for control. The EAR also regulates U.S. persons' participation in certain boycotts administered by foreign governments.
- The National Security Industrial Base Regulations (NSIBR) provide for prioritization of certain contracts and allocations of resources to promote the national defense, require reporting of foreign government-imposed offsets in defense sales, provide for surveys to assess the capabilities of the industrial base to support the national defense, and address the effect of imports on the defense industrial base.
- The Chemical Weapons Convention Regulations implement declaration, reporting, and on-site inspection requirements in the private sector necessary to meet United States treaty obligations under the Chemical Weapons Convention treaty.
- The Additional Protocol Regulations implement similar requirements for certain civil nuclear and nuclear-related items with respect to an agreement between the United States and the International Atomic Energy Agency.
- The ICTS Transaction Review Regulations (ICTS–R) are administered by the Office of Information and Communications Technology and Services (OICTS) and implement the authority to prohibit or mitigate any acquisition, importation, transfer, installation, dealing in, or use of any information or communications technology and service (ICTS) that has been designed, developed, manufactured, or supplied by persons owned by, controlled by, or subject to the jurisdiction or direction of foreign adversaries that pose undue or unacceptable risk to the U.S. national security or U.S. persons' safety. The BIS ICTS program reviews and addresses ICTS transactions, including classes of transactions, that pose undue or unacceptable risks in the United States, which involves vetting and prioritizing referrals, compiling intelligence, and other information, conducting investigations into transactions, performing risk-based analysis, and recommending mitigation measures and/or prohibitions to the Secretary of Commerce.

BIS also has an enforcement component with nine offices covering the United States, as well as BIS export control officers stationed at several U.S. embassies and consulates abroad. BIS works with other U.S. Government agencies to promote coordinated U.S. Government efforts in export controls and other programs. BIS participates in U.S. Government efforts to strengthen multilateral export control regimes and promote effective export controls through cooperation with other governments.

In FY 2026, BIS plans to publish a number of proposed and final rules amending the EAR. These rules will cover a range of issues, including EAR controls for artificial intelligence and Unmanned Aircraft Systems. BIS also continues to identify and propose controls for emerging and foundational technologies. BIS also plans to publish proposed and final rules amending the NSIBR, including establishing a Copper Tariffs Inclusions Process for including additional derivative copper articles within the scope of the ad valorem duties as authorized by the President under Section 232 of the Trade Expansion Act of 1962, as amended (Section 232).

Outlined below are BIS's most important upcoming regulatory actions for this year.

BIS's Regulatory Plan Actions

1. Implementation of the AI Action Plan Through Export Controls (RIN 0694–AJ90): This interim final rule (IFR) will formally rescind the ''Framework for Artificial Intelligence Diffusion'' rule issued by the Biden Administration in January 2025—which BIS has already stopped enforcing. The IFR will also establish a new, streamlined framework to enable the secure spread of U.S. technology around the globe consistent

with U.S. national security and foreign policy objectives.

2. Copper Tariffs Inclusions Process (RIN 0694–AK36): Establishes a process for including additional derivative copper articles within the scope of the ad valorem duties authorized by the President under Section 232 of the Trade Expansion Act of 1962, as amended (Section 232).

3. Unmanned Aircraft Systems (0694–AJ72): This rule will reduce export controls on drones exported to certain U.S. partners and allies.

DOC—National Oceanic and Atmospheric Administration (NOAA)	Proposed Rule Stage

19. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REGULATIONS FOR LISTING SPECIES AND DESIGNATING CRITICAL HABITAT

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 16 U.S.C. 1531 *et seq.*

Relevant Executive Orders: 14154; 14219

CFR Citation: 50 CFR 424

Legal Deadline: None

Abstract: This is a joint rulemaking with the Department of the Interior to rescind or revise regulations in 50 CFR part 424 that were promulgated in 2024 regarding classification of species and the designation of critical habitat under the Endangered Species Act.

Statement of Need: This action responds to the Executive Order (E.O.) 14154, titled ''Unleashing American Energy,'' which directed all departments and agencies to immediately review agency actions that potentially impose an undue burden on the identification, development, or use of domestic energy resources, and, as appropriate and consistent with applicable law, consider suspending, revising, or rescinding agency actions that conflict with this national objective. The Department of Interior (DOI) issued Secretarial Order (SO) 3418 to implement E.O. 14154 and requires that the U.S. Fish and Wildlife Service (USFWS), in cooperation with National Marine Fisheries Service (NMFS), take action to suspend, revise, or rescind the Endangered Species Act (ESA) regulations that were revised in 2024. E.O. 14219 also directs all departments and agencies to review and rescind unlawful regulations that are ''based on anything other than the best reading of the underlying statutory authority.''

Summary of Legal Basis: This action is authorized under 16 U.S.C. 1531 *et seq.*

Alternatives: This is a joint rulemaking by NMFS and USFWS (collectively referred to as the Services) to amend portions of the regulations in 50 CFR 424 that implement section 4 of the Endangered Species Act of 1973, as amended. A final rule revising these same regulations in 50 CFR 424 was published on April 5, 2024, and became effective on May 6, 2024 (89 FR 24300). Based on a review of the 2024 rule in response to E.O. 14154, E.O. 14219, and DOI Secretarial Order 3418, the Services are proposing to revise the regulations that were addressed in the 2024 final rule. The regulations proposed in this rule would provide criteria or otherwise clarify the processes by which the Services will interpret and implement various statutory requirements set forth in section 4 of the Act. Prior to developing and issuing a final rule, the Services will review and consider public comments received.

Anticipated Cost and Benefits: This proposed rule would revise and clarify requirements for the Services in classifying species and designating critical habitat under the ESA. The proposed regulations would not expand the reach of species protections or designations of critical habitat. NMFS and FWS are the only entities that would be directly affected by this rule, because they are the only entities that list species or designate critical habitat. No external entities, including any small businesses, small organizations, or small governments, will experience any direct economic impacts from this proposed rule. Anticipated benefits of this regulatory revisions include increased clarity in implementing section 4 of the ESA.

Risks: This action is expected to receive a significant amount of public comment from a diverse set of interested parties. The 2024 rule is also subject to ongoing litigation.

Timetable:

Action	Date	FR Cite
NPRM	11/21/25	90 FR 52607
NPRM Comment Period End.	12/22/25	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Kim Damon–Randall, Director, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East–West Highway, Silver Spring, MD 20910

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RIN: 0648–BN70

DOC—NOAA	Final Rule Stage

20. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; INTERAGENCY COOPERATION REGULATIONS

Priority: Other Significant

Regulatory Accounting: Not subject to, not significant

Legal Authority: 16 U.S.C. 1531 *et seq.*

Relevant Executive Orders: 14154; 14219

CFR Citation: 50 CFR 402

Legal Deadline: None

Abstract: The National Marine Fisheries Service and U.S. Fish and Wildlife Service (collectively referred to as the Services) propose to amend portions of our regulations that implement section 7 of the Endangered Species Act of 1973, as amended. A final rule revising the Endangered Species Act (ESA) Interagency Cooperation Regulations at 50 CFR 402 was published on April 5, 2024, and became effective on May 6, 2024. Pursuant to a review of this rule under E.O. 14154 and DOI Secretarial Order 3418, the Services are proposing to revise provisions of the 2024 final rule (89 FR 24268). The resulting rulemaking action will clarify, interpret, and implement portions of section 7 of the ESA concerning interagency cooperation procedures. This rulemaking would revise existing procedures for federal agencies, including the Services under section 7 of the ESA. Federal agencies would be the only entities directly affected by this rulemaking.

Statement of Need: This action responds to the Executive Order (E.O.) 14154, titled ''Unleashing American Energy,'' which directed the removal of impediments imposed on the development and use of the country's energy and natural resources by the previous administration's regulations, and the Department of Interior (DOI) Secretarial Order (SO) 3418, to implement E.O. 14154 which specifically requires that the U.S. Fish and Wildlife Service (USFWS), in cooperation with the National Marine Fisheries Service (NMFS) take action to suspend, revise, or rescind the ESA regulations that were revised in 2024. E.O. 14219 also directs all departments and agencies to review and rescind unlawful regulations that are ''based on anything other than the best reading of the underlying statutory authority.''

Summary of Legal Basis: This action is authorized under 16 U.S.C. 1531 *et seq.*

Alternatives: This is a joint rulemaking by NMFS and USFWS (collectively referred to as the Services) to amend portions of our regulations that implement section 7 of the Endangered Species Act of 1973, as amended. A final rule revising the Endangered Species Act (ESA) Interagency Cooperation Regulations at 50 CFR 402 was published on April 5, 2024, and became effective on May 6, 2024. Pursuant to a review of this rule under E.O.14154, E.O. 14219, and DOI Secretarial Order 3418, the Services are proposing to revise provisions of the 2024 final rule (89 FR 24268). The resulting rulemaking action will revise, interpret, and implement portions of section 7 of the ESA concerning interagency cooperation procedures. This rulemaking would revise existing procedures for Federal agencies, including the Services under section 7 of the ESA. Prior to developing and issuing a final rule, the Services will review and consider public comments received.

Anticipated Cost and Benefits: The rulemaking revises existing requirements for Federal agencies, including the Services, under section 7 of the ESA. Federal agencies are the only entities affected by this rule. We do not anticipate significant costs associated with the rule. This rule is intended to revise the standards with which we evaluate proposed Federal agency actions pursuant to section 7 of the ESA.

Risks: This action addresses the ESA Interagency Cooperation provisions in the Services' joint ESA implementing regulations. This action will receive a significant level of scrutiny and attention by a diverse set of constituents. The 2024 rule is subject to ongoing litigation and this rulemaking may influence that process. Overall, the proposed changes will reduce the risk to ESA-listed species and designated critical habitat associated with ensuring Federal action agencies do not jeopardize the continued existence of listed species or destroy or adversely modify designated critical habitat and continue to provide for the conservation of ESA resources.

Timetable:

Action	Date	FR Cite
NPRM	11/21/25	90 FR 52600
NPRM Comment Period End.	12/22/25	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Kim Damon–Randall, Director, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East–West Highway, Silver Spring, MD 20910

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RIN: 0648–BN79

DOC—Patent and Trademark Office (PTO)	Proposed Rule Stage

21. SETTING AND ADJUSTING PATENT FEES

Priority: Other Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Fully or Partially Exempt

Legal Authority: Pub. L. 112–29

CFR Citation: 37 CFR 1; 37 CFR 41; 37 CFR 42

Legal Deadline: None

Abstract: The United States Patent and Trademark Office (USPTO or Office) takes this action to set and adjust Patent fee amounts to provide the Office with sufficient aggregate revenue to recover its aggregate cost of operations thereby maintaining a sustainable funding model.

Statement of Need: The purpose of this rule is to set and adjust patent fee amounts to modernize the patent fee structure. To this end, this rule may create new or change existing fees for patent services.

Summary of Legal Basis: The Leahy-Smith America Invents Act (AIA), enacted in 2011, provided USPTO with the authority to set and adjust its fees for patent and trademark services. Since then, USPTO has conducted an internal biennial fee review, in which it undertook internal consideration of the current fee structure, and considered ways that the structure might be improved, including rulemaking pursuant to the USPTO's fee setting authority. This fee review process involves public outreach, including, as required by the Act, public hearings held by the USPTO's Public Advisory Committees, as well as public comment and other outreach to the user community and public in general.

Alternatives: This rulemaking action is currently in development and alternatives have not yet been determined.

Anticipated Cost and Benefits: This rulemaking action is currently in development and aggregate annual economic impacts have not yet been determined.

Risks: This rulemaking action is currently in development and risks have not yet been determined.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	
NPRM Comment Period End.	09/00/26	
Final Action	07/00/26	
Final Action Effective.	05/00/27	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

International Impacts: This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

Agency Contact: C. Brett Lockard, Director, Forecasting and Analysis, Department of Commerce, Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450

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RIN: 0651–AD88

BILLING CODE 3410–12–P

Department Of War

Statement of Regulatory Priorities

Background

The Department of War (DoW) is the largest Federal department, employing over 2.8 million people (including 1,326,211 active duty military personnel; 767,774 Reserve/Guard; and 770,132 Appropriated Funds civilian positions) with operations all over the world. DoW's enduring mission is to provide combat-credible military forces needed to protect the security of our nation. To guide this mission, the Secretary of War has outlined three top priorities, which are to revive the warrior ethos, rebuild our military, and reestablish deterrence. Because of this expansive and diversified mission and reach, DoW regulations can address a broad range of matters and have an impact on varied members of the public, as well as other Federal agencies.

Pursuant to Executive Order 12866, ''Regulatory Planning and Review'' (September 30, 1993) and Executive Order 13563, ''Improving Regulation and Regulatory Review'' (January 18, 2011), the DoW issues this Regulatory Plan and Agenda to provide notice about the DoW's regulatory and deregulatory actions. Consistent with current Administration policy, the Department places primary emphasis on deregulatory actions and regulatory restraint. Regulatory actions are advanced only where required by statue, necessary to implement higher-level policy direction, or essential to national security and mission execution.

Deregulatory Policy and Compliance

In accordance with Executive Order 14192, the DoW evaluates all existing and proposed regulatory actions to identify opportunities to reduce regulatory burden, eliminate unnecessary or duplicative requirements, and achieve measurable cost savings.

The Department requires Components to demonstrate Executive Order 14192 compliance for any regulatory action proposed for inclusion in the Unified Agenda. This includes identification of deregulatory actions or offsets, documentation of anticipated cost savings or burden reductions, and confirmation that the action does not exceed Administration-wide cost caps. Actions that do not meet Executive Order 14192 criteria are not prioritized and may be deferred or withdrawn.

Deregulatory Governance and Oversight

The DoW maintains centralized oversight of deregulatory actions through its regulatory governance framework. Proposed actions are reviewed for Executive order compliance, cost impacts, and alignment with the Secretary's priorities prior to submission to the Office of Management and Budget. This oversight ensures consistent application of deregulatory policy across all Components and supports defensible, date-driven decision-making.

Retrospective Review of Existing Regulations Under Executive Order 14219, ''Ensuring Lawful Governance and Implementing the President's ''Department of Government Efficiency'' Deregulatory Initiative'' (February 19, 2025), the Department conducts coordinated, Department-wide reviews to identify regulations suitable for repeal, consolidation, or modification. These reviews focus on reducing compliance burden, improving clarity, and enhancing operational flexibility while maintaining statutory and national security requirements.

Pursuant to section 6 of Executive Order 13563, ''Improving Regulation and Regulatory Review'' (January 18, 2011), the Department continues to review existing regulations with a goal to eliminate outdated, unnecessary, or ineffective regulations; account for the currency and legitimacy of each of the Department's regulations; and ultimately reduce regulatory burden and costs.

Public Participation and Community Outreach

As the DoW develops our regulations, we seek to increase public participation and community outreach to be better informed of and address issues from members of the public affected by our regulations. The following provides examples of our specific outreach and public participation efforts. The Office of the Assistant to the Secretary of War for Public Affairs/Community Engagement Directorate, via its Opinion Leader Engagement portfolio, provides public affairs support to leaders throughout the Office of the Secretary of War (OSW) who are responsible for regulatory activities. This support includes convening roundtables and similar engagements for national stakeholder organizations to meet with OSW leaders to discuss and share information about DoW policies and programs that are governed by Federal regulations. For example, regular engagements with leaders of national military and veteran supporting organizations include topics such as military benefits, housing, healthcare, compensation, and sexual assault prevention and response, which are governed by law and Federal regulation. These meetings allow the regulating authorities in OSW an opportunity to dialogue with national organizations with a stakeholder interest in the impact and effect of DoW regulations.

DoW engages with the public on procurement-related regulations that will affect the Defense Federal Acquisition Regulation Supplement (DFARS) in several ways. In addition to publishing abstracts of and anticipated publication dates for upcoming rules in the biannual Unified Agenda, members of the public can track the progress of any open and pending DFARS regulation via the Open DFARS Cases Report, which is publicly available at *https://www.acq.osd.mil/dpap/dars/case_status.html.* The report is updated on a weekly basis and includes the following information: a case number, title, DFARS parts anticipated to be impacted by the regulation, a summary of the basis for the regulation, and the status of the regulation. Members of the public who are interested in a particular DFARS case are encouraged to monitor the Open DFARS Cases Report to track the progress of a particular regulation through the rulemaking process.

DoW also meets with industry associations on a quarterly basis. Industry associations that regularly participate in these quarterly discussions include the Council of Defense and Space Industry Associations, the Professional Services Council, the Aerospace Industries Association, and the National Defense Industrial Association. During these meetings, DoW often provides updates on open DFARS cases.

While developing certain DFARS regulations, DoW may seek input from the public by publishing in the **Federal Register** an early engagement opportunity, an advance notice of proposed rulemaking (ANPR), or a general request for information (RFI). Notices for early engagement opportunities usually pertain to a recent law, such as the annual National Defense Authorization Act (NDAA), and request input on implementation of the law in the DFARS. ANPRs and RFIs may include a summary of the overarching policy objectives of the regulation and a list of questions seeking input that will help DoW develop a proposed regulation. Information on whether DoW plans to publish an ANPR or RFI is included in both the Open DFARS Cases Report and the biannual Unified Agenda.

Occasionally, while an ANPR, proposed DFARS regulation, or interim DFARS regulation is out for public comment, DoW may hold a public meeting to allow the public to provide feedback to the Government in an open forum. Information about whether DoW plans on holding a public meeting for an ANPR or a regulation is normally included in the ANPR, proposed regulation, or interim regulation when it is published for public comment. Presentations made during the public meeting are made publicly available.

The U.S. Army Corps of Engineers (USACE) occasionally utilizes listening sessions prior to proposing a rule to obtain public input that is then used to inform the contents of the proposed rule. Additionally, **Federal Register** notices, website postings, press releases, and social media releases are used to notify the public of the dates and times for the listening sessions. When a **Federal Register** notice is used to provide notification of the listening sessions, the use of an open docket is employed for the submission of public comments in addition to the receipt of public comments during the listening sessions.

Also, the USACE may publish an ANPR to engage the public on the development of a proposed rule. **Federal Register** notices, website postings, press releases, and social media releases are used to notify the public of the publication of the proposed rule and how they can provide comments and engage in the rulemaking effort.

Finally, the USACE has meetings with industry associations, non-Government Organizations (NGOs), or similar stakeholders to provide updates on proposed policies or actions to solicit informal feedback that is used to help inform the path forward for the development of a proposed rule.

DoW Priority Deregulatory Actions

The Federal regulatory and deregulatory actions identified in this Regulatory Plan embody the core of DoW's regulatory priorities for Fiscal Year (FY) 2026 and help support the President's regulatory priorities, the Secretary of War's top priorities. The DoW Deregulatory prioritization is focused on initiatives that:

• Restore the warrior ethos.

• Rebuild our military readiness and capability;

• Reestablish credible deterrence; and.

• Strengthen national security, including safeguarding Federal information and information technology systems.

Rules That Promote the Country's Economic Resilience

Solicitation Provisions and Contract Clauses. RIN 0790–AK52

This final rule amends the Defense Logistics Agency (DLA) acquisition regulations in title 48 Code of Federal Regulations (CFR) part 5452 by removing an unnecessary clause. The 5452.249 Allocation clause became effective on May 4, 1995, and was last revised on May 17, 2001 (66 FR 27474). The rule permits fuel contractors to supply less than the full amount of fuel contracted for by the government, without being terminated for default, during periods of exceptional fuel shortages, provided that the fuel shortage is beyond the control and without the fault or negligence of the contractor. The DLA has determined there are existing Federal Acquisition Regulations and DFARS clauses on excusable delay.

Reissuance and Modification of Nationwide Permits. 0710–AB56

This proposed rule would begin the process of reissuing the 57 existing nationwide permits before they expire on March 14, 2026. Under the Clean Water Act and the Corps' regulations, nationwide permits can be issued for a period of no more than five years. If the nationwide permits are not reissued before they expire, they automatically become null and void and project proponents who want to conduct activities regulated under section 404 of the Clean Water Act or section 10 of the Rivers and Harbors Act would need to obtain individual permits from the Corps for those activities. The nationwide permits are a type of general permit issued by the Chief of Engineers and are designed to regulate with little, if any, delay or paperwork categories of activities having no more than minimal individual and cumulative adverse environmental impacts. The nationwide permits provide environmental protection by incentivizing project proponents to reduce impacts to waters and wetlands to obtain the required Corps authorization in less time than it would take to be granted individual permits for regulated activities.

Updated Definition of ''Waters of the United States''. 0710–AB59

The Environmental Protection Agency and the Department of the Army are undertaking a rulemaking to revise key topics of the waters of the United States definition in light of the Supreme Court's decision in Sackett v. Environmental Protection Agency, 598 U.S. 651 (2023), including continuous surface connection, relatively permanent, and jurisdictional versus non-jurisdictional ditches. These revisions focus on clarity, simplicity, and improvements that will stand the test of time. This action will streamline implementation of Clean Water Act programs by aligning the definition of waters of the United States with Sackett, which significantly narrowed the definition under the Clean Water Act.

Health Care Priorities

TRICARE Removal of Temporary Regulation Change and Freestanding End-Stage Renal Disease (ESRD) Facilities as TRICARE-Authorized Institutional Providers and Reimbursement Methods for ESRD Facilities. RIN 0720–AB85

This rule finalizes an interim final rule that amended 32 CFR part 199 by: (1) adding freestanding End Stage Renal Disease (ESRD) facilities as a category of TRICARE-authorized institutional provider and modifying the reimbursement for such facilities; and (2) temporarily adopting Medicare's New COVID–19 Treatments Add-on Payment (NCTAP). The ESRD provisions are made permanent, and the temporary NCTAP provisions which expired at the end of the public health emergency are terminated.

Medical Billing for Healthcare Services Provided by Department of War Medical Treatment Facilities to Civilian Non-Beneficiaries. RIN 0720–AB87

This final rule is aimed at preventing severe financial harm to civilians who are not covered beneficiaries of the Military Health System, and who receive healthcare services at military medical treatment facilities. The proposed rule implements the requirement to apply a sliding fee and/or a catastrophic waiver to medical invoices of non-beneficiaries; to accept payments from health insurers as full payment; to not balance bill non-beneficiaries except for copays, coinsurance, deductibles, nominal fees, and non-covered services; and grants the Director of Defense Health Agency (DHA) discretionary authority to waive medical debts of non-beneficiaries when the healthcare provided enhances the knowledge, skills, and abilities of healthcare providers, as determined by the Director of DHA.

Rules That Support National Security Efforts

Cybersecurity Maturity Model Certification (CMMC) Program. RIN 0790–AM01

With this amendment, DoW amends the CMMC Program to comply with National Institute of Standards and Technology (NIST) Special Publication (SP) 800–171 Revision 2, to a requirement to comply with NIST SP 800–171 Revision 3. As described by NIST, the significant changes between these two documents include added specificity in the security requirements and introduction of organization-defined parameters (ODPs) in select security requirementsIn addition to revising documents incorporated by reference in this rule, this amendment adds administrative edits and clarifying content in certain areas.

National Industrial Security Program Operating Manual (NISPOM); Second Amendment. RIN 0790–AL52

The DoW is amending the NISPOM based on public comments received on a final rule published on December 21, 2020. The amendments address implementation guidance and costs for the Security Executive Agent Directive (SEAD) 3; clarifications on procedures for the protection and reproduction of classified information and controlled unclassified information (CUI); National Interest Determination (NID) requirements for cleared contractors operating under a Special Security Agreement for Foreign Ownership, Control or Influence; and eligibility determinations for personnel security clearance processes and requirements.

DOW—Office of the Secretary (OS)	Final Rule Stage

22. SOLICITATION PROVISIONS AND CONTRACT CLAUSES

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 5 U.S.C. 301

CFR Citation: 48 CFR 5452

Legal Deadline: None

Abstract: This final rule amends the Defense Logistics Agency (DLA) acquisition regulations in 48 CFR part 5452 by removing an unnecessary clause. The 5452.249 Allocation clause became effective on May 4, 1995, and was last revised on May 17, 2001 (66 FR 27474). The rule permits fuel contractors to supply less than the full amount of fuel contracted for by the government, without being terminated for default, during periods of exceptional fuel shortages, provided that the fuel shortage is beyond the control and without the fault or negligence of the contractor. The DLA has determined there are existing Federal Acquisition Regulations (FAR) and Defense Federal Acquisition Regulation Supplements (DFARS) clauses on excusable delay.

Statement of Need: This final rule amends the DLA acquisition regulations in this part by removing an unnecessary clause. The Allocation clause was effective on May 4, 1995, and permitted fuel contractors to supply less than the full amount of fuel contracted for by the government, without being terminated for default, during periods of exceptional fuel shortages, provided that the fuel shortage is beyond the control and without the fault or negligence of the contractor. DLA has determined that this clause is not necessary, since there are means to address the circumstance described under existing Federal Acquisition Regulation and Defense Federal Acquisition Regulation Supplement clauses on excusable delay. Therefore, the clause may be removed.

Summary of Legal Basis: 5 U.S.C. 301

Alternatives: None

Anticipated Cost and Benefits: The rule removes a clause that is no longer in use. Therefore, there is no impact on contractors or offerors. This rule removal will not create any costs.

Risks: None

Timetable:

Action	Date	FR Cite
Final Action	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 0790–AK52

DOW—OS	Final Rule Stage

23. NATIONAL INDUSTRIAL SECURITY PROGRAM OPERATING MANUAL (NISPOM); SECOND AMENDMENT

Priority: Other Significant

Regulatory Accounting: Regulatory

Legal Authority: 32 CFR 2004; E.O. 10865; E.O. 12333; E.O. 12829; E.O. 12866; E.O. 12968; E.O. 13526; E.O. 13563; E.O. 13587; E.O. 13691; Pub. L 108–458; 42 U.S.C. 2011 *et seq.;* 50 U.S.C. ch. 44; 50 U.S.C. 3501 *et seq.*

CFR Citation: 32 CFR 117

Legal Deadline: None

Abstract: The Department of Defense is amending the National Industrial Security Program Operating Manual (NISPOM) based on public comments received on a final rule published on December 21, 2020. The amendments address implementation guidance and costs for the Security Executive Agent Directive (SEAD) 3, clarifications on procedures for the protection and reproduction of classified information, controlled unclassified information (CUI), National Interest Determination (NID) requirements for cleared contractors operating under a Special Security Agreement for Foreign Ownership, Control or Influence, and eligibility determinations for personnel security clearance processes and requirements.

Statement of Need: With this amendment, DoD amends the National Industrial Security Program Operating Manual (NISPOM) to address implementation guidance and costs for the Security Executive Agent Directive (SEAD) 2, clarifications on procedures for the protection and reproduction of classified information.

Summary of Legal Basis: 32 CFR 2004; E.O. 10865; E.O. 12333 ; E.O. 12829 ; E.O. 12866 ; E.O. 12968 ; E.O. 13526 ; E.O. 13563 ; E.O. 13587 ; E.O. 13691 ; Pub. L 108–458 ; 42 U.S.C. 2011 *et seq.* ; 50 U.S.C. ch. 44 ; 50 U.S.C. 3501 *et seq.*

Alternatives: None

Anticipated Cost and Benefits: DCSA began the cost analysis for the baseline costs for fiscal year (FY) 2017 by randomly selecting active NISP contractor facilities that have existing DoD approval for classified storage at their own physical locations and having those facilities submit security costs. The randomly selected contractor facilities also have an active facility security clearance and a permanent Commercial and Government Entity (CAGE) Code. In addition to the randomly selected cleared facilities having approved classified storage, DCSA categorizes these contractor facilities for the survey based on the size, scope, and complexity of each contractor's security program. The general methodology used to estimate security costs incurred by contractor cleared facilities with approved storage of classified information is based on the costs incurred by respondent contractors for the protection of classified information. The methodology captures the most significant portion of industry's costs, which is labor. Security labor in the survey is defined as personnel whose positions exist to support operations and staff in the implementation of government security requirements for the protection of classified information. Guards who are required as supplemental controls are included in security labor. The respondent contractors are requested to compile their cleared facility's current annual security labor cost in burdened, current year dollars with the most recent data being from the 2017 survey. The labor cost, when identified as an estimated percent of each contractor's total security costs, enables the respondent contractors to calculate their total security costs. Information collected is compiled to create an aggregate estimated cost of NISP classification-related activities.

Risks: None

Timetable:

Action	Date	FR Cite
NPRM	12/13/23	88 FR 86288
NPRM Comment Period End.	02/12/24	
Final Action	07/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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Related RIN:

Related to 0790–AK85, Related to 0790–AL41

RIN: 0790–AL52

DOW—OS	Final Rule Stage

24. • CYBERSECURITY MATURITY MODEL CERTIFICATION (CMMC) PROGRAM

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Fully or Partially Exempt

Legal Authority: 5 U.S.C. 301; Pub. L. 116–92, sec. 1648; 133 Stat. 1198

CFR Citation: 32 CFR 170

Legal Deadline: None

Abstract: This amendment defines a deadline and period for transition from the requirement to comply with NIST SP 800–171 Revision 2, to a requirement to comply with NIST SP 800–171 Revision 3. Significant changes between these two documents include added specificity in the security requirements and introduction of organization-defined parameters (ODP) in select security requirements. In addition to revising the NIST documents that are incorporated by reference in 32 CFR part 170, this amendment adds administrative edits and clarifying content in multiple areas as necessary to effect the transition.

Statement of Need: With this amendment, DoD amends the Cybersecurity Maturity Model Certification (CMMC) Program to define a period for transition from the requirement to comply with NIST SP 800–171 Revision 2, to a requirement to comply with NIST SP 800–171 Revision 3. As described by NIST, the significant changes between these two documents include added specificity in the security requirements and introduction of organization-defined parameters (ODPs) in select security requirements. In addition to revising documents incorporated by reference in this rule, this amendment adds administrative edits and clarifying content in multiple areas.

Summary of Legal Basis: 5 U.S.C. 301; Sec. 1648, Pub. L. 116–92, 133 Stat. 1198.

Alternatives: None

Anticipated Cost and Benefits: In addition to the change from NIST SP 800–171 revision 2 to revision 3, which impacted CMMC Level 2 and Level 3 assessment objectives, this rule amendment is based on a more current estimate of the size of the Defense Industrial Base. Overall, we estimate approximately 20% fewer total companies will be impacted by 32 CFR part 170.

Risks: None

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Undetermined

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RIN: 0790–AM01

DOW—U.S. Army Corps of Engineers (COE)	PROPOSED RULE STAGE

25. UPDATED DEFINITION OF ‘‘WATERS OF THE UNITED STATES’’

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Unfunded Mandates: Undetermined

Legal Authority: 33 U.S.C. 1344 ; 33 U.S.C. 1251

CFR Citation: 33 CFR 328

Legal Deadline: None

Abstract: The EPA and the Department of the Army are undertaking a rulemaking to revise key topics of the waters of the United States definition in light of the Supreme Court's decision in Sackett v. Environmental Protection Agency, 598 U.S. 651 (2023), including continuous surface connection, relatively permanent, and jurisdictional versus non-jurisdictional ditches. These revisions focus on clarity, simplicity, and improvements that will stand the test of time.

Statement of Need: The Environmental Protection Agency and the Department of the Army are undertaking a rulemaking to revise key topics of the waters of the United States definition in light of the Supreme Court's decision in Sackett v. Environmental Protection Agency, 598 U.S. 651 (2023), including continuous surface connection, relatively permanent, and jurisdictional versus non-jurisdictional ditches. These revisions focus on clarity, simplicity, and improvements that will stand the test of time. This action will streamline implementation of Clean Water Act programs by aligning the definition of waters of the United States with Sackett, which significantly narrowed the definition under the Clean Water Act.

Summary of Legal Basis: The Clean Water Act (33 U.S.C. 1251 *et seq.*)

Alternatives: The EPA and the Army are evaluating alternatives for this action.

Anticipated Cost and Benefits: The EPA and Army are evaluating the anticipated costs and benefits of this action.

Risks: The EPA and the Army are evaluating the risks associated with this action.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	
Final Action	07/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, Local, State, Tribal

Federalism: Undetermined

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RIN: 0710–AB59

DOW—Office of Assistant Secretary for Health Affairs (DODOASHA)	Final Rule Stage

26. TRICARE REMOVAL OF TEMPORARY REGULATION CHANGE AND FREESTANDING END–STAGE RENAL DISEASE (ESRD) FACILITIES AS TRICARE–AUTHORIZED INSTITUTIONAL PROVIDERS AND REIMBURSEMENT METHODS FOR ESRD FACILITIES

Priority: Other Significant

Regulatory Accounting: Fully or Partially Exempt

Legal Authority: 5 U.S.C. 301; 10 U.S.C. ch. 55

CFR Citation: 32 CFR 199

Legal Deadline: None

Abstract: This rule finalizes the provisions of the interim final rule (88 FR 1992) that added freestanding End-Stage Renal Disease (ESRD) facilities as TRICARE-authorized institutional providers and established reimbursement methodologies for such facilities. These ESRD provisions are adopted as final without substantive change. This rule also removed expired regulatory text related to Medicare's New COVID–19 Treatments Add-on Payment (NCTAP), which was implemented on a temporary basis in the interim final rule and expired at the conclusion of the COVID 19 public health emergency. This removal is administrative in nature and ensures the regulations reflects current policy.

Statement of Need: The modifications to paragraphs 199.6(b)(4)(xxi) and 199.14(a)(1)(iii)(E)(*7*) establish freestanding End Stage Renal Disease (ESRD) facilities as a category of TRICARE-authorized institutional provider and modify TRICARE reimbursement of freestanding ESRD facilities. These provisions will improve TRICARE beneficiary access to medically necessary dialysis and other ESRD services and supplies. These provisions also support the requirement that TRICARE reimburse like Medicare, and will help ensure access to dialysis care in freestanding ESRD facilities rather than hospital outpatient departments.

Summary of Legal Basis: This rule is issued under 10 U.S.C. 1073(a)(2) giving authority and responsibility to the Secretary of Defense to administer the TRICARE program.

Alternatives:

(1) No action

(2) The second alternative the Department of Defense considered was to adopt Medicare's ESRD reimbursement methodology, the ESRD Prospective Payment System (PPS), in total. While this would have been completely consistent with the statutory provision to pay institutional providers using the same reimbursement methodology as Medicare, this alternative is not preferred because there is still a relatively low volume of TRICARE beneficiaries who receive dialysis services from freestanding ESRDs and who are not enrolled to Medicare. The cost of implementing the full ESRD PPS system is estimated to be at least $600,000.00 in start-up costs, plus ongoing administrative costs, to ensure all adjustments were made for each claim, plus additional special pricing software or algorithms. In contrast, we estimate that the option provided in this IFR can be implemented relatively quickly (within six months of publication), and for approximately $300,000.00 in start-up costs with lower ongoing administrative costs. Further, the flat rate will provide the ESRD facilities with predictability with regard to TRICARE payments and will reduce uncertainty and specialized coding or case-mix documentation requirements that may be required by the ESRD PPS, reducing the administrative burden on the provider.

To summarize, adopting the ESRD PPS was considered, but was deemed impracticable and overly burdensome to both the Government and providers due to the relative low volume of claims that will be priced and paid by TRICARE as primary under this system.

Anticipated Cost and Benefits: The ESRD provisions are expected to result in $5M in incremental annual health care costs.

Risks: None. This rule will promote the efficient functioning of the economy and markets by modifying the regulations to better reimburse health care providers for particularly as strain on the health care economy is being felt due to reductions in higher cost elective procedures.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/12/23	88 FR 1992
Interim Final Rule Effective.	01/12/23	
Interim Final Rule Comment Period End.	03/13/23	
Final Action	07/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 0720–AB85

BILLING CODE 5001–06–P

DEPARTMENT OF EDUCATION

Statement of Regulatory Priorities

I. Introduction

The U.S. Department of Education (Department) provides financial assistance pertaining to education and related services at all levels to a wide range of stakeholders and individuals, including State educational and other agencies, local school districts, providers of early learning programs, elementary and secondary schools, institutions of higher education, career and technical schools, students, and families.

The Department also vigorously monitors and enforces the implementation of Federal civil rights laws in educational programs and activities that receive Federal financial assistance from the Department. The Department's regulatory priorities aim to return education to the states by promoting as much choice, freedom, and flexibility as possible while ensuring students learn in an environment that promotes educational excellence, not divisive ideologies.

The Department is focused on removing regulatory barriers that impede competition, individual initiative, innovation, and economic growth. This regulatory agenda establishes the Department's regulatory and deregulatory priorities.

II. Public Participation

We invite the public to submit comments on all proposed regulations through the internet or by regular mail. We also note that the Higher Education Act of 1965 requires the Department to use the negotiated rulemaking process for a majority of its higher education rulemakings, which is a process that necessitates public participation from a broad range of stakeholders. Under negotiated rulemaking, the Department seeks and considers initial input through public hearings and written comments when it announces intent to establish a negotiated rulemaking committee and requests nominations from the public for individual negotiators who represent key stakeholder constituencies for the issues to be negotiated to serve on the committee before a committee is established.

To facilitate the public's involvement, we participate in the Federal Docket Management System (FDMS), an electronic single Government-wide access point (*www.regulations.gov*) that enables the public to submit comments on different types of Federal regulatory documents as well as read and respond to comments submitted by other members of the public during the public comment period. This system provides the public with the opportunity to submit comments electronically on any notice of proposed rulemaking or interim final regulations open for comment as well as read and print any supporting regulatory documents.

III. Regulatory Priorities

This Administration's goals are to return power over education to families instead of bureaucracies, return education authority to the states, continue provision of services, programs and benefits on which Americans rely, and ensure that Federal funds support students and families instead of extreme ideologies that divide Americans by race and deny that sex is a binary, immutable human characteristic.

The Department expects to initiate several deregulatory actions and continue rescinding burdensome guidance documents across all programs. The Department will focus on completing regulatory actions that streamline existing regulations and remove unjustified burdens as well as reduce government transfers and promote principles of fiscal responsibility. The Department also considered ideas the public submitted to OMB through the Notice of request for information: Deregulation. 90 FR 15481 (April 11, 2025). Many of the deregulatory actions described below align with the ideas the public submitted and are already being put into action.

Postsecondary Education

Section 492 of the Higher Education Act (HEA) requires that the Secretary solicit public involvement in the development of regulations before publishing proposed rules implementing programs authorized under Title IV. In the Reimagining and Improving Student Education (RISE) proposed rule, the Department intends to propose regulations after completing negotiated rulemaking and reaching consensus to implement the changes the One Big Beautiful Bill Act, Public Law. 119–21, made to the student loans programs. Proposed changes include phasing out graduate PLUS Loans; eliminating income contingent repayment (ICR) and Pay As You Earn (PAYE) loans, setting loan limits at $20,000 for graduate students and $50,000 for professional students and creating a new loan repayment plan known at the ''Repayment Assistance Plan.'' The Department also engaged in negotiated rulemaking to propose regulations implementing the One Big Beautiful Bill's changes to Pell Grants and accountability provisions, including updates to the Workforce Pell Grant program that offers Pell Grants to students for short-term training programs. In addition, the proposed rules will address institutional accountability issues including financial value transparency and gainful employment. These rules seek to enhance oversight, strengthen eligibility standards, and streamline implementation.

The Department intends to propose regulations covering institutions' reporting of statutorily defined gifts, contracts, and/or restricted and conditional gifts or contracts from or with defined foreign sources, pursuant to the requirements of section 117 of the HigherEA. In compliance with Executive Order 14279, Reforming Accreditation To Strengthen Higher Education, negotiated rulemaking will address accreditation issues to clarify institutional flexibility to pursue changes of accreditors without prior Department approval and remove other burdensome requirements that erect barriers to entry for new accreditation agencies. Also, the Department proposes to address Title IV eligibility issues to remove requirements that unnecessarily target faith-based or for-profit institutions and interfere with efficient and beneficial mergers, sales, and transfers of institutions of higher education. Such issues to be addressed in the context of institutional eligibility for participation of Federal student financial aid include rules governing change of ownership, cash management, administrative capability standards, and financial responsibility requirements.

In the Reducing Anti-Competitive Regulatory Barriers proposed rule, the Department seeks to implement President Trump's Executive Order 14267, Reducing Anti-Competitive Regulatory Barriers, and will engage in negotiated rulemaking to promulgate rules to (1) amend college textbook packaging rules under 34 CFR 668.163(c)(2) to put downward pressure on prices by promoting competition among booksellers and (2) improve the transferability of college credits.

Civil Rights

The Department intends to remove the regulation under Title VI of the 1964 Civil Rights Act that utilizes a disparate impact theory of race-based discrimination. We will align Department regulations with Supreme Court precedent that requires Title VI violations to rest upon intentional discrimination.

Executive Order 14168, Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government, defends women's rights and protects freedom of conscience by directing agencies to use clear and accurate language and policies that recognize women are biologically female, and men are biologically male. The Department intends to amend regulations implementing Title IX of the Education Amendments of 1972 (Title IX) to ensure consistency with E.O. 14168 by clarifying that implementation of Title IX is to be based on sex, which shall refer exclusively to an individual's immutable biological classification as either male or female.

In the Update of Regulations of Title VI of the Civil Rights Act of 1964 proposed rule, the Department intends to amend regulations implementing Title VI of the Civil Rights Act of 1964 (Title VI) to provide further clarification of how Title VI's provisions protecting individuals from discrimination on the basis of race, color and national origin protect individuals on the basis of the individual's actual or perceived shared ancestry or ethnic characteristics, or affiliation with a dominant religion or distinct religious identity. The Department will continue to implement President Trump's Executive Order 14188, Additional Measures to Combat Anti-Semitism, and use all available and appropriate legal tools, to tackle unlawful anti-Semitic harassment and violence.

Special Education and Rehabilitative Services

In the Equity in IDEA proposed rule, the Department intends to amend regulations implementing the Individuals with Disabilities Education Act's (IDEA) provisions pertaining to significant disproportionality. Specifically, the Department intends to amend 2016 regulations that established a standard methodology States must use to determine whether significant disproportionality based on race and ethnicity is occurring in the State and set specific programmatic requirements on how states are required to comply with Section 618(d)(2) of the IDEA.

Other Actions

The Department will work on a proposed rulemaking relating to Department grant programs to ensure that federal public benefits are only provided to citizens and eligible noncitizens, as required under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

III. Principles for Regulating

Over the next year, the Department may need to issue other regulations because of new legislation or programmatic changes. In deciding when to regulate, we consider the following:

- Whether regulations are essential to promote quality and equality of opportunity in education.
- Whether a demonstrated problem cannot be resolved without regulation.
- Whether regulations are necessary to provide a legally binding interpretation to resolve ambiguity.
- Whether regulations are needed to protect the Federal interest, that is, to ensure that Federal funds are used for their intended purpose and to eliminate fraud, waste, and abuse.

In deciding how to regulate, we are mindful of the following principles:

- Regulate no more than necessary.
- Minimize burden to the extent possible and promote multiple approaches to meeting statutory requirements if possible.

- Encourage coordination of federally funded activities with State and local reform activities.
- Ensure that the benefits justify the costs of regulating.
- To the extent possible, establish performance objectives rather than specify the behavior or manner of compliance a regulated entity must adopt.
- Encourage flexibility, to the extent possible and as needed to enable institutional forces to achieve desired results.

ED—Office for Civil Rights (OCR)	Final Rule Stage

27. ELIMINATION OF DISPARATE IMPACT THEORY UNDER TITLE VI OF THE 1964 CIVIL RIGHTS ACT

Priority: Other Significant
Regulatory Accounting: Deregulatory
Legal Authority: 42 U.S.C. 2000d–1; 20 U.S.C. 1682; 29 U.S.C. 794
Relevant Executive Orders: 14281
CFR Citation: 34 CFR 100
Legal Deadline: None

Abstract: The Department intends to remove the regulation under Title VI of the 1964 Civil Rights Act that utilizes a disparate impact theory of race-based discrimination, to align Department regulations with Supreme Court precedent that requires Title VI violations to rest upon intentional discrimination, to otherwise ensure compliance with constitutional and statutory requirements, and to remove outdated materials.

Statement of Need: The Department is rescinding portions of its regulations promulgated pursuant to Title VI, 42 U.S.C. 2000d–1, to more closely align its regulations to apply to the intentionally discriminatory conduct that Congress prohibited when enacting Title VI statute, 42 U.S.C. 2000d and to ensure its regulations comply with Executive Order 14821, Restoring Equality of Opportunity and Meritocracy, issued on April 23, 2025.

Summary of Legal Basis: The Department is rescinding portions of its regulations pursuant to Title VI, 42 U.S.C. 2000d–1. Executive Order 14281 requires federal agencies to eliminate the use of disparate-impact liability in all contexts to the maximum degree possible to avoid violating the Constitution, federal civil rights laws, and basic American ideals.

Alternatives: This will be discussed in the action taken by the agency that is published in the **Federal Register**.

Anticipated Cost and Benefits: This will be discussed in the action taken by the agency that is published in the **Federal Register**.

Risks: This will be discussed in the action taken by the agency that is published in the **Federal Register**.

Timetable:

Action	Date	FR Cite
Final Action	07/00/26	

Regulatory Flexibility Analysis Required: No
Small Entities Affected: No
Government Levels Affected: None
Agency Contact: Meir Katz, Department of Education, Office for Civil Rights, 400 Maryland Ave SW, Washington, DC 20202
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RIN: 1870–AA20

ED—OCR	

28. • IMPLEMENTATION OF TITLE IX BASED ON DEFINITION OF ''SEX'' IDENTIFIED IN E.O. 14168

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.
Regulatory Accounting: Other
Unfunded Mandates: Undetermined
Legal Authority: Not Yet Determined
Relevant Executive Orders: 14168
CFR Citation: Not Yet Determined
Legal Deadline: None

Abstract: The Department intends to amend regulations implementing Title IX of the Education Amendments of 1972 (Title IX) to ensure consistency with Executive Order 14168, Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government (January 20, 2025), including clarifying that implementation of Title IX is to be based on sex, which shall refer exclusively to an individual's immutable biological classification as either male or female.

Statement of Need: The Department is amending portions of its regulations promulgated pursuant to Title IX of the Education Amendments Act, codified at 20 U.S.C. 1681, to more closely align its regulations with Executive Order 14168, Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government, issued on January 20, 2025.

Summary of Legal Basis: The Department is amending portions of its regulations pursuant to Title IX of the Education Amendments Act, 20 U.S.C. 1681. Executive Order 14168 directs federal agencies to recognize the existence of only two sexes, male and female, that are not changeable and are grounded in fundamental and incontrovertible reality.

Alternatives: This will be discussed in the action taken by the agency that is published in the **Federal Register**.

Anticipated Cost and Benefits: This will be discussed in the action taken by the agency that is published in the **Federal Register**.

Risks: This will be discussed in the action taken by the agency that is published in the **Federal Register**.

Timetable:

Action	Date	FR Cite
Final Action	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined
Government Levels Affected: Undetermined
Federalism: Undetermined
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RIN: 1870–AA23

ED—Office of Postsecondary Education (OPE)	Prerule Stage

29. DOCUMENTATION OF FOREIGN SOURCE GIFTS AND CONTRACTS, SECTION 117 OF THE HIGHER EDUCATION ACT OF 1965

Priority: Other Significant
Regulatory Accounting: Regulatory
Legal Authority: 20 U.S.C. 1011f
CFR Citation: 34 CFR 668; 34 CFR 695
Legal Deadline: None

Abstract: The Department intends to propose regulations covering institutions' reporting of statutorily defined gifts, contracts, and/or restricted and conditional gifts or contracts from or with defined foreign sources, pursuant to the requirements of section 117 of the Higher Education Act of 1965, as amended (HEA).

Statement of Need: Section 117 of the Higher Education Act of 1965, as amended, codified at 20 U.S.C. 1011f, requires that institutions of higher education that receive federal funding must biannually disclose to the Department of Education foreign gifts, contracts, and ownership, the value of which (alone or combined) is $250,000 or more annually. In an official report published by the Department in October 2020 (Institutional Compliance with Section 117 of the Higher Education Act of 1965), the Department reported findings of widespread noncompliance with Section 117's relatively simple disclosure requirements amounting to billions of dollars in unreported but qualifying foreign funding transactions. The Department's review of IHE disclosures indicates significant improvements in compliance, although noncompliance continues to occur at unacceptably high levels. Evidence obtained by the Department through disclosures submitted by IHEs and records obtained by the Department through its civil investigations have revealed significant continued noncompliance by IHEs.

Issued on Apr. 22, 2025, Executive Order 14282 (Transparency Regarding Foreign Influence at American Universities) further clarified the need for significantly improved enforcement of Section 117's disclosure requirements. The Department is statutorily obligated to provide robust enforcement of Section 117's disclosure requirements as required by Congress to ensure transparency with regard to foreign funding and involvements in higher education.

Summary of Legal Basis: Section 117 of the Higher Education Act of 1965, as amended, codified at 20 U.S.C. 1011f, requires that institutions of higher education that receive federal funding must biannually disclose to the Department of Education foreign gifts, contracts, and ownership, the value of which (alone or combined) is $250,000 or more annually. The current version of this disclosure requirement was adopted in 1998, see Public Law 105–244, Higher Education Amendments of 1998, Title I, sec. 102(a), adding HEA Title I, sec. 117 (Oct. 7, 1998); but a substantially similar disclosure requirement has been in place since 1986. See Public Law 99–498, Higher Education Amendments of 1986, Title XII, sec. 1206, adding HEA Title XII, sec. 1207 (Oct. 17, 1986) (then codified at 20 U.S.C. 1145d). In addition, IHEs are required to accurately and timely report qualifying Section 117 foreign funding under their Program Participation Agreements (PPAs) with the Department, pursuant to 20 U.S.C. 1094(a)(17), which provides that [i]n order to be an eligible institution for the purposes of any program authorized under this subchapter, an institution must . . . enter into a program participation agreement with the Secretary. The agreement shall condition the initial and continuing eligibility of an institution to participate in a program upon compliance with the following requirements: . . . (17) The institution will complete surveys conducted as a part of the Integrated Postsecondary Education Data System (IPEDS) or any other Federal postsecondary institution data collection effort, as designated by the Secretary, in a timely manner and to the satisfaction of the Secretary. Under 20 U.S.C. 1094(a)(17), where an IHE fails to report Section 117 information timely and accurately, the IHE has failed to comply with its reporting obligations under 20 U.S.C. 1011f and failed to comply with the requirements contained in its PPA.

Alternatives: The Department's ongoing information collection efforts, vastly improved through the Department's creation of a new foreign funding reporting portal (*www.ForeignFundingHigherEd.gov*), is the least costly alternative for securing improved compliance by IHEs with Section 117's straightforward requirements. The new reporting portal also facilitates compliance by IHEs through a significantly more user-friendly reporting portal.

Anticipated Cost and Benefits: The Department executed a Firm Fixed Price (FFP) Contract in support of the creation and maintenance of the new foreign funding reporting portal (*www.ForeignFundingHigherEd.gov*). The original contract obligated $9,828,256.13 for an initial nine-month base year through June 18, 2026, and included four twelve-month option years thereafter that would bring the potential award to over $60 million.

Risks: There are significant national security risks associated with the failure to timely and accurately disclose foreign funding to IHEs, particularly to federally funded research universities (which receive approximately $65 billion annually in support of sometimes highly classified weapons-related technological developments (*i.e.,* critical emerging technologies). Universities often have significant contracts for the operation of important national laboratories (*e.g.,* the Los Alamos National Laboratory a Department of Energy national laboratory with well known historical and current involvements is managed by Texas A&M University; NASA's Jet Propulsion Laboratory critically important to U.S. space involvements and related technologies is managed by the California Institute of Technology). In addition, foreign influence operations on IHE campuses continue to be deeply concerning to Congress, the President, and the American people. Section 117's transparency requirements continue to play an important statutory role in providing Congress, the President, and the American people with important ongoing knowledge regarding efforts to safeguard America's research enterprise.

Timetable:

Action	Date	FR Cite
Notice of Intent to Commence Negotiated Rulemaking.	11/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

URL For Public Comments: *www.regulations.gov*

Agency Contact: Paul Moore, Chief Investigative Counsel, Office of the General Counsel, Department of Education, Office of Postsecondary Education, 400 Maryland Avenue SW, Seventh Floor, Washington, DC 20202

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RIN: 1840–AD50

ED—OPE	

30. • REDUCING ANTI–COMPETITIVE REGULATORY BARRIERS

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Other

Unfunded Mandates: Undetermined

Legal Authority: Not Yet Determined

Relevant Executive Orders: 14267

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: To implement President Trump's Executive Order 14267 on anti-competitive regulations, the Department will engage in negotiated rulemaking to promulgate rules to (1) amend college textbook packaging rules under 34 CFR 668.163(c)(2) to put downward pressure on prices by promoting competition among booksellers; and (2) improve the transferability of college credits.

Statement of Need: This rule amends and aligns Department regulations with Executive Order 14267, Reducing Anti-Competitive Regulatory Barriers, issued on April 9, 2025 to amend college textbook packaging rules under 34 CFR 668.163(c)(2) to put downward pressure on prices by promoting competition among booksellers and to improve the transferability of college credits.

Summary of Legal Basis: The Department is amending portions of its regulations pursuant to title IV of the Higher Education Act of 1965, as amended, codified at 20 U.S.C. 1070. Executive Order 14267 mandates federal agencies to identify and rescind regulations that create monopolies, create unnecessary barriers to entry for new market participants, limit competition, or otherwise impose anti-competitive restraints or distortions on the operation of the free market.

Alternatives: Alternatives will be discussed in the notice of proposed rulemaking and final rule.

Anticipated Cost and Benefits: Anticipated Costs and Benefits will be discussed in the notice of proposed rulemaking and final rule.

Risks: Risks will be discussed in the notice of proposed rulemaking and final rule.

Timetable:

Action	Date	FR Cite
Notice of Intent to Commence Negotiated Rulemaking.	09/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Jeffrey R. Andrade, Deputy Assistant Secretary for Policy, Planning and Innovation, Department of Education, Office of Postsecondary Education, 400 Maryland Avenue SW, Washington, DC 20202

Phone: 202 708–7888

RIN: 1840–AE01

ED—OPE	

31. • ADDRESSING TITLE IV ELIGIBILITY ISSUES

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Unfunded Mandates: Undetermined

Legal Authority: Not Yet Determined

Relevant Executive Orders: 14267

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The Department proposes to address Title IV eligibility issues to remove requirements that unnecessarily target faith-based or for-profit institutions and interfere with efficient and beneficial mergers, sales, and transfers of institutions of higher education. Such issues to be addressed in the context of institutional eligibility for participation of Federal student financial aid include rules governing change of ownership, cash management, administrative capability standards, program length requirements, and financial responsibility requirements. This rule would also remove ultra vires provisions in the Title IV Revenue and Non-Federal Education Assistance Funds regulations called the 90/10 Rule that give public and nonprofit institutions a competitive advantage and update Ronald E. McNair Postbaccalaureate Achievement Program regulations consistent with the December 2, 2025 opinion published by the Office of Legal Counsel at the Department of Justice entitled, ''Constitutionality of Race-Based Department of Education Programs,'' regarding that program.

Statement of Need: The rule will address Title IV eligibility issues to remove requirements that unnecessarily target faith-based or for-profit institutions and interfere with efficient and beneficial mergers, sales, and transfers of institutions of higher education.

Summary of Legal Basis: The Department is amending portions of its regulations pursuant to title IV of the Higher Education Act of 1965, as amended, codified at 20 U.S.C. 1070.

Alternatives: Alternatives will be discussed in the notice of proposed rulemaking and final rule.

Anticipated Cost and Benefits: Anticipated Costs and Benefits will be discussed in the notice of proposed rulemaking and final rule.

Risks: Risks will be discussed in the notice of proposed rulemaking and final rule.

Timetable:

Action	Date	FR Cite
Notice of Intent to Commence Negotiated Rulemaking.	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Tamy Abernathy, Department of Education, Office of Postsecondary Education, 400 Maryland Avenue SW, Washington, DC 20202

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RIN: 1840–AE04

ED—OPE	Proposed Rule Stage

32. ACCREDITATION ISSUES

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 20 U.S.C. 1099b

Relevant Executive Orders: 14279

CFR Citation: 34 CFR 600; 34 CFR 602

Legal Deadline: None

Abstract: The Department proposes to engage in negotiated rulemaking to address accreditation issues to clarify institutional flexibility to pursue changes of accreditors without prior Department approval and remove other burdensome requirements that erect barriers to entry for new accreditation agencies.

On December 26, 2024, the Department issued a Notice of Termination of negotiated rulemaking process for State Authorization, Cash Management, Accreditation and Related Issues closing the Notice of Intent to Commence Negotiated Rulemaking, 88 FR 43069 (July 6, 2023).

Statement of Need: This rule aligns Department regulations with Executive Order 14279, Reforming Accreditation to Strengthen Higher Education, issued on April 23, 2025, particularly to clarify institutional flexibility to pursue changes of accreditors without prior Department approval and remove other burdensome requirements that erect barriers to entry for new accreditation agencies.

Summary of Legal Basis: The Department is conducting this rulemaking under 20 U.S.C. 1099b.

Executive Order 14279 requires the Department to reform the Higher Education Accreditation system in the following ways: (1) ensure programs are free from unlawful discrimination, (2) allow institutions to adopt practices that advance credential and degree completion, (3) require institutions to prioritize academic freedom, (4) inhibit accreditors from using their role to violate State laws, and (5) prohibit accreditors from engaging in practices that result in burdensome costs to students.

Alternatives: Alternatives will be discussed in the notice of proposed rulemaking and final rule.

Anticipated Cost and Benefits: Anticipated Costs and Benefits will be discussed in the notice of proposed rulemaking and final rule.

Risks: Risks will be discussed in the notice of proposed rulemaking and final rule.

Timetable:

Action	Date	FR Cite
Notice of Intent to Commence Negotiated Rulemaking.	01/27/26	91 FR 3403
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

URL For Public Comments: *www.regulations.gov*

Agency Contact: Jeffrey R. Andrade, Deputy Assistant Secretary for Policy, Planning and Innovation, Department of Education, Office of Postsecondary Education, 400 Maryland Avenue SW, Washington, DC 20202

Phone: 202 708–7888
RIN: 1840–AD82

ED—Office of Special Education and Rehabilitative Services (OSERS)	Proposed Rule Stage

33. • EQUITY IN IDEA (INDIVIDUALS WITH DISABILITIES EDUCATION ACT)

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.
Regulatory Accounting: Deregulatory
Unfunded Mandates: Undetermined
Legal Authority: Not Yet Determined
CFR Citation: Not Yet Determined
Legal Deadline: None

Abstract: The Department intends to amend regulations implementing the Individuals with Disabilities Education Act's (IDEA) provisions pertaining to significant disproportionality. Specifically, the Department intends to amend 2016 regulations that established a standard methodology States must use to determine whether significant disproportionality based on race and ethnicity is occurring in the State and set specific programmatic requirements on how states are required to comply with Section 618(d)(2) of the IDEA.

Statement of Need: The Individuals with Disabilities Education Act (IDEA), codified at 20 U.S.C. 1400–82, requires that the Secretary must ensure that all regulations implementing IDEA are compliance with federal civil rights laws and uphold both procedural and substantive protections under IDEA including ensuring that all children with disabilities are identified, evaluated and receive special education and related services for which they are eligible.

Summary of Legal Basis: The U.S. Department of Education (ED) has statutory authority under IDEA, codified at 20 U.S.C. 1400–82 to propose, issue, amend, or repeal regulations that implement the law.

Alternatives: Alternatives will be discussed in the notice of proposed rulemaking and final rule.

Anticipated Cost and Benefits: Anticipated Costs and Benefits will be discussed in the notice of proposed rulemaking and final rule.

Risks: Risks will be discussed in the notice of proposed rulemaking and final rule.

Timetable:

Action	Date	FR Cite
NPRM	08/00/26	

Regulatory Flexibility Analysis Required: Undetermined
Government Levels Affected: Undetermined
Federalism: Undetermined
Agency Contact: Erin McHugh, Department of Education, Office of Special Education and Rehabilitative Services, 400 Maryland Ave SW, Washington, DC 20202
Phone: 202 245–6248
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BILLING CODE 4000–01–P

Department of Energy

Statement of Regulatory and Deregulatory Priorities

The Department of Energy (Department or DOE) makes vital contributions to the Nation's welfare through its activities focused on improving national security, energy supply, energy efficiency, environmental remediation, and energy research. The Department's mission is to:

• Promote dependable and affordable energy production and distribution;
• Advance energy efficiency and conservation;
• Provide responsible stewardship of the Nation's nuclear weapons;
• Provide a responsible resolution to the environmental legacy of nuclear weapons production; and
• Strengthen U.S. scientific discovery, economic competitiveness, and improve quality of life through innovations in science and technology.

The Department's regulatory activities are essential to achieving its critical mission and to implementing President Trump's energy dominance initiatives. Among other things, the Regulatory Plan and the Unified Agenda contain the rulemakings the Department will be engaged in during the coming year. The Regulatory Plan and Unified Agenda also reflect the Department's continuing commitment to cut costs, eliminate red tape, reduce regulatory burden, increase consumer choice, and promote market competition and innovation as directed through Departmental priorities and recent executive orders. Additionally, DOE recognizes that public participation and community engagement are a crucial aspect of the Department's rulemaking process, as well as an important vehicle to assist the Department in streamlining its deregulatory priorities to meet Administration goals as well.

As a general matter, the Department is undertaking a broad review of its regulatory and deregulatory actions. In the Spring of 2025 and in response to Executive Orders (E.O.) 14192 and 14219, the Department initiated an internal review of its existing regulations and guidance materials with the aim of identifying any redundant or unused regulatory mechanisms. The Department has used the results of that internal review to identify several opportunities for deregulatory activity. Overall, the Department has completed 15 deregulatory activities, as identified under E.O. 14192. More specifically, the Department would like to highlight the following ongoing actions.

One rulemaking being undertaken by the Department in FY 2026 addresses proposed revisions to the value for the petroleum-equivalency factor (PEF). This rulemaking would revise DOE's regulations regarding procedures for calculating a value for the petroleum-equivalent fuel economy of electric vehicles (EVs). The PEF is used by the Environmental Protection Agency (EPA) in calculating light-duty vehicle manufacturers' compliance with the Department of Transportation's (DOT) Corporate Average Fuel Economy (CAFE) standards. This rulemaking action is in response to an Eighth Circuit Court of Appeals decision that vacated *Petroleum-Equivalent Fuel Economy Calculation,* 89 FR 22041 (Mar. 29, 2024) (2024 PEF Final Rule).

DOE is also considering potential revisions to the Department's current rulemaking guidance titled ''Procedures, Interpretations, and Policies for Consideration of New or Revised Energy Conservation Standards and Test Procedures for Consumer Products and Certain Commercial/Industrial Equipment'' (Process Rule), which was last modified in 2024. The goal of the Process Rule is to increase transparency by elaborating on the procedures, interpretations, and policies that would guide the Department in establishing new or revised energy conservation standards and test procedures for covered consumer products and commercial/industrial equipment. DOE is considering a notice-and-comment rulemaking to amend its Process Improvement Rule to reflect statutory changes, as well as innovative, collaborative approaches to reflect more efficient rulemaking. This rulemaking advances the objectives of E.O. 14154 and E.O. 14219 by ensuring that the rulemaking process for the Appliance Standards Program meets the energy and cost savings objectives of EPCA while preserving consumer choice and minimizing regulatory burdens.

In addition, as part of a nuclear regulatory reform effort directed by E.O. 14301, DOE is proposing to streamline and modernize its regulations for worker safety and health to expedite the deployment of advanced reactors under DOE's jurisdiction. These amendments will incorporate lessons learned from decades of operating experience at DOE nuclear facilities while continuing to ensure worker safety and health. Benefits of these amendments include: increased flexibility for DOE's Office of Nuclear Energy contractors to implement current industry and government standards, streamlined compliance processes, and a greater focus on risk management.

Lastly, the One Big Beautiful Bill Act (OBBBA) amended the Energy Infrastructure Reinvestment Program authorized by Title XVII of the Energy Policy Act of 2005, as amended. The OBBBA amendments, specifically its Energy Dominance Financing provisions, necessitate immediate and material changes to the regulations set forth at 10 CFR part 609. Through an interim final rule, DOE is amending 10 CFR part 609 to incorporate the Energy Dominance Financing provisions, which include new and amended categories of eligible projects. The interim final rule allows DOE to continue processing Title XVII applications for a broad range of energy infrastructure projects up to a total principal amount of $250 billion (through September 30, 2028). The rulemaking will also reduce a Title XVII applicants' reporting burden, which translates to a cost savings.

DOE—Energy Efficiency and Renewable Energy (EE)	Proposed Rule Stage

34. PROCEDURES, INTERPRETATIONS, AND POLICIES FOR CONSIDERATION IN NEW OR REVISED ENERGY CONSERVATION STANDARDS AND TEST PROCEDURES FOR CONSUMER PRODUCTS AND COMMERCIAL/ INDUSTRIAL EQUIPMENT

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 42 U.S.C. 6291–6317; 5 U.S.C. 553(d)

Relevant Executive Orders: 14154; 13272; 13132; 13211

CFR Citation: 10 CFR part 430, subpart C, appendix A

Legal Deadline: None

Abstract: The U.S. Department of Energy (DOE or the Department) is considering potential revisions to the Department's current rulemaking guidance titled ''Procedures, Interpretations, and Policies for Consideration of New or Revised Energy Conservation Standards and Test Procedures for Consumer Products and Certain Commercial/Industrial Equipment'' (Process Rule), which was last modified in 2024. DOE is considering a notice-and-comment rulemaking to amend its Process Improvement Rule to reflect statutory changes as well as innovative, collaborative approaches to reflect more efficient rulemaking. Any rulemaking action will be consistent with the President's direction in Executive Order 14154, Unleashing American Energy, to preserve consumer choice as well as DOE's statutory obligation to preserve appliance features in the market.

Statement of Need: On January 20, 2025, the President issued Executive Order 14154, Unleashing American Energy (E.O. 14154). 90 FR 8353 (Jan. 29, 2025). That order stated the policy of the United States with regard to energy production and management. Among the stated elements of this policy, section 1(f)–(h) of E.O. 14154 cite the intent to safeguard the American people's freedom to choose from a variety of goods and appliances, including but not limited to lightbulbs, dishwashers, washing machines, gas stoves, water heaters, toilets, and shower heads, and to promote market competition and innovation within the manufacturing and appliance industries; to ensure that the global effects of a rule, regulation, or action shall, whenever evaluated, be reported separately from its domestic costs and benefits, in order to promote sound regulatory decision making and prioritize the interests of the American people; and to guarantee that all Executive departments and agencies provide opportunity for public comment and rigorous, peer-reviewed scientific analysis. Section 6 of the Executive order also specifies policies for prioritizing accuracy in environmental analyses, specifically instructing that for Federal regulatory processes, all agencies shall adhere to only the relevant legislated requirements for environmental considerations and any considerations beyond those requirements are eliminated. Section 6 of the Executive order also provides instructions regarding consideration of greenhouse gas emissions and the social cost of carbon.

On February 19, 2025, the President issued Executive Order 14219, Ensuring Lawful Governance and Implementing the President's 'Department of Government Efficiency' Deregulatory Initiative (E.O. 14219). 90 FR 10583 (Feb. 25, 2025). That order stated the policy of the United States to end Federal regulatory overreach and restore the constitutional separation of powers. Among the stated elements of this policy, E.O. 14219 calls for review of certain categories of regulations. Among these, section 2(a)(v) cites regulations that impose significant costs upon private parties that are not outweighed by public benefits, and section 2(a)(vii) cites regulations that impose undue burdens on small business and impede private enterprise and entrepreneurship.

To implement E.O. 14154 and E.O. 14219, the Department, among other actions, is evaluating existing policy regarding its approach to consideration of new or amended energy conservation standards and test procedures for consumer products and certain commercial and industrial equipment. In furtherance of this reassessment, DOE is considering revisions to the Process Rule, which DOE generally uses to prescribe energy conservation standards and test procedures for both consumer products and commercial equipment pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6291, *et seq.*).

Summary of Legal Basis: The Energy Policy and Conservation Act, Public Law 94–163, as amended (EPCA), authorizes DOE to regulate the energy efficiency of a number of consumer products and certain industrial equipment. (42 U.S.C. 6291–6317, as codified) Title III, Part B of EPCA established the Energy Conservation Program for Consumer Products Other Than Automobiles. (42 U.S.C. 6291–6309, as codified) Title III, Part C of EPCA, added by Public Law 95–619, Title IV, section 441(a), established the Energy Conservation Program for Certain Industrial Equipment, which sets forth a variety of provisions designed to improve energy efficiency. (42 U.S.C. 6311–6317, as codified) Under EPCA, DOE's energy conservation program consists essentially of four parts: (1) testing, (2) labeling, (3) the establishment of Federal energy conservation standards, and (4) certification and enforcement procedures.

In July of 1996, pursuant to EPCA, DOE published a final rule in the **Federal Register** that codified DOE's Procedures, Interpretations and Policies for Consideration of New or Revised Energy Conservation Standards for Consumer Products at 10 CFR part 430, subpart C, appendix A. 61 FR 36974 (July 15, 1996). The goal of the Process Rule was to increase transparency by elaborating on the procedures, interpretations, and policies that would guide the Department in establishing new or revised energy conservation standards for consumer products. DOE subsequently updated the Process Rule in 2020, 2021, and 2024 to reflect analytical best practices and technological and legal developments. *See* 85 FR 8626 (Feb. 14, 2020); 85 FR

50937 (August 19, 2020); 86 FR 70892 (Dec. 13, 2021), and 89 FR 24340 (April 8, 2024).

This rulemaking advances the objectives of E.O. 14154 and E.O. 14219 by ensuring that the rulemaking process for the Appliance Standards Program meets the energy and cost savings objectives of EPCA while preserving consumer choice and minimizing regulatory burdens.

Alternatives: DOE will issue a notice of proposed rulemaking (NOPR) considering amendments to the Process Rule, after a careful review of public comments on the April 17, 2025 RFI. In determining whether and how to update the existing Process Rule, DOE may consider alternatives such as taking no further action or examining approaches different from those proposed in the NOPR, based upon public comments and additional information received in response to the NOPR.

Anticipated Cost and Benefits: This proposed rulemaking has also been determined to be an E.O. 14192 deregulatory action because it intends to reduce the burden to society by streamlining the regulatory framework and improving efficiency for regulated entities and the interested public. These benefits are difficult to quantify, but they may involve reduced manufacturer administrative burdens, lower appliance first costs, and expanded consumer choice.

Risks: N/A

Timetable:

Action	Date	FR Cite
Request for Information (RFI).	04/17/25	90 FR 16093
Comment Period End.	06/02/25	
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Troy Watson, Project Manager, Department of Energy, Energy Efficiency and Renewable Energy, U.S. Department of Energy, 1000 Independence Avenue SW, Mail Stop EE–5B, Washington, DC 20585

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Related RIN: Related to 1904–AD38, Related to 1904–AF13

RIN: 1904–AF72

DOE—EE	Final Rule Stage

35. PETROLEUM-EQUIVALENT FUEL ECONOMY CALCULATION

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 49 U.S.C. 32904(a)(2)

Relevant Executive Orders: 14219; 14154; 13563

CFR Citation: 10 CFR part 474

Legal Deadline: None

Abstract: The U.S. Department of Energy (DOE) has reviewed the petroleum-equivalency factor (PEF) for electric vehicles (EVs) used by the Environmental Protection Agency (EPA) in calculating light-duty vehicle manufacturers' compliance with the Department of Transportation's (DOT) Corporate Average Fuel Economy (CAFE) standards. DOE has determined that revisions to the PEF are necessary. The interim final rule was published under RIN 1904–AF47.

Statement of Need: In *Iowa* v. *Wright,* several states and the American Free Enterprise Chamber of Commerce (AmFree) petitioned the Eighth Circuit Court of Appeals to review the 2024 PEF Final Rule that revised DOE's methodology to calculate the PEF used in determining the equivalent petroleum-based fuel economy values of EVs. On September 5, 2025, the Eighth Circuit issued a decision that vacated and remanded the 2024 PEF Final Rule to Doe for further consideration.

In addition, on January 20, 2025, the President issued Executive Order 14154, Unleashing American Energy (E.O. 14154). 90 FR 8353 (Jan. 29, 2025). E.O. 14154 stated the policy of the United States with regard to energy production and management. Among the stated elements of this policy, section 1(e) of E.O. 14154 cite the intent to eliminate the EV mandate and promote true consumer choice by removing regulatory barriers to motor vehicle access, ensuring a level regulatory playing field for consumer choice in vehicles, and eliminating unfair subsidies and other ill-conceived government-imposed market distortions that favor EVs over other technologies.

In response to the Eighth Circuit Court of Appeals decision in *Iowa* v. *Wright,* and to implement E.O. 14154, the Department, among other actions, is first publishing a notice of technical amendment to remove the revisions adopted in the 2024 PEF Final Rule from 10 CFR part 474. In addition, DOE is proposing revisions to procedures for calculating a value for the petroleum-equivalent fuel economy of electric vehicles (EVs).

Summary of Legal Basis: Title III of the Energy Policy and Conservation Act, Public Law 94–163, (EPCA), amended the Motor Vehicle Information and Cost Savings Act (the Motor Vehicle Act) by mandating fuel economy standards for automobiles produced in, or imported into, the United States. This legislation, as amended, requires every manufacturer to meet applicable specified corporate average fuel economy standards for their fleets of light-duty vehicles under 8,500 pounds that the manufacturer manufactures in any model year. The Secretary of Transportation is responsible for prescribing the CAFE standards and enforcing the penalties for failure to meet these standards. 49 U.S.C. 32902. The Administrator of the EPA is responsible for calculating each manufacturer's fleet CAFE value. 49 U.S.C. 32902 and 32904.

If an automobile manufacturer manufactures an EV, the Administrator of EPA shall include in the manufacturer's calculation of average fuel economy the equivalent petroleum based fuel economy values determined by the Secretary of Energy for various classes of EVs. 49 U.S.C. 32904(a)(2). The petroleum-equivalency factor is used to convert the energy efficiency of EVs to an equivalent petroleum-based fuel economy and is measured in Watt hours per gallon of gasoline.

This rulemaking advances the objectives of E.O. 14154 by ensuring that the Department's regulations relating to the calculation of equivalent petroleum-based fuel economy do not create an unlevel playing field in favor of EVs while preserving consumer choice and minimizing regulatory burdens.

Alternatives: DOE will issue a notice of proposed rulemaking (NOPR) considering revisions to the petroleum equivalency factor consistent with the Eighth Circuit Court of Appeals decision in Iowa v. Wright and the Administration's policies. In determining how to revise the current PEF value, DOE may consider alternatives such as taking no further action.

Anticipated Cost and Benefits: DOE anticipates that the total costs are zero or will reduce regulatory burden to society.

Risks: N/A

Timetable:

Action	Date	FR Cite
Final Rule; technical amendment.	01/08/26	91 FR 553
Final Rule; technical amendment Effective.	01/08/26	
Interim Final Rule; request for comments.	02/19/26	91 FR 7810
Final Rule Effective.	02/19/26	

Action	Date	FR Cite
Comment Period End.	03/23/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Kevin Stork, Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585–0121

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Related RIN: Previously reported as 1904–AF47

RIN: 1904–AG09

DOE—Departmental and Others (ENDEP)	Proposed Rule Stage

36. • WORKER SAFETY AND HEALTH REQUIREMENTS TO SUPPORT REFORM OF NUCLEAR REACTOR TESTING

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 42 U.S.C. 2201(i)(3); 42 U.S.C. 2201(p); 42 U.S.C. 2282c; 42 U.S.C. 5801 *et seq.;* 42 U.S.C. 7101 *et seq.;* 50 U.S.C. 2401 *et seq.;* . . .

Relevant Executive Orders: 14301; 14299; 14302

CFR Citation: 10 CFR 851

Legal Deadline: None

Abstract: The Department of Energy (DOE) proposes to amend its regulations for worker safety and health to expedite the review, approval, and deployment of advanced reactors under DOE's jurisdiction including qualified test reactors in DOE's reactor pilot program, consistent with Executive Order 14301. The revisions would ensure that DOE's worker safety and health program continues to protect workers, while incorporating lessons learned from decades of operating experience and fostering nuclear innovation and technologies to the benefit of the United States. Additionally, the proposed rule would make minor updates to these regulations to improve clarity.

Statement of Need: This rulemaking is necessary to expedite the deployment of advanced reactors under DOE's jurisdiction, as directed by E.O. 14301, which will contribute towards the Nation's supply of reliable, diversified, and affordable energy. This rulemaking is also necessary to streamline and modernize regulations for worker safety and health consistent with section 234C of the Atomic Energy Act of 1954 (AEA).

Summary of Legal Basis: Section 234C of the AEA (codified as 42 U.S.C. 2282c) requires DOE to promulgate worker safety and health regulations. These regulations are to include flexibility to tailor implementation to reflect activities and hazards associated with a particular work environment; to take into account special circumstances for facilities permanently closed or demolished, or for which title is expected to be transferred; and to achieve national security missions in an efficient and timely manner (42 U.S.C. 2282c(a)(3)).

Alternatives: One alternative approach that DOE considered but rejected was to make the proposed changes more broadly applicable to the Department as a whole rather than only to Office of Nuclear Energy contractors. However, given that the catalyst for the proposed changes, E.O. 14301, set forth an expedited timeline and affected only Office of Nuclear Energy contractors, the Department decided to focus these proposed changes on Office of Nuclear Energy contractors and defer changes affecting other DOE contractors for future consideration.

Anticipated Cost and Benefits: The estimated cost savings, while difficult to quantify precisely, are expected to be realized through time savings and increased efficiency. Specifically, the potential cost savings are estimated to be 1–3% of the contract value per year. For the Idaho National Laboratory, this would be on the order of $20–60 million per year. Faster decision-making and reduced administrative tasks can lead to significant savings in both time and resources.

Risks: Optional/no response.

Timetable:

Action	Date	FR Cite
NPRM	01/21/26	91 FR 2498
NPRM Comment Period.	02/20/26	
NPRM; Reopening of Public Comment Period.	02/26/26	91 FR 9498
Reopened comment Period End.	03/23/26	
Final Action	07/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 1901–AB74

DOE—ENDEP	Final Rule Stage

37. • ENERGY DOMINANCE FINANCING AMENDMENTS

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Deregulatory

Legal Authority: 42 U.S.C. 16511 *et seq.;* 42 U.S.C. 7254; Pub.L. 119–21

Relevant Executive Orders: 14154; 14262; 14302; 14255

CFR Citation: 10 CFR 609

Legal Deadline: None

Abstract: The One Big Beautiful Bill Act amended the Energy Infrastructure Reinvestment Program administered by the U.S. Department of Energy's Loan Programs Office as authorized by Title XVII of the Energy Policy Act of 2005, as amended. The One Big Beautiful Bill Act, and its Energy Dominance Financing provisions, necessitate immediate and material changes to DOE's existing regulations set forth in 10 CFR part 609 to enable the continued processing of loan applications and issuance of loan guarantees for all categories of Title XVII projects. The loan authority and appropriations authorized under the One Big Beautiful Bill Act are available through September 30, 2028, making the implementation of the authority, and associated amendments, time-sensitive.

Statement of Need: The Energy Dominance Financing Amendments interim final rule would amend DOE's regulations implementing the Title XVII loan guarantee program to incorporate new categories of eligible projects and other provisions of the One Big Beautiful Bill Act. The rule would enable DOE to guarantee loans of up to a total principal amount of $250 billion through September 30, 2028, for a broad range of energy infrastructure projects.

Summary of Legal Basis: Title XVII of the Energy Policy Act of 2005, as amended (Title XVII) directs the Department of Energy to make loan guarantees for certain types of energy projects, after final regulations are issued. 42 U.S.C. 16515(b) & (d).

Alternatives: N/A

Anticipated Cost and Benefits: Reduce the reporting burden, which translates to a cost savings.

Risks: NA

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/28/25	90 FR 48705
Interim Final Rule Effective.	10/28/25	
Interim Final Rule Comment Period End.	12/29/25	
Final Action	07/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 1901–AB72

BILLING CODE 6450–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Statement of Regulatory Priorities for Fiscal Year 2026

America faces an unprecedented healthcare crisis. With skyrocketing costs—nearing $4.5 trillion annually—essential care has become unaffordable for millions of Americans.

To meet this generational challenge, the U.S. Department of Health and Human Services (HHS) will unlock innovation and apply ''Make America Healthy Again'' (MAHA) principles to improve the health and well-being of Americans, including with its regulatory agenda. The 2026 HHS regulatory plan prioritizes actions to promote health, manage chronic diseases; eliminate unnecessary administrative expenses and rent-seeking practices; combating fraud and abuse; protecting religious and individual liberties; supporting biological women, children, and families; and radical transparency. HHS is committed to fixing a system that rewards ineffective health care practices and delivers poor value.

This agenda highlights certain rulemakings that promote open government, reduce government transfers, and support small businesses, to ensure a transparent and efficient regulatory framework that promotes and protects public health.

I. Promoting Health and Managing Chronic Disease

Addressing chronic disease, the most pressing public health problem of our time—is the cornerstone of the MAHA agenda. In less than a year, under Secretary Kennedy's leadership, HHS, CMS, and FDA have taken unprecedented steps to combat the obesity crisis and make prescriptions more affordable to everyday Americans with Most-Favored-Nation pricing. And in the coming year, the Department will continue to take steps to make medicines affordable to address and manage chronic disease.

HHS will also explore ways to enhance our nation's response to this unprecedented challenge by critically examining its regulations. To better serve the American people through its programs, HHS will advance innovative care models and other regulatory actions to prevent and manage chronic diseases, for example:

- *Modernization of Coverage Pathways.* CMS will modernize coverage pathways for innovative technologies, streamlining implementation to ensure timely access to treatments. This rulemaking is expected to yield significant net benefits by improving health outcomes and reducing long-term costs.
- *Quality and Safety Measurements.* CMS will reduce the number of quality measures and shift from fee-for-service to value-based care, streamlining compliance burdens and creating reimbursement pathways for MAHA-based interventions. This action will promote fiscal responsibility by optimizing resource allocation.
- *Substances Generally Recognized as Safe.* This FDA rule proposes mandatory submission of GRAS notices, enhancing oversight of food substances to combat obesity-related risks. It promotes open government by ensuring transparent safety evaluations and is expected to yield large net benefits by reducing obesity-related health care costs.
- *Nutrient Content Claims for Added Sugars.* FDA will propose a rule to update definitions, terminology, and provisions related to nutrient content claims and added sugars to be consistent with terms related to and updates to requirements for the Nutrition Facts label. The rule will define a new ''low sugar'' nutrient content claim that manufacturers could voluntarily use to communicate information about the level of added sugars in food products.
- *Nimbler Powered Respirators.* This CDC rule will finalize performance standards allowing for the approval of PAPR100 class powered air-purifying particulate respirators. Although the current PAPR approval program has provided proven protection, these current requirements, as outlined in the interim final rule, will extend the same proven protection to smaller, lighter systems that may be more comfortable to wear.

II. Eliminating Unnecessary Administrative Expenses and Rent-Seeking Practices

Unnecessary administrative expenses and rent-seeking practices contribute to inefficiency in health care. The Department is committed to advancing initiatives that reward innovation, value, and performance.

Across the Department, under Secretary Kennedy and Deputy Secretary O'Neill's leadership, agencies are exploring, deploying, and integrating modern technology and AI to streamline internal operations of the Department and agencies. For example, HHS has launched internal tools to help employees leverage AI to streamline daily tasks; FDA has launched an AI tool to assist with scientific reviews; and CMS has launched an AI-assisted prior-authorization pilot.

The Department's regulatory priorities further reflect its commitment to eliminating unnecessary administrative burdens. In the upcoming year, HHS will take deregulatory actions to reduce common and/or significant regulatory burdens, such as:

- *Updating the Common Rule.* The Department is considering revising 45 CFR part 46 to modernize and simplify subpart A, known as the Common Rule, to uphold protections for human subjects while reducing burden and ambiguity for investigators, institutional review boards, and research institutions. Examples of changes include clarifying terminology, expanding exemptions for certain low-risk research activities, and enabling flexibility for regulatory review of de minimis protocol changes.
- *Amending Regulations that Require Multiple Copies to Single Submission.* FDA will replace paper-based, multiple-copy submissions with single, electronic submissions. This rule reduces paperwork burdens, saving time and costs for submitters. This action aligns with public RFI feedback calling for simplified submission processes.
- *Electronic Labeling for Medical Devices.* FDA will propose a rule to clarify the ''adequate directions for use'' requirement in the Federal Food, Drug, and Cosmetic Act can be satisfied when labeling is provided solely by electronic means for certain types of devices in certain circumstances.
- *Ending Accreditation Monopolies.* CMS will work toward reforming accreditation processes to eliminate monopolies, reduce unjustified costs, and align accreditation with principles that will make Americans healthy again. This deregulatory action promotes competition and fiscal responsibility.
- *Innovative Payment Models for Affordable Drugs.* This CMS initiative will streamline drug pricing models, reducing government transfers and promoting fiscal responsibility, and is expected to yield large net benefits by lowering costs for patients.
- *Reducing Bureaucracy and Burden in the Child Care and Development Fund.* This ACF proposed rule would modify Child Care and Development

Fund (CCDF) regulations to improve childcare access and choice for families, reduce administrative burdens for states, territories, and Tribes, and provide additional flexibilities by removing outdated provisions, changing requirements for Tribal CCDF programs, streamlining complicated and burdensome requirements for states and territories.

• *Modernizing the Head Start Program by Reducing Requirements and Enhancing Alignment with State and Local Systems.* This ACF proposed rule will reduce and streamline Head Start regulatory requirements to align standards with state and local systems and reduce burden on Head Start programs. The proposed rule would also make regulatory changes to ensure children and families have access to healthy food and comprehensive nutrition services and that programs are supporting improved early literacy outcomes for children.

III. Combatting Waste, Fraud, and Abuse

Waste, fraud, and abuse are the antithesis of efficient health care. Improved technology such as AI will not only help the Department make processes more efficient, but will help root out fraud, waste, and abuse. For example, CMS's WISeR Model will assess whether new technologies like AI can expedite the prior authorization processes for select items and services that have been identified as particularly vulnerable to fraud, waste, and abuse, or inappropriate use.

In the coming year, HHS will strengthen oversight and eligibility standards with its regulatory agenda to combat fraud and reduce government transfers.

• *Strengthening the Integrity of Medicaid and CHIP Eligibility, Managed Care, Financing, and Section 1115 Demonstrations.* By streamlining implementation through clarifying payment and access requirements, this CMS rule enhances oversight of state enrollment processes and establishes budget neutrality for Section 1115 demonstrations, reducing fraudulent transfers and ensuring fiscal responsibility.

• *Administrative Detention of Tobacco Products.* By allowing FDA to detain adulterated or misbranded tobacco products during inspections, this rule strengthens oversight, protecting public health and reducing risks of costly recalls.

• *Zero-Based Regulation.* The goal of this ACF proposed rule is to take the ZBR approach to ACF's regulations and remove any regulations identified as outdated or unnecessary in a cross-cutting package. This proposal seeks to trim the nearly 1,500 sections of regulations associated with ACF, some of which have not been updated since the '60s.

• *Eliminating Bureaucratic Waste in Federal Reporting and Assessments.* This rulemaking seeks to restructure the way in which Child and Family Services Reviews are conducted by the states to comply with federal requirements. The current system is both ineffective and costly. Regulatory changes will allow for streamlined reporting and better outcomes.

• *Strengthening Regulatory Oversight of the Organ Procurement and Transplantation Network to Ensure Patient Safety.* HRSA will make the policies of the Organ Procurement and Transplantation Network (OPTN), which are currently voluntary, legally enforceable.

IV. Protecting Religious and Individual Liberty and Standing Up for Biological Women, Children, and Families

Good health care policy begins with protecting life, liberty, and immutable, biologically rooted truths. HHS will amend regulations consistent with this policy, such as:

• *Making Technical Changes and Clarifying How OCR Addresses Conscience Authorities in Health Care; Delegation of Authority.* This deregulatory rule clarifies federal conscience authorities, reducing ambiguity for providers and aligning with public feedback emphasizing religious liberty protections.

• *Restoring Flexibility to the Child Care and Development Fund.* This ACF deregulatory rule increases parental choice and reduces administrative burdens in the CCDF program, streamlining implementation and supporting families. It is of particular interest to small businesses, such as childcare providers, by simplifying compliance.

• *Medicare; Hospital Condition of Participation: Prohibiting Sex Trait Modifications.* By prohibiting specified sex trait modification procedures on children, this CMS rule enhances oversight and aligns with evidence-based care, yielding large net benefits by safeguarding child health.

• *Clarifying Statutory Limitation on Disability as it Applies to Gender Identity and Dysphoria in Nondiscrimination:* This OCR deregulatory rule clarifies that gender identity disorders do not qualify as disabilities under Section 504, reducing unjustified burdens on providers and ensuring fiscal responsibility.

• *Modification of Certain Terminology in Title 21.* FDA will modify certain terminology in Title 21 of the Code of Federal Regulations (CFR) to comply with Executive Order E.O. 14168, ''Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government,'' issued on January 20, 2025. Specifically, this proposed rule will propose removing the term ''gender'' wherever it appears and either replace it with the term ''sex,'' or delete reference to gender as applicable, along with other editorial changes to improve readability.

• *HIPAA Privacy Rule to Promote Individuals' Timely Access to their Protected Health Information.* OCR will solicit comment on proposals to modify the Privacy Rule under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Health Information Technology for Economic and Clinical Health Act of 2009 (HITECH Act). The proposals would address the amount of time that covered entities have to respond to requests for protected health information (PHI) made pursuant to the right of access.

V. Radical Transparency

Radical transparency—making information, decisions, processes, and even failures publicly visible—is a force multiplier for the MAHA agenda. Radical transparency exposes impropriety, accelerates evidence-based policies, system self-correction, and ensures merit prevails in a free market. Most important, radical transparency builds trust and gives patients and care-providers the tools to make informed choices that are best for them, as opposed to having to rely on government bureaucrats. Numerous HHS agencies have already taken steps to promote radical transparency, such as FDA's release of Complete Response Letters (CRLs).

In the coming year, the Department will take other novel and unprecedented actions to promote radical transparency, including streamlining operational issues with public disclosure statutes. New regulatory actions relevant to increased transparency include:

• *Proactive Disclosure of Complete Response Letters.* This rule will clarify and expand the FDA Commissioner's discretion to release CRLs and not approvable letters and eliminate the longstanding presumption that the mere existence of a marketing application constitutes confidential commercial information to enable proactive disclosure of information maintaining appropriate redactions for trade secrets and personal private information.

• *Transparency in Direct-to-Consumer Advertising.* This rule will revise 21 CFR 202.1 to eliminate the option for prescription drug advertisements broadcast through media such as radio or television to fulfill the statutory ''brief summary'' requirement of the Federal Food, Drug, and Cosmetic Act by disclosing risk, contraindications, and other safety information in another source beyond the advertisement itself.

• *Updating Privacy Act Regulations.* This rule will update Department regulations at 45 CFR part 5b and remove duplicative Food and Drug Administration (FDA) Privacy Act regulations at 21 CFR part 21.

• *Health Data, Technology, and Interoperability: Application Programming Interfaces and Information Blocking Advancements.* ASTP will propose a rule to advance interoperability through API certification and updated information blocking regulations, promoting open government by enhancing data sharing and improved patient outcomes.

• *Reforming the HHS Petition Process.* HHS will put forward new streamlined procedures for handling rulemaking petitions, including a process to review existing regulations.

VI. Conclusion

In the coming year, HHS will take regulatory actions to further the MAHA agenda and reduce burdens and costs while maximizing benefits and transparency. To fully realize the potential of these efforts, HHS seeks to collaborate with stakeholders and the public to ensure concerns are given due consideration and properly and transparently addressed. By working with stakeholders and the public, the Department hopes to Make America Healthy Again, ensure regulations better serve the needs of the American people, and restore confidence in our public health agencies.

HHS—Office of the Secretary (OS)	Proposed Rule Stage

38. PRIVACY ACT REGULATIONS

Priority: Other Significant

Regulatory Accounting: Not subject to, not significant

Legal Authority: 5 U.S.C. 552a(f)

Relevant Executive Orders: 14243; 14291; 14295

CFR Citation: 45 CFR part 5b

Legal Deadline: None

Abstract: This rulemaking will update the Department's Privacy Act regulations at 45 CFR part 5b, which detail how the Department implements requirements of the Privacy Act of 1974, as amended (5 U.S.C. 552a), and will remove duplicative Food and Drug Administration (FDA) Privacy Act regulations at 21 CFR part 21.

Statement of Need: The Department's existing regulations were promulgated in 1975, when the Privacy Act was new. Certain details are now outdated, incomplete, or incorrect due to later amendments to the Privacy Act, statutorily mandated organizational changes, and judicial interpretations. The proposed amendment would result in significant changes and improvements to the Department's regulations (for example, it would remove antiquated provisions that require an individual's medical records to be released to the individual indirectly, through a doctor or other representative designated by the individual), and it would enable the separate FDA Privacy Act regulations to be removed as duplicative.

Summary of Legal Basis: The Privacy Act statute at 5 U.S.C. 552a(f) requires each agency to maintain up-to-date rules implementing the Privacy Act. Based on the definition of agency in the Freedom of Information Act (FOIA) statute at 5 U.S.C. 552(f)(1) (formerly 5 U.S.C. 552(e)), which is incorporated in the Privacy Act statute at 5 U.S.C. 552a(a)(1), such rules must be maintained at the Departmental level but are not required at the sub-agency level.

Alternatives: Leaving the regulations in their current state is not recommended, because certain details in the regulations are outdated, incomplete, or incorrect, and some required provisions are missing. For example, court cases have identified legal deficiencies in indirect-access-to-medical records provisions like those in the Department's regulations, effectively rendering those provisions unenforceable in their current state.

Anticipated Cost and Benefits: The proposed rule is not significant for purposes of E.O. 12866. Privacy Act regulations do not apply to businesses or other entities and do not impose significant costs and burdens on individuals

Risks: The only risk that we perceive is associated with eliminating the indirect-access-to-medical-records provisions, *i.e.,* that harm to the individual or another person could result from allowing subject individuals to receive direct access to their medical records under the Privacy Act. However, that same risk is present now, because the indirect access provisions are effectively unenforceable in their current state, and the risk would be present if the provisions were retained with curative provisions added, as the curative provisions would guarantee the full disclosure to the individual of any medical record the agency released to the individual's designated representative.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 0991–AC05

HHS—OS	Final Rule Stage

39. • PETITION PROCESS FOR RULEMAKING AND REGULATORY REVIEW

Priority: Other Significant

Regulatory Accounting: Deregulatory

Unfunded Mandates: Undetermined

Legal Authority: 5 U.S.C. 553(e), 610

Relevant Executive Orders: 14217; 14219; 14270

CFR Citation: 45 CFR part 10

Legal Deadline: None

Abstract: This final rule establishes new procedures for the submission, processing, and review of petitions to amend or repeal a rule under 5 U.S.C. 553(e) and for regulatory review under 5 U.S.C. 610(b).

Statement of Need: This regulatory action will lessen the burden on both the public and agency to respond to rulemaking petitions and establish a process for regulatory review of existing regulations. Existing processes often result in delays and the presentation of non-standard or incomplete submissions. This regulatory action will also enhance transparency and public trust in the rulemaking process.

Summary of Legal Basis: TBD

Alternatives: TBD

Anticipated Cost and Benefits: The costs and benefits are difficult to quantify. It is anticipated that this rulemaking will require upfront costs to set up technology to receive and efficiently process rulemaking petitions. Once the rule is set up, it is anticipated that recurring costs will be minimal and the benefits of less employee time spent managing rulemaking petitions will outstrip costs.

Risks: TBD

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 0991–AC43

HHS—Office for Civil Rights (OCR)	Proposed Rule Stage

40. MAKING TECHNICAL CHANGES AND CLARIFYING HOW OCR ADDRESSES CONSCIENCE AUTHORITIES IN HEALTH CARE; DELEGATION OF AUTHORITY (RULEMAKING RESULTING FROM A SECTION 610 REVIEW)

Priority: Other Significant

Regulatory Accounting: Regulatory

Legal Authority: 5 U.S.C. 301 and other federal authorities

Relevant Executive Orders: 14219; 14202; 14188

CFR Citation: 45 CFR 88

Legal Deadline: None

Abstract: In keeping with Executive Orders 14202 and 14188, and HHS' commitment to reevaluate its regulations and guidance pertaining to Federal laws on conscience and religious exercise, the proposed conscience rule would amend the 2024 rule to make technical corrections and clarify how OCR addresses those federal authorities.

Statement of Need: HHS is the Federal government's lead agency for protecting the health of all Americans and providing essential human services. OCR supports that mission by ensuring HHS programs and funds are expended in keeping with applicable civil rights laws, including laws protecting the conscience rights of the health care workforce. Current OCR regulations provide clarity on OCR's enforcement process but do not address the scope and meaning of the federal health care conscience statutes. Prior rulemakings have received significant stakeholder engagement requesting clarity on these authorities. This regulatory action is needed to clarify that scope and meaning to ensure the health care workforce can avail themselves of their protection, thereby ensuring their ability to continue providing health care, including in the service of women, children, and families.

Summary of Legal Basis: This regulation would be promulgated under federal conscience and religious freedom protections such as the following authorities: The Federal health care conscience statutes (*e.g.,* 42 U.S.C. 300a–7 (the Church Amendments); 42 U.S.C. 238n (Coats-Snowe Amendment); the Weldon Amendment (*e.g.,* Pub. L. 115–245, Div. B, sec. 507(d)). The authorities include the Department's Housekeeping Authority (5 U.S.C. 301); 40 U.S.C. 121(c); 42 U.S.C. 263a(f)(1)(E); Uniform Administrative Requirements, Cost Principles, and Audit Requirements For HHS Awards (45 CFR parts 75 and 96); Federal Acquisitions Regulations (48 CFR chapter 1; 48 CFR part 370); HHS Nonprocurement Debarment And Suspension (2 CFR part 376).

Alternatives: OCR will consider as alternative approaches to the proposed rulemaking:

A. Not engaging in rulemaking and maintaining the status quo.

B. Engaging in technical rulemaking only to add related authorities to OCR's delegation to enforce the federal health care conscience statutes and to clarify portions of the current regulation.

C. Promulgating a rule substantially similar in scope and cost to the 2019 Final Conscience Rule.

Anticipated Cost and Benefits: The 2024 Final Conscience Rule had significant quantifiable savings of −$128,000,000 annualized value for the 7% discount rate as a result from partly repealing the 2019 conscience rule. This regulatory action would be building on that final rule to confer non-quantifiable benefits such as notice and greater clarity for the medical community about existing statutory obligations and protections. This regulatory action would also confer qualitative benefits, including sustaining membership in the workforce of practitioners who would otherwise not join or remain in the workforce but for protection of their statutory conscience rights. This regulatory action would address Government and other federally funded discrimination against health care systems, insurers, providers, and the like could reduce the private health care workforce, and in turn, this could result in longer wait times, lower quality of care, and more people accessing government funded health insurance with greater costs to the public.

This regulatory action would likely incur some quantifiable costs associated with ensuring compliance with the federal health care conscience statutes. Similar to the 2019 and 2024 Final Conscience Rules, this regulatory action is likely to have familiarization costs similar to the $106.3 million cost (at a 7% discount) in the 2024 Final Rule and $103 million cost (at a 7% discount) in the 2019 Final Rule. The familiarization costs in this rule will be adjusted for inflation and will occur in the first year after publication. This regulatory action may prompt covered entities to incur voluntary remedial efforts, at a similar inflation-adjusted cost to the 2019 Rule, which costs ranged between $8.0 million and $5.4 million annually (at a 7% discount rate). Other costs associated with the 2019 Final Rule, including additional enforcement costs to OCR and the cost of voluntary notices, were not considered new costs under the 2024 Final Rule. OCR does not anticipate additional costs associated with voluntary notices, however, there may be additional modest enforcement costs to OCR at less than $3 million a year.

Risks: This regulation may reduce risks to public health by reducing instances of conscience-based discrimination. This both prevents the deleterious impact discrimination can have on the individuals experiencing the discrimination, and the negative impact on public health of a reduction in work force membership, including in rural areas, of practitioners who would otherwise not join or remain in the workforce but for awareness of and clear protection of their statutory conscience rights. The magnitude of the risk addressed by the action is similar to OCR's role in mitigating risks to public health posed by discrimination on other bases, though allegations of conscience-based discrimination currently constitute a smaller portion of the discrimination-based complaints received annually by OCR.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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Related RIN: Previously reported as 0945–AA18

RIN: 0945–AA24

HHS—OCR	Final Rule Stage

41. HIPAA PRIVACY RULE: CHANGES TO SUPPORT COORDINATED CARE AND INDIVIDUAL ENGAGEMENT AND REDUCE REGULATORY BURDENS

Priority: Other Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Deregulatory

Unfunded Mandates: This action may affect the private sector under PL 104–4.

Legal Authority: Health Insurance Portability and Accountability Act of 1996 (HIPAA), sec. 264 (42 U.S.C. 1320d–2 note); Health Information Technology for Economic and Clinical Health (HITECH) Act, sec. 13405 (42 U.S.C. 201 note)

Relevant Executive Orders: 14219; 13610; 13563; 14221

CFR Citation: 45 CFR 160; 45 CFR 164

Legal Deadline: None

Abstract: This rule will address proposals to modify the HIPAA Privacy Rule to strengthen individuals' rights to access their own protected health information, including electronic information; improve information sharing for care coordination and case management for individuals; facilitate greater family and caregiver involvement in the care of individuals experiencing emergencies or health crises; enhance flexibilities for disclosures in emergency or threatening circumstances; support the use of telecommunications relay services by individuals and workforce members of HIPAA covered entities and business associates who are deaf, hard of hearing, deaf-blind, or who have a speech disability; expand the Privacy Rule permission to use and disclose protected health information of Armed Forces personnel for national readiness purposes so that it applies to all uniformed services personnel; and reduce administrative burdens on HIPAA covered health care providers and health plans, while continuing to protect individuals' health information privacy interests.

Statement of Need: HHS is the Federal government's lead agency for protecting the health of all Americans and providing essential human services. OCR supports that mission by enforcing protections for health information privacy and security pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy, Security, and Breach Notification Rules and the Health Information Technology for Economic and Clinical Health Act of 2009 (HITECH Act). In light of ongoing concerns that regulatory barriers across the Department impede effective delivery of coordinated, value-based health care, and impose unnecessary administrative expenses and limit initiatives that reward innovation, value, and performance, the Department launched efforts to promote care coordination and facilitate a nationwide transformation to value-based health care and reduce regulatory barriers to coordinated care.

Summary of Legal Basis: This regulation would be promulgated under HIPAA, the HITECH Act.

Alternatives: OCR considered regulatory and non-regulatory alternatives to rulemaking, including expanding OCR outreach, guidance, and educational materials, as well as not engaging in rulemaking and maintaining the status quo. OCR determined that rulemaking is necessary to achieve the desired effects of reducing burdens and strengthening individual rights. OCR may supplement this rulemaking with non-regulatory actions such as issuing subregulatory guidance.

Anticipated Cost and Benefits: OCR estimates an annualized cost savings of approximately $785 million discounted at 7 percent. Costs are attributable to new training, the development of new policies and procedures, and administrative expenses. Cost-savings are attributable to eliminating certain recordkeeping requirements.

Risks: None known.

Timetable:

Action	Date	FR Cite
RFI	11/01/18	83 FR 64302
RFI Comment Period End.	02/19/19	
NPRM	01/21/21	86 FR 6446
NPRM Comment Period Extended.	03/10/21	86 FR 13683
NPRM Comment Period End.	03/22/21	
NPRM Comment Period Extended End.	05/06/21	
Final Action	08/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal, Local, State, Tribal

URL For More Information: *www.hhs.gov/ocr/privacy*

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Related RIN: Related to 0945–AA20

RIN: 0945–AA00

HHS—OCR	

42. NONDISCRIMINATION ON THE BASIS OF DISABILITY IN PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 29 U.S.C. 794

Relevant Executive Orders: 14219; 14168; 14187

CFR Citation: 45 CFR 84

Legal Deadline: None

Abstract: This proposed rule would revise 45 CFR part 84 under section 504 of the Rehabilitation Act of 1973 to address discrimination on the basis of disability in programs and activities funded by HHS. HHS revised 45 CFR part 84 under Section 504 in May of 2024 (see Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance (RIN 0945–AA15)) and now intends to clarify existing statutory limitations on the definition of disability as it applies to gender identity disorders and/or gender dysphoria.

Statement of Need: In order to further this Administration's priorities and clear up confusion surrounding non-binding preamble language, HHS will need to issue rulemaking on disability under Section 504. HHS has issued a **Federal Register** notice that the preamble statements lack the force and effect of law and are not enforceable. See Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance; Clarification, 90 FR 15412 (Apr. 11, 2025). However, because preamble discussions are often persuasive authority, HHS needs to issue a rule clarifying that the 2024 Section 504 Final Rule preamble language on gender dysphoria did not constitute the best reading of 29 U.S.C. 705(20)(F)(i) which excludes gender identity disorders from the term disability. The Department has already faced legal consequences [1] for the language and will need to clear up confusion among recipients and members of the public. Regulatory action is needed to address litigation, enforce the Administration's priorities, and recognize the best reading of the underlying statute.

[1] *See Texas* v. *Becerra,* No. 5:24–cv–00225 (N.D. Tex.); *Rapides Parish Sch. Bd.* v. *U.S. Dep't of Health & Hum. Servs., et al,* 1:25–cv–70 (W.D. La.).

Summary of Legal Basis: Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, gives HHS the authority to promulgate regulations prohibiting discrimination on the basis of disability in programs and activities conducted by the Department. The substantive authority for the definition and exclusions includes 29 U.S.C. 705 (20)(F) There are currently no requirements due to statute or court order.

Alternatives: OCR will consider as alternative approaches to the proposed rulemaking:

A. Not engaging in rulemaking and maintaining the status quo.

B. Attempt an Interim Final Rule (IFR) instead of a Notice of Proposed Rulemaking (NPRM).

Anticipated Cost and Benefits: Any costs would be negligible given that this is a clarification of one limited aspect of the definition of disability as it relates to bringing claims for civil rights violations. OCR does not anticipate that recipients will alter their practices based on this clarification, especially since this clarification will eliminate any confusion that may have been brought about by the Preamble to 2024 Section 504 Final Rule. Benefits would be largely unquantifiable and rest largely on enforcing Administration priorities.

Risks: The main risk is for further litigation. At present, there is only a single federal appeals court decision, *Williams* v. *Kincaid,* [1] that addresses, on the merits, whether gender dysphoria may be considered a disability under the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act. That decision comes to the opposite conclusion of this rulemaking, finding that gender dysphoria is not sufficiently similar to gender identity disorders, which are expressly excluded from the definition of disability and individual with a disability under the ADA and/or Section 504. While many district courts have come to the opposite conclusion of *Williams,* and OCR believes that the best reading of the underlying statute essentially is that gender identity disorder encompasses gender dysphoria, the Fourth Circuit opinion cuts against this rulemaking. OCR's approach is consistent with a recent statement of interest filed by the Department of Justice in a private lawsuit involving an ADA claim on the same issue.

[1] 45 F.4th 759 (4th Cir. 2022), *cert. denied,* 600 U.S. ____ (2023).

Timetable:

Action	Date	FR Cite
NPRM	12/19/25	90 FR 59478
NPRM Reopening of public comment period.	02/02/26	91 FR 4467
NPRM Comment Period End.	02/20/26	
Final Action	09/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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Related RIN: Previously reported as 0945–AA15

RIN: 0945–AA27

HHS—Office of the National Coordinator for Health Information Technology (ONC)	Proposed Rule Stage

43. • HEALTH DATA, TECHNOLOGY, AND INTEROPERABILITY: APPLICATION PROGRAMMING INTERFACES AND INFORMATION BLOCKING

Priority: Economically Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Regulatory

Unfunded Mandates: Undetermined

Legal Authority: 42 U.S.C. 300jj–11; 42 U.S.C. 300jj–14; 42 U.S.C. 300jj–52; 5 U.S.C. 552; P.L 114–255

Relevant Executive Orders: 14267; 14221; 14212

CFR Citation: 45 CFR 170; 45 CFR 171

Legal Deadline: None

Abstract: The proposed rule would seek to advance interoperability through proposals for standards adoption; the certification of health IT to support expanded uses of application programming interfaces (APIs); and enhancements to the conditions of certification. Additionally, the rule would update the information blocking regulations to support information sharing and improved patient health outcomes.

Statement of Need: The Make America Healthy Again initiative, as established by Executive Orders 14212 Establishing the President's Make America Healthy Again Commission and 14221 Making America Healthy Again by Empowering Patients with Clear, Accurate, and Actionable Healthcare Pricing Information, aims to combat chronic disease and enhance price transparency. Executive Order 14267, Reducing Anti-Competitive Regulatory Barriers, further promotes market competition and lowering health care costs. The HTI–6 Proposed Rule is needed to further enhance the access, exchange, and use of electronic health information (EHI) by patients, providers, and third parties—empowering them to address chronic disease, increase market competition, and lower health care costs. Specifically, proposals in the rule would advance interoperability and EHI sharing through: standards adoption; the certification of health IT to support expanded uses of application programming interfaces (APIs) and potential successor technologies; targeted conditions of certification; and revised information blocking regulations.

Summary of Legal Basis: The provisions would be implemented under the authority of the Public Health Service Act, as amended by the HITECH Act and the 21st Century Cures Act.

Alternatives: ONC will consider different options to improve interoperability and access to electronic health information so that the benefits to providers, patients, and payers are maximized and the economic burden to health IT developers, providers, and other stakeholders is minimized.

Anticipated Cost and Benefits: The majority of costs for this proposed rule would be incurred by health IT developers in terms of meeting new requirements and continual compliance with the condition and maintenance of certification requirements. We expect that through implementation and compliance with the regulations, the market (particularly patients, payers, and providers) will benefit greatly from increased interoperability and access to electronic heath information. We have not yet quantified the costs and benefits of this proposed rule.

Risks: At this time, ASTP/ONC has not been able to identify any substantial risks that would undermine likely proposals in the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	11/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

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HHS—Centers for Disease Control and Prevention (CDC)	Proposed Rule Stage

44. CONTROL OF COMMUNICABLE DISEASES; FOREIGN QUARANTINE: DOG IMPORTATION

Priority: Other Significant
Regulatory Accounting: Deregulatory
Legal Authority: 42 U.S.C. 264, sec. 361
Relevant Executive Orders: 14219; 14165; 14243
CFR Citation: 42 CFR 71
Legal Deadline: None

Abstract: This proposed rule addresses the public health risk of dog-maintained rabies virus variant (DMRVV) associated with the importation of dogs into the United States. In this rule, HHS/CDC proposes revisions and clarifications to the requirements for the importation of dogs.

Statement of Need: Following publication of a related final rule in May 2024, CDC received considerable feedback regarding the rule's requirements for dogs entering from low risk and rabies-free countries. In response, CDC quickly implemented temporary flexibilities prior to the rule's effective date. Implementing these temporary flexibilities alleviated the most pressing concerns regarding burden and prevented travel disruptions.

Targeted modification of these regulatory requirements is needed to ensure that they are proportionate to the public health risk. By refining these requirements, we can strike a better balance between protecting public health and minimizing unnecessary burden importers from low-risk and rabies-free countries. This approach acknowledges a minimal increase in the possibility of fraudulent importation, but the benefits are substantial: improved public compliance, streamlined processes, and significantly reduced burden for those importing dogs from the lowest-risk countries. In addition to alleviating the burden of individuals importing dogs, we are also working closely with airlines to provide additional flexibilities for air waybill requirements.

Congressional and interagency partners (including Department of State), foreign governments, airlines, rescue groups, disability advocates, and breeders have welcomed the temporary flexibilities and remain interested in maintaining simpler and less burdensome importation requirements in the long-term.

Summary of Legal Basis: The primary legal authority supporting this proposed rule is section 361 of the Public Health Service Act (PHS Act) (42 U.S.C. 264). Under section 361, the Secretary of HHS (Secretary) may make and enforce such regulations as in the Secretary's judgment are necessary to prevent the introduction, transmission, or spread of communicable diseases from foreign countries into the United States and from one State or possession into any other State or possession. It also authorizes the Secretary to promulgate and enforce a variety of public health regulations to prevent the spread of communicable diseases, including through inspection, fumigation, disinfection, sanitation, pest extermination, destruction of animals or articles found to be sources of dangerous infection to human beings, and other measures. Since at least 1956, federal quarantine regulations (currently found at 42 CFR 71.51) have controlled the entry of dogs and cats into the United States.

Alternatives: We have considered maintaining existing dog importation requirements, which would provide the highest level of protection against the importation of DRMVV. However, we have determined that reducing the requirements for low-risk dog importations would substantially lower burden while retaining appropriate public health protections. This approach aligns with Section 4(c)(1)(B) of Executive Order 12866, which calls for regulations to be tailored to the level of risk and to avoid imposing unnecessary costs. Furthermore, maintaining current requirements would conflict with the mandate in Executive Order 14219 to reduce regulatory burdens wherever possible.

Anticipated Cost and Benefits: While formal economic estimates are still in progress, CDC's preliminary analysis indicates that the proposed revisions to 42 CFR 71.51 will generate substantial cost savings and increased flexibilities for individual travelers, government agencies, and commercial airlines. Current estimates suggest that these changes could result in annualizednet cost-savings of $5-–$43 million.

The primary source of cost savings stems from streamlining documentation requirements for dogs imported from rabies-free and low-risk countries. By streamlining these requirements, the rule will significantly reduce administrative, compliance, and processing costs for importers. Instead, the only requirement will be a CDC Dog Import Form receipt.

In addition to the cost-savings, the proposed changes will enhance travel flexibility for individuals and organizations, making it easier to import dogs from low-risk countries without unnecessary delays or disruptions.

Risks: Adopting reduced documentation requirements for dogs imported from low-risk and rabies-free countries is a targeted approach that aligns regulatory oversight with the public health risk posed by these importations. The primary risk associated with this approach is a small increase in the possibility of fraudulent importation attempts, such as falsified documentation or misrepresentation of a dog's country of origin or rabies status. However, this risk is mitigated by several factors:

5. Low Baseline Risk: Dogs imported from countries classified as low-risk or rabies-free have a minimal likelihood of carrying DMRVV, as these countries maintain robust rabies control and surveillance programs. Historical data and international standards support the low risk associated with these importations.

- Retained Safeguards: While documentation requirements are being streamlined, essential safeguards remain in place to verify the origin and health status of imported dogs. These measures continue to provide a strong layer of protection against the introduction of rabies and other diseases.The proposed rule would maintain the Director's authority to deny the entry of dogs who do not appear healthy upon arrival.

4. Improved Compliance: Simplifying requirements is expected to increase public compliance, as importers are more likely to follow clear and reasonable rules. Higher compliance rates further reduce the risk of inadvertent or intentional violations.

This approach is consistent with Section 4(c)(1)(D) of Executive Order 12866, which directs agencies to ensure that regulations are proportionate to the risks addressed. By focusing regulatory efforts where they are most needed, we maintain effective public health protections while minimizing unnecessary burdens.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Organizations

Government Levels Affected: Federal, Local, State

International Impacts: This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

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RIN: 0920–AA87

HHS—Food and Drug Administration (FDA)	Proposed Rule Stage

45. ADMINISTRATIVE DETENTION OF TOBACCO PRODUCTS

Priority: Other Significant

Regulatory Accounting: Regulatory

Legal Authority: 21 U.S.C. 334; 21 U.S.C. 371

Relevant Executive Orders: 14212; 14303; 13563

CFR Citation: 21 CFR 16; 21 CFR 1100

Legal Deadline: None

Abstract: FDA is proposing a regulation to establish requirements for the administrative detention of tobacco products. This rule, if finalized, would allow FDA to administratively detain tobacco products believed to be adulterated or misbranded that are encountered during inspections of manufacturers, vape shops, or other establishments that manufacture, process, pack, or hold tobacco products. The intent of administrative detention is to protect public health by preventing the distribution or use of tobacco products that are believed to be adulterated or misbranded until FDA has had time to consider the appropriate action to take and, where appropriate, to initiate legal action. This rule, if finalized, would be a critical enforcement tool to stop the distribution and sale of unauthorized tobacco products, such as illegal shipments of unauthorized e-cigarettes originating from overseas.

Statement of Need: Currently, Federal law prohibits the adulteration or misbranding of a tobacco product, as well as the introduction, delivery for introduction, or receipt in interstate commerce of such product. Adulterated products include those that are contaminated, held under unsanitary conditions, or lack required marketing authorization. (Section 902(1)–(2), (6) of the Federal Food, Drug, and Cosmetic Act (FD&C Act). Misbranded products include those with false or misleading labeling or those that do not bear labeling that is required by an applicable tobacco product standard. (Section 903(a)(1) and (a)(9) of the FD&C Act.) Notably, large quantities of tobacco products such as e-cigarettes continue to be illegally imported and marketed without required marketing authorization. This proposed rule, if finalized, would allow FDA to administratively detain non-compliant tobacco products. The period of administrative detention provides FDA with valuable time to consider further action, if appropriate, including time to engage the Department of Justice, who could go to court on FDA's behalf to pursue legal action such as a seizure of the products in question. Without the ability to administratively detain non-compliant products, manufacturers, distributors, and retailers could unlawfully transport the products to evade their seizure, and market them from a different location.

This proposed rule mirrors existing regulatory authority for the administrative detention of devices and drugs. FDA's administrative detention authority with respect to drugs allows FDA to better protect the integrity of the drug supply chain. For foods, FDA can exercise administrative detention authority to prevent potentially harmful food from reaching U.S. consumers and thereby improve the safety of the U.S. food supply. Similarly, FDA can administratively detain devices that are suspected of being in violation of the Act. This proposed rule is needed with respect to tobacco products so that FDA has an additional enforcement tool to better protect the public health. The ability for FDA to issue administration detention orders against new, unauthorized tobacco products, including ENDS, may encourage manufacturers to submit premarket applications requesting authorization for their products to be lawfully marketed, rather than continue to flood the market with additional unauthorized products. FDA would be able to use our resources to review these applications under streamlined procedures under development and authorize those that are appropriate for the protection of the public health.

Summary of Legal Basis: The legal basis for this action is sections 304(g) and 701 of the Federal Food, Drug, and Cosmetic Act (FD&C Act). Section 304(g) of the FD&C Act provides FDA with administrative detention authority with respect to tobacco products pursuant to duly promulgated regulations. Section 304(g)(1) states that [i]f during an inspection conducted under section 704 of a facility or a vehicle, a device, drug, or tobacco product which the officer or employee making the inspection has reason to believe is adulterated or misbranded is found in such facility or vehicle, such officer or employee may order the device, drug, or tobacco product detained (in accordance with regulations prescribed by the Secretary) for a reasonable period which may not exceed twenty days unless the Secretary determines that a period of detention greater than twenty days is required to institute an action under subsection (a) or section 302, in which case he may authorize a detention period of not to exceed thirty days. Additionally, section 701 of the FD&C Act gives FDA general rulemaking authority to issue regulations for the efficient enforcement of the FD&C Act.

Alternatives: FDA has considered a delay in the effective date of the regulation, *i.e.,* a greater than 30-day period before the rule becomes effective. While a delay may discount FDA's cost estimates, it would not have an impact on the cost of regulated entities reading and understanding the rule. On the other hand, a delay in the effective date would increase the risk of adulterated or misbranded tobacco products being released into U.S. commerce and to the public. For these reasons, FDA did not pursue this regulatory alternative.

Anticipated Cost and Benefits: The estimated primary costs of the proposed rule include the one-time costs incurred by industry to read and understand the regulation, if finalized, annual costs to FDA associated with marking or labeling the detained product, and costs associated with potential appeals of detention orders; however, other costs, such as loss in market value of a detained tobacco product or additional costs associated with appeals of detention orders to affected entities, could be incurred if FDA revokes the detention order on appeal. Given the history of administrative detention use with medical devices, foods, and human and animal drugs, the most likely outcomes are the firm would choose to destroy the detained tobacco product voluntarily or that FDA would initiate a seizure of the product.

The primary public health benefit from adoption of the proposed rule would be the value of the illnesses, injuries, or deaths prevented because the Agency administratively detained a tobacco product it has reason to believe is adulterated or misbranded. These benefits would occur only if the tobacco product would not have been prevented from entering the market using one of the Agency's other regulatory and enforcement tools. Additionally, should firms choose to voluntarily destroy the detained tobacco products, or a federal seizure action is otherwise avoided, potential cost-savings would be realized. There would also be benefits from deterrence if administrative detention increases the likelihood that adulterated or misbranded products would not enter commerce in the future.

Risks: None.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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RIN: 0910–AI05

HHS—FDA	

46. MODERNIZING REGULATIONS TO PROMOTE ELECTRONIC SUBMISSION AND REDUCE PAPER SUBMISSION

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 5 U.S.C. 551 to 558; 5 U.S.C. 701 to 706; 15 U.S.C. 1453; 15 U.S.C. 1454; 15 U.S.C. 1455; 21 U.S.C. 141 to 149; 21 U.S.C. 321; 21 U.S.C. 331; 21 U.S.C. 336; 21 U.S.C. 341; 21 U.S.C. 342; 21 U.S.C. 343; 21 U.S.C. 348; 21 U.S.C. 351; 21 U.S.C. 352; 21 U.S.C. 353; 21 U.S.C. 355; 21 U.S.C. 360; 21 U.S.C. 360c; 21 U.S.C. 360j; 21 U.S.C. 360l; 21 U.S.C. 360aa; 21 U.S.C. 360aaa–6; 21 U.S.C. 360b–360f; 21 U.S.C. 360bbb–8b; 21 U.S.C. 360h to 360i; 21 U.S.C. 361; 21 U.S.C. 371; 21 U.S.C. 372; 21 U.S.C. 373; 21 U.S.C. 374; 21 U.S.C. 375; 21 U.S.C. 379; 21 U.S.C. 379e; 21 U.S.C. 379k–1; 21 U.S.C. 381; 21 U.S.C. 467f; 21 U.S.C. 679; 21 U.S.C. 821; 21 U.S.C. 1034; 28 U.S.C. 2112; 42 U.S.C. 201; 42 U.S.C. 216; 42 U.S.C. 241; 42 U.S.C. 243; 42 U.S.C. 262; 42 U.S.C. 263b; 42 U.S.C. 264; 42 U.S.C. 271; . . .

Relevant Executive Orders: 14303; 13563; 14212

CFR Citation: 21 CFR 101.69; 21 CFR 130.17; 21 CFR 171.1; 21 CFR 571.1; 21 CFR 71.1; 21 CFR 10.20; 21 CFR 10.40; 21 CFR 10.85; 21 CFR 314.94; 21 CFR 314.50

Legal Deadline: NPRM, Statutory, September 30, 2022.

Abstract: This rule would amend FDA's regulations to promote electronic submissions and reduce paper submission, including by removing requirements for submission of multiple copies and replace them with the requirement for a single submission in electronic format. This action is being undertaken to revise regulations that required paper submission.

Statement of Need: The proposed rule, if finalized, would remove express or implied requirements for submission of multiple copies as well as the requirement or option to provide paper submissions for a large number of programs and processes administered by the Agency and replace them with a requirement for single submissions in electronic format. Because electronic submission is easily reproducible, the requirement for multiple copies is no longer necessary. FDA believes it is beneficial to the public to limit any burden and expense to submitters caused by requiring additional copies, and that due to the essentially universal availability of electronic devices that can transmit documents in electronic format, the Agency no longer needs to provide the option to submit information on paper. In conjunction with related efforts focused on existing records, this rule would facilitate a fully digital system of records submitted to and maintained by the Agency. FDA considers that such a system would enhance the efficiency of the Agency's operations and also facilitate transparency in records requests. To help ensure access to FDA's submission processes for all participants, the Agency intends to provide the ability to request a waiver for individual paper submissions.

Summary of Legal Basis: FDA is issuing this rule from the same authority under which FDA initially issued the applicable regulations. In addition, section 701(a) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 371(a)) grants FDA general rulemaking authority to issue regulations for the efficient enforcement of the FD&C Act.

Alternatives:

Alternative 1: Remove express or implied requirements for paper submissions but continue to accept them if submitted.

Given the availability of a waiver process, the primary beneficiaries of this option would be entities with the ability or option to submit electronically but who do not choose to do so. Compared to the proposed approach, this option would be less effective at reducing administrative complexity and system fragmentation going forward and would reduce the accessibility of Agency records.

Alternative 2: Require electronic submissions only for a subset of submission processes.

This option would involve selecting certain submission processes for mandatory electronic submission. As with Alternative 1, we anticipate this option would be less effective at reducing administrative complexity and system fragmentation going forward and would reduce the accessibility of Agency records. In addition, this approach could potentially result in concerns of unbalanced treatment of different stakeholders or industry sectors based on the selected processes.

Anticipated Cost and Benefits: The rule would amend regulations to reduce or eliminate submitting multiple copies to the Agency for a large number of programs and processes. The rule would also amend regulations containing a reference to the specific form of a submission to require that the submission be in electronic format. The rule would produce cost-savings for firms and FDA without imposing any additional regulatory burdens or affecting the Agency's ability to review submissions. Firms would incur minimal administrative costs to read and understand the rule. Some firms and individuals that currently send their submissions by mail may incur the costs of submit electronically.

Risks: TBD

Timetable:

Action	Date	FR Cite
NPRM	12/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 0910–AI50

HHS—FDA	

47. SUBSTANCES GENERALLY RECOGNIZED AS SAFE

Priority: Economically Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Regulatory

Unfunded Mandates: Undetermined

Legal Authority: 21 U.S.C. 321; 21 U.S.C. 342; 21 U.S.C. 348; 21 U.S.C. 371

Relevant Executive Orders: 14212; 13272; 13100

CFR Citation: 21 CFR part 170; 21 CFR part 570

Legal Deadline: None

Abstract: This rule, if finalized, would amend FDA's regulations at 21 CFR parts 170 and 570 to require the submission of a generally recognized as safe (GRAS) notice for the use of a human or animal food substance that is purported to be GRAS under the conditions of its intended use under section 201(s) of the Federal Food, Drug, and Cosmetic Act (FD&C Act). The rule would clarify that FDA maintain and update the public-facing GRAS notice inventory for all substances that are the subject of mandatory GRAS notice for the conditions of their intended use. The rule would also clarify the process under which FDA would determine that the use of a substance is not GRAS. This change would provide greater transparency about substances that are added to food, so that FDA can more efficiently determine if the use of a substance constitutes a food additive use that is subject to the premarket review and approval requirements under the FD&C Act.

Statement of Need: This proposed rule would revise the procedures by which a person introducing a human or animal food substance into interstate commerce notifies FDA of a conclusion that the use of such substance is generally recognized as safe (GRAS). Specifically, the proposed rule would require the submission of GRAS notices to FDA for certain uses of food substances. A substance that is GRAS under the conditions of its intended use is not subject to FDA premarket review and approval as a food additive for that particular use (see sections 201(s) and 409 of the FD&C Act). Under our current regulations, a person who concludes that the use of a substance is GRAS under the conditions of its intended use may, but is not required to, notify FDA of this conclusion. The submission of a GRAS notice is therefore currently voluntary. If the proposed rule is finalized, GRAS notices will be required for certain uses of substances in human and animal food. Uses of food substances that are subject to the mandatory notification requirement will be presumed by FDA not to be GRAS unless the notification requirement has been met regarding the use of the substance.

Summary of Legal Basis: We are issuing this proposed rule consistent with our authority in sections 201, 402, 409, and 701 of the FD&C Act (21 U.S.C. 321, 342, 348, 371).

Alternatives: TBD

Anticipated Cost and Benefits: The primary benefits of the proposed rule, if finalized, would come from increased information being made available to FDA and the public regarding substances used in human and animal foods. This information would enable us to more effectively determine if the use of a substance constitutes a food additive use that is subject to premarket review and approval under the FD&C Act. This information is also expected to help FDA identify and prevent the use of unsafe food additives in food, thereby enabling FDA to regulate the safety of food substances more effectively. One-time costs of the proposed rule to persons who introduce a substance into interstate commerce under the GRAS provision of section 201(s) of the FD&C Act include reading the rule and revising standard operating procedures (SOPs) regarding GRAS notices. Other one-time per manufacturer costs of the proposed rule are preparing and submitting streamlined submissions related to uses of substances introduced into interstate commerce under the GRAS provision of section 201(s) of the FD&C Act before the effective date of a final rule, for firms that choose to submit this information during the window of availability for this time-limited option for such submissions. Costs associated with these activities may include translation costs for manufacturers in non-English speaking countries. Recurring costs to affected manufacturers would include preparing and submitting GRAS notices for the uses of substances introduced into interstate commerce under the GRAS provision of section 201(s) of the FD&C Act after the effective date of a final rule that would otherwise have been the subject of an independent conclusion of GRAS status (*i.e.,* a GRAS conclusion has been reached without submitting a GRAS notice).

Risks: TBD

Timetable:

Action	Date	FR Cite
NPRM	12/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

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RIN: 0910–AJ02

HHS—FDA	

48. • TRANSPARENCY IN DIRECT-TO-CONSUMER ADVERTISING

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Regulatory

Unfunded Mandates: Undetermined

Legal Authority: The Federal Food, Drug, and Cosmetic Act, section 502(n) (21 U.S.C. 352)

Relevant Executive Orders: 14303; 14212; 13563

CFR Citation: 21 CFR 202

Legal Deadline: None

Abstract: This rule will revise 21 CFR 202.1 to eliminate the option for prescription drug advertisements broadcast through media such as radio or television to fulfill the statutory brief summary requirement in section 502(n) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) by disclosing risk, contraindication, and other safety information in another source beyond the advertisement itself.

Statement of Need: Until relatively recently, Direct-to-Consumer (DTC) broadcast advertisements for prescription drugs were rare, in part because drug companies had not been advised by FDA how they could meet the adequate provision requirement for dissemination of the FDA-approved labeling in connection with broadcast ads. In 1999, FDA issued a final guidance document, that described an approach to fulfill the adequate provision requirement for broadcast advertisements. The approach created a loophole that resulted in certain important information being hidden behind 1–800 numbers, print inserts, and websites, rather than being included in the broadcast advertisement.

The proliferation of DTC advertising across television and digital platforms has created potential patient confusion and harm from inappropriate demand for medications, distorting the doctor-patient relationship leading to misalignment of therapeutic choices with actual patient needs, and the misallocation of healthcare resources and government overspending. FDA proposes revising the prescription drug advertising regulation to require DTC ads broadcast through media such as radio and television to disclose all relevant risk and safety information to consumers within the confines of the ad itself rather than referring consumers to an external source where they can request the full FDA-approved labeling. This action does not constitute a ban or unreasonable imposition on DTC drug advertising, but would instead require complete and accurate safety, contraindication, and other risk information in DTC prescription drug advertisements, so that patients and consumers can make fully informed decisions.

Summary of Legal Basis: FDA has authority to promulgate rules governing the promotion of prescription drugs under Section 502(n) of the FD&C Act [21 U.S.C. 352(n)], which states that promotional material shall include ''such other information in brief summary relating to side effects, contraindications, and effectiveness as shall be required in regulations[.]'' FDA has set forth regulations under 502(n) at 21 CFR 202.1, including the ''adequate provision'' language at issue here. Id. at 202.1(e)(1)(i)(B).

Alternatives: Removing the ''adequate provision'' loophole permitting the disclosure of ''all necessary information related to side effects and contraindications'' in a location other than the promotional material is the only option to effectuate the goals and direction of the September 9, 2025, Presidential Memorandum instructing HHS and FDA to ''take appropriate action to ensure transparency and accuracy in direct-to-consumer prescription drug advertising, including by increasing the amount of information regarding any risks associated with the use of any such prescription drug required to be provided in prescription drug advertisements, to the extent permitted by applicable law.''

Anticipated Cost and Benefits: FDA anticipates that this rule, if finalized, will result in regulatory costs. Industry will face costs of either: (1) purchasing additional advertising time to include required product safety information, (2) dedicating additional advertising time within current advertising time slots toward the newly required information, or (3) the opportunity cost of choosing not to advertise if the cost of inclusion of all newly required safety information induces a decrease or cessation of product advertising. To provide context for the magnitude of such potential costs, we note that, in 2023, the top ten pharmaceutical companies spent a combined $13.8 billion on the promotion of drugs directed at U.S. consumers and physicians (source: CSRxP Analysis: Direct-To-Consumer Advertising Report. (2025). In *CSRxP.org.* The Campaign for Sustainable Rx Pricing. *https://www.csrxp.org/wp-content/uploads/2025/04/CSRxP-Analysis-Direct-to-Consumer-Advertising-Report.pdf*). Given the potential impact on advertising spending, we expect this rule to be economically significant, with annual costs exceeding $100 million for at least one year. The benefits of this rule are in providing patients more complete safety information during all advertisements covered by the rule, thus improving consumer understanding when they participate in healthcare decision making.

Risks: TBD

Timetable:

Action	Date	FR Cite
NPRM	12/00/26	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Federalism: Undetermined

International Impacts: This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

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RIN: 0910–AJ14

HHS—FDA	

49. • PROACTIVE DISCLOSURE OF COMPLETE RESPONSE LETTERS

Priority: Other Significant

Regulatory Accounting: Regulatory

Unfunded Mandates: Undetermined

Legal Authority: The Federal Food, Drug, and Cosmetic Act, section 505(1) (21 U.S.C. 355(1)); The Freedom of Information Act at 5 U.S.C. 552(a)

Relevant Executive Orders: 14212; 13563; 14303

CFR Citation: 21 CFR 20; 21 CFR 312.130; 21 CFR 314.430; 21 CFR 601.51; 21 CFR 814.9

Legal Deadline: None

Abstract: This rule will revise 21 CFR 312.130, 314.430, 601.51, and 814.9 to clarify and expand the discretion of the Commissioner of the Food and Drug Administration regarding the public release of Complete Response Letters (CRLs) and not approvable letters. This rule will eliminate the longstanding presumption that the mere existence of a marketing application constitutes confidential commercial information, thereby enabling proactive disclosure of CRLs for unapproved products while maintaining appropriate redactions for trade secrets and personal private information.

Statement of Need: CRLs and not approvable letters are summary documents FDA issues to sponsors when it completes its review cycle and determines that it cannot grant approval of an application in its current form. FDA describes in the letters the specific deficiencies identified during the review of safety and effectiveness data in the application which prevent it from granting approval of an application. CRLs and not approvable letters often contain confidential commercial information (CCI), trade secret information (TSI), (and personal private information (PPI)) that will be redacted prior to any public disclosure under the Trade Secrets Act and section 301(j) of the Federal Food, Drug, and Cosmetic Act (FD&C Act).

There are compelling public interests favoring the disclosure of CRL information and a good cause finding for this rule. Sponsors can leverage this valuable information to avoid common missteps and to provide enhanced predictability leading to more meaningful cures and treatments. Such efficiencies support the public interest in the availability, safety, and effectiveness of medical products and their efficient entry onto the market. Information related to the safety and effectiveness (and timeliness) of treatments is an issue of the utmost importance to patients and their families, and healthcare professionals evaluating and recommending care for patients. In addition, greater transparency will help to ensure sponsors provide complete and contextualized information in public announcements and to investors and shareholders. FDA recognizes the tremendous public interest in the transparency and credibility of FDA decision-making. Restoring common sense and gold standard science to America's public health system is an issue of paramount importance.

Summary of Legal Basis: FDA's authority to release CRL information is derived from the Federal Freedom of Information Act (FOIA) at 5 U.S.C. 552(a), section 505(l) of the FD&C Act) at 21 U.S.C. 355(l), and FDA information disclosure regulations at 21 CFR part 20 and 21 CFR parts 312.130, 314.430, and 601.51. Federal law and FDA regulations provide FDA significant discretion to disclose CRL information including certain safety and effectiveness deficiencies associated with a pending application, regardless of whether the application has been made public. See 21 U.S.C. 355(l)(1). As set forth in 21 CFR 314.430(a)-(c), FDA's statements and deliberations reflected in CRLs are not property of the sponsor and can be disclosed by FDA.

Alternatives: There is no alternative method of changing the current regulatory structure to permit the disclosure of CRLs associated with applications whose existence has not been made public. Amending 21 CFR parts 312.130, 314.430, 601.51, and 814.9 enables FDA to clarify and revise its longstanding presumption that the mere existence of an application is CCI and thus cannot be disclosed to the public, permitting the disclosure of CRLs related to otherwise non-public applications.

Anticipated Cost and Benefits: The benefits of the proposed rule would be increased transparency into FDA decision-making on CRLs, which may help future sponsors avoid submitting applications with the deficiencies explained in the CRLs. The costs of the proposed rule include costs to read and understand both the rule and the CRLs to interested parties, as well as costs to redact and publish CRLs on FDA's website.

Risks: TBD

Timetable:

Action	Date	FR Cite
NPRM	10/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

International Impacts: This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

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RIN: 0910–AJ16

HHS—FDA	

50. • ELECTRONIC LABELING FOR MEDICAL DEVICES

Priority: Economically Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Unfunded Mandates: Undetermined

Legal Authority: 21 U.S.C. 352(f)

Relevant Executive Orders: 14303; 14212; 13951; 14273

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This rule would clarify that the adequate directions for use requirement in section 502(f) of the Federal Food, Drug, and Cosmetic Act could be satisfied when labeling is provided solely by electronic means for certain types of devices in certain circumstances. FDA anticipates that this clarification would facilitate the communication of comprehensive and up-to-date information to users to provide reasonable assurance of the safety and effectiveness of such medical devices.

Statement of Need: The proposed rule, if finalized, would clarify that the ''adequate directions for use'' requirement under section 502(f) of the Federal Food, Drug, and Cosmetic Act could be satisfied when labeling is provided solely by electronic means for certain types of prescription and non-prescription devices used outside of health care settings, and would establish the associated requirements for use of such electronic labeling. Considering the current widespread use of and access to the internet, particularly through mobile devices, this rulemaking would help modernize the way required labeling is provided to consumers of medical devices. This clarification would help manufacturers facilitate the communication of robust and up-to-date labeling necessary to provide reasonable assurance of the safety and effectiveness of medical devices. Electronic labeling for medical devices would also reduce various administrative and resource burdens associated with printing, and subsequent revision and redistribution, of print labeling, and would better help manufacturers quickly and efficiently update any labeling. Electronic forms of required labeling can also increase access to labeling in various ways, such as by enabling users to access labeling online at any time and place, and by increasing accessibility for users with visual impairments. The proposed rule, if finalized, would require that access to electronic labeling be readily available and unrestricted, while also requiring that manufacturers afford users the opportunity to request and then promptly provide labeling in paper form.

Summary of Legal Basis: The legal basis for this action is 502(f) of the FD&C Act. 502(f) of the FD&C Act, a device shall be deemed misbranded unless its labeling bears adequate directions for use and such adequate warnings (to the extent applicable) in such manner and form as are necessary for the protection of users. The term labeling contemplates both physical and non-physical forms, as it is defined as ''all labels and other written, printed, or graphic matter (1) upon any article or any of its containers or wrappers, or (2) accompanying such article.'' 21 U.S.C. 321(m). The term accompanying has been interpreted liberally to extend beyond physical association with the product, and includes materials provided electronically. The statutory language does not require labeling to be provided solely in paper form for all devices and in fact contemplates different manner[s] and form[s] of permissible labeling to protect the public health. A clarification via rulemaking that certain information can be provided electronically would not alter the existing requirements for adequate directions for use, but instead would clarify that such required labeling may be provided in either physical or electronic form for certain devices in certain circumstances.

Alternatives: FDA has considered taking action via guidance. However, the focus of this effort is to clarify the availability of electronic labeling for certain types of prescription and non-prescription devices used outside of health care settings and establish the requirements for such use of electronic labeling. In order to make these requirements binding they would need to be captured in regulations, as guidance would not allow FDA to accomplish this level of specificity in a binding manner.

Anticipated Cost and Benefits: FDA anticipates that this rule is deregulatory. The rule, if finalized, would produce cost-savings for firms, as it would reduce the various administrative and resource burdens of printing and distributing paper labeling for specific medical devices. Additionally, electronic labels can be updated as needed without costly updates to a physical label. We note that firms can still choose to use physical labeling if they find it more cost effective. The cost of this rule comes in the form of time cost for consumers who are unable to access electronic labeling and must request labeling in paper form or those who prefer to request labeling in paper form rather than access labeling electronically. Benefits of this rule include increased accessible labeling as consumers can adjust font size, use text to voice, and access other accessibility features in electronic labeling. Additionally, the availability of electronic labeling will facilitate the communication of comprehensive and up to date information to consumers. We anticipate that this regulation will be net cost savings and therefore deregulatory.

Risks: TBD

Timetable:

Action	Date	FR Cite
NPRM	11/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

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HHS—FDA	

51. • NUTRIENT CONTENT CLAIMS FOR ADDED SUGARS

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Regulatory

Unfunded Mandates: Undetermined

Legal Authority: Not Yet Determined

Relevant Executive Orders: 14212; 14303

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The rule would update definitions, terminology, and provisions related to nutrient content claims and added sugars to be consistent with terms related to and updates to requirements for the Nutrition Facts label. The rule would, among other things, define a new ''low added sugar'' nutrient content claim that manufactures could voluntarily use to communicate information about the level of added sugars in food products.

Statement of Need: In 2016, FDA updated the requirements for the Nutrition Facts label and serving size information for packaged foods to reflect new scientific information, including the link between diet and chronic diseases such as obesity and heart disease. Among the updates to the Nutrition Facts label was the requirement that added sugars be included in the Nutrition Facts label and the establishment of a daily value (DV) for added sugars. The declaration for added sugars was established, in part, because excess consumption of added sugars makes it difficult to meet nutrient needs within the calorie limits generally needed to maintain a healthy weight and can lead to an increase in overall caloric intake. Further, healthy dietary patterns that are characterized by lower amounts of sugar-sweetened foods and beverages, as compared to less healthy dietary patterns, are associated with a reduced risk of cardiovascular disease. This proposed rule, if finalized, would update definitions, terminology, and provisions related to nutrient content claims and added sugars to be consistent with the terms related to and the previous updates to the requirements for the Nutrition Facts label.

Summary of Legal Basis: We are issuing this proposed rule consistent with our authority in sections 201, 301, 403, and 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 331, 343, and 371).

Alternatives: None.

Anticipated Cost and Benefits: The proposed rule will include several provisions. For one, it will propose to update the definition of added sugars in the existing no added sugar, without added sugar, or no sugar added claims to be consistent with the declaration on the updated Nutrition Facts label. This proposal, if finalized, would cause manufacturers who are voluntarily using the older no added sugar claims and whose products are not consistent with definition of added sugars to either reformulate products or to remove claims from the label, both of which involve costs to the manufacturer. In addition, the proposed rule will propose to define a claim of ''low added sugars'' and allow factual quantitative amount statements for added sugars on the labels of certain products. These proposals, if finalized, would provide claims that have not previously been available for use by manufacturers. If manufacturers voluntarily choose to use these new claims on their labels, there would be relabeling costs involved. Finally, the proposed rule will propose to update the terminology in existing nutrient content claims for added sugars and total sugars that are not consistent with the terms used in the updated Nutrition Fact label regarding the Added Sugars and Total Sugars declarations. This proposal, if finalized, would require manufacturers who are using the older added sugar or total sugar claims to relabel and incur relabeling costs to correct terminology (*i.e.,* change the term ''sugar'' to ''sugars'') or to remove the claim.

Risks: TBD

Timetable:

Action	Date	FR Cite
NPRM	12/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

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HHS—FDA	

52. • MODIFICATION OF CERTAIN TERMINOLOGY IN TITLE 21

Priority: Other Significant

Regulatory Accounting: Other

Legal Authority: 21 U.S.C. 321 to 397; 42 U.S.C. 201; 42 U.S.C. 216; 42 U.S.C. 241 to 242(a); 42 U.S.C. 262; 42 U.S.C. 263a and b; 42 U.S.C. 264; 15 U.S.C. 1451 to 1461; 28 U.S.C. 2112; 5 U.S.C. 551 to 558; 5 U.S.C. 701 to 706; 21 U.S.C. 141 to 149; 21 U.S.C. 467f; 21 U.S.C. 679; 21 U.S.C. 821; 21 U.S.C. 1034; Pub. L. 117–103, 136 Stat. 49

Relevant Executive Orders: 14168; 14303; 13563

CFR Citation: 21 CFR 10.65; 21 CFR 56.107; 21 CFR 106.121; 21 CFR 201.57; 21 CFR 600.80; 21 CFR 803.42

Legal Deadline: None

Abstract: The Food and Drug Administration is issuing a rule to modify certain terminology in Title 21 of the Code of Federal Regulations to comply with Executive Order 14168, Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government, issued on January 20, 2025. Specifically, this rule, if finalized, will remove the term gender wherever it appears and either replace it with the term sex, or delete reference to gender as applicable, along with other editorial changes to improve readability.

Statement of Need: The terms gender and sex appear in various contexts in

FDA regulations, including in requirements related to Institutional Review Board (IRB) membership (see 21 CFR 56.107), records and reporting requirements for product applications and approvals (see, *e.g.,* 21 CFR 312.42, 314.50, 314.80, 600.80, 803.32), and device classification regulations (see, *e.g.,* 21 CFR 862.1840, 866.3215, 866.5950). Section 2(a) of E.O. 14168 defines sex as referring to ''an individual's immutable biological classification as either male or female. 'Sex' is not a synonym for and does not include the concept of 'gender identity.' Section 3(c) of E.O. 14168 requires, among other things, that [w]hen administering or enforcing sex-based distinctions, every agency and all Federal employees acting in an official capacity on behalf of their agency shall use the term sex and not gender in all applicable Federal policies and documents. Accordingly, FDA is modifying regulations to remove the term gender wherever it appears, to either replace it with the term sex, or delete reference to gender as applicable.

Summary of Legal Basis: FDA proposes to issue this rule under the following authorities: The Federal Food, Drug, and Cosmetic Act (FD&C Act) (at 21 U.S.C. 321 *et seq.*) and specifically, sections 321–397; the Public Health Service (PHS) Act at 42 U.S.C. 201, 216, 241, 242(a), 262, 263a, 263b, 264; and 15 U.S.C. 1451–1461; 5 U.S.C. 551–558, 701–706; 21 U.S.C. 141–149, 467f, 679, 821, 1034; 28 U.S.C. 2112; and section 111 of Pub. L. 117–103 (Consolidated Appropriations Act, 2022), 136 Stat. 49 at 789. FDA also has general authority to issue regulations for the efficient enforcement of the FD&C Act and the PHS Act under section 701 of the FD&C Act (21 U.S.C. 371) and section 351(j) of the PHS Act.

Alternatives: Alternative option: leave current regulations unchanged and update terminology when each regulation is amended for programmatic or other reasons. The drawback of this approach is that the sex/gender terminology in Title 21 would remain inconsistent until every provision is revised individually. In addition, taking this approach would not be in compliance with the directives of E.O. 14168.

Anticipated Cost and Benefits: This proposed rule reflects editorial changes that affect FDA and does not impact industry practices. Consequently, we do not anticipate any measurable change in industry resulting from this proposed rule. We also expect the economic impact on the FDA to be minimal. This proposed rule will produce no quantifiable savings, costs, or transfers. We do not expect any loss of public health benefits as a result of this rule.

Risks: TBD

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	
NPRM Comment Period End.	09/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 0910–AJ26

HHS—FDA	

53. • AMENDMENTS TO 21 CFR PARTS 56 AND 312; EXPEDITED INVESTIGATIONAL NEW DRUG APPLICATION FOR PHASE 1 CLINICAL TRIAL REFORM

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Deregulatory

Unfunded Mandates: Undetermined

Legal Authority: 21 U.S.C. 321; 21 U.S.C. 331; 21 U.S.C. 351; 21 U.S.C. 352; 21 U.S.C. 353; 21 U.S.C. 355; 21 U.S.C. 360bbb; 21 U.S.C. 371; 42 U.S.C. 262

Relevant Executive Orders: 14212; 14273; 14293

CFR Citation: 21 CFR 56; 21 CFR 312 Subparts A, B, C, D

Legal Deadline: None

Abstract: The Food and Drug Administration is proposing to amend 21 CFR 312 Subparts A, B, C, D and 21 CFR 56, for expedited Investigational New Drug (IND) reform. The proposed rule would make changes to general provisions related to the IND requirements, including process and IND content and format and sponsor responsibilities.

Statement of Need: FDA is proposing this action to modernize and streamline the Investigational New Drug (IND) application process for Phase 1 clinical trials by reducing unnecessary regulatory burden through targeted, risk-based flexibilities. The action is needed to accelerate patient access to promising investigational therapies while maintaining appropriate human subject protections. By facilitating earlier clinical development of innovative drugs, this rule is expected to reduce delays that can adversely affect patient health outcomes and to address regulatory risks that are disproportionate to the low-risk nature of many early-phase studies. This type of reform is also a do out of the MAHA Commission as part of the White House's Make Our Children Healthy Again: Strategy Report (September 2025) and aligned with the Administration's deregulatory efforts.

Summary of Legal Basis: FDA's authority lies under the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act, including 21 U.S.C. 321, 331, 351 to 355, 360bbb, and 371, and 42 U.S.C. 262, to revise IND and IRB requirements for Phase 1 clinical trials. The proposed rule is intended to support risk-based regulatory modernization consistent with recent Executive Orders on deregulatory reform and innovation in healthcare.

Alternatives: FDA considered maintaining the current IND framework without modification, as well as implementing narrower administrative guidance instead of formal rulemaking. The Agency also considered more limited exemptions applicable only to specific therapeutic categories but determined broader risk-based flexibilities would better reduce unnecessary burden while preserving appropriate human subject protections, especially given Administration interest in these reforms.

Anticipated Cost and Benefits: FDA is proposing to amend 21 CFR 312 Subparts A, B, C, D and 21 CFR 56, for expedited Investigational New Drug (IND) reform. The proposed rule would make changes to general provisions related to the IND requirements, including process, content, format and sponsor responsibilities. FDA anticipates benefits from this rule emanating from loosening requirements. This streamlining for the use of certain investigational drugs for Phase I clinical trials through targeted and risk-based exemptions to speed the access of investigational drugs to patients would decrease regulatory burden, which may help accelerate access to transformative treatments for patients, which may lead to improved health outcomes. We anticipate costs of this rule would include reading and understanding what new flexibilities would be afforded to sponsors and any potential safety risks of loosening current requirements.

Risks: Potential risks include inconsistent sponsor interpretation of new flexibilities, and the possibility that streamlined requirements could increase safety concerns or data quality issues in low-risk studies while firms adjust. FDA expects these risks to be mitigated through existing Institutional

Review Board review, sponsor responsibilities, and continued FDA monitoring authority, as well as sponsor education and early engagement.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

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HHS—Health Resources and Services Administration (HRSA)	Proposed Rule Stage

54. • STRENGTHENING REGULATORY OVERSIGHT OF THE ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK TO ENSURE PATIENT SAFETY

Priority: Other Significant

Regulatory Accounting: Regulatory

Legal Authority: 42 U.S.C. 216, 274; 42 U.S.C. 1320b–8; 42 CFR 121.4(2)

Relevant Executive Orders: 14292; 14212; 14303

CFR Citation: 42 CFR part 121

Legal Deadline: NPRM, Statutory, December 19, 2025.

Abstract: The Health Resources and Services Administration (HRSA) seeks to use the authority described in 42 CFR 121.4(b)(2) to make policies of the Organ Procurement and Transplantation Network (OPTN) enforceable by formally approving them through the federal rulemaking process. Currently, compliance with OPTN policies is voluntary unless the Secretary has formally approved the policies. HRSA is also proposing rulemaking action to: (1) update regulatory language to align it with provisions of the Securing the U.S. Organ Procurement and Transplantation Act, Public Law 118–14 (Sept. 22, 2023) and (2) remove a paragraph of part 121 that references a prior effective date of the regulations.

Statement of Need: HRSA is pursuing rulemaking to address widespread non-compliance with OPTN policies, resulting in harm to patients and families. HRSA-led investigations, external investigative reporting, and Congressional hearings have revealed problems with the organ procurement and transplant system stemming from the failure of Organ Procurement Centers and transplant centers to adhere to OPTN policy. HRSA is also pursuing rulemaking to align existing regulations with the 2023 Securing the U.S. Organ Procurement and Transplantation Act.

Summary of Legal Basis: The implementing regulations of the National Organ Transplant Act (NOTA) (the OPTN final rule, 42 CFR part 121), describe a process by which certain policies of the OPTN may be made enforceable by HHS by promulgating those policies through federal rulemaking (42 CFR 121.4(b)(2)). Additionally, Section 1138 of the Social Security Act (42 U.S.C. 1320b–8) (section 1138) requires Medicare and Medicaid participating hospitals that perform transplants to be members of the OPTN and to abide by its rules and requirements. [1] Since violations of section 1138 could result in the withholding of a transplant hospital's reimbursement under Medicare or Medicaid, or termination from these programs, HHS has stated that for an OPTN policy to be considered a rule or requirement of the OPTN, and therefore mandatory or binding on OPOs and hospitals participating in Medicare or Medicaid, the Secretary must have given formal approval to the rule or requirement. Therefore, the term rules and requirements of the OPTN means those rules and requirements formally approved by the Secretary through the rulemaking process.[2] Once certain OPTN policies are enforceable by the Secretary, CMS and HRSA, as per the authority delegated by the Secretary, may take enforcement actions based on violations of these OPTN policies.

HRSA also seeks to make technical edits to 42 CFR 121.3(c)(1), to align the OPTN final rule with provisions of the Securing the U.S. Organ Procurement and Transplantation Act (Securing Act), Public Law 118–14 (Sept. 22, 2023) and to delete 42 CFR 121.3(d), which refers to a date in the past (June 30, 2000) by which requirements of 42 CFR 121.3 needed to be met.

[1] See 54 FR 51802 (December 18, 1989) (**Federal Register** notice setting forth Secretary's interpretation of section 1138 provisions.)

[2] See 63 FR 16297 (April 2, 1998).

Alternatives: TBD

Anticipated Cost and Benefits: We anticipate benefits related to reduced health and safety risks for patients, and improvements in the equitable allocation of organs, patient safety, and transparency. We anticipate costs associated with greater adherence to documentation requirements, provider responsibilities, screening criteria, and increased reporting on patient safety events.

Risks: TBD

Timetable:

Action	Date	FR Cite
NPRM	09/00/26	
NPRM Comment Period End.	11/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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HHS—Office of Assistant Secretary for Health (OASH)	Proposed Rule Stage

55. • HUMAN RESEARCH PROTECTIONS: EXEMPTIONS AND CLARIFYING PROVISIONS RELATED TO INSTITUTIONAL REVIEW BOARD OVERSIGHT

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Legal Authority: 5 U.S.C. 301; 42 U.S.C. 289(a); 42 U.S.C. 300v–1(b)

Relevant Executive Orders: 14179; 13563; 14303

CFR Citation: 45 CFR part 46

Legal Deadline: None

Abstract: The Department is proposing revisions to 45 CFR part 46 to modernize and simplify subpart A, known as the Common Rule. Changes are intended to uphold protections for human subjects while reducing burden and ambiguity for investigators, institutional review boards, and research institutions. Examples of changes include clarifying terminology, expanding exemptions for certain low-risk research activities, and enabling flexibilities for regulatory review of de minimis protocol changes. The Department will collaborate with the other Common Rule Departments and Agencies during this process.

Statement of Need: The foundational framework for human subjects protection in the United States was established by the National Research Act of 1974 in response to widespread public concern over unethical biomedical and behavioral research practices. Following its passage, the then-Department of Health, Education, and Welfare issued the first version of 45 CFR part 46. These regulations established institutional review boards (IRBs) as the key mechanism for oversight and ethical review of human subjects research. While these protections remain vital, the current regulatory framework no longer reflects the realities of modern research.

In 1991 the Federal Policy for the Protection of Human Subjects, known as the Common Rule, was formally adopted by HHS and 15 other federal departments and agencies. Although the last major revision in 2017 introduced several changes to modernize human subject protections while reducing unnecessary regulatory burden, investigators and institutions have continued to report that the Common Rule imposes unnecessary burdens and unclear requirements, particularly for minimal-risk studies. For example, the Department has received feedback that applying the Common Rule remains cumbersome for research within Learning Healthcare Systems and for other research methods that are integrated into clinical care settings and are intended to improve the quality and safety of medical care.

Without additional changes intended to clarify ambiguities, expand flexibilities, and redirect protective measures toward high-risk activities, the rights and safety of research participants as well as scientific breakthroughs can be impeded. Examples of how this rulemaking will address these issues include expanding exemptions for certain additional types of low-risk research, incorporating flexibilities for de minimis protocol changes, and clarifying key terms such as the definition of undue influence. These reforms will reduce ambiguity and undue administrative burden for institutions engaged in HHS-supported and conducted human research and will enable IRBs and human research protection programs to focus on those activities posing the greatest risk to human participants while reducing barriers to research that could benefit society.

Summary of Legal Basis: U.S. Code Title 42, Section 289 requires the Secretary of Health and Human Services (HHS) to establish regulatory requirements for human research protections, a program for guidance, and a process for responding to violations. The President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research was described in 42 U.S.C. 300v, and the reports and recommendations that were created by this commission were integral to the development and promulgation of the Common Rule.

Alternatives: The Department considered maintaining the current Common Rule framework without modification, as well as relying solely on subregulatory guidance or interpretive materials to clarify existing requirements. HHS determined that broader regulatory updates are necessary to improve consistency, reduce administrative burden, and ensure that oversight remains appropriately calibrated to the level of risk posed to research participants.

Anticipated Cost and Benefits: The Department expects that the overall economic and social impact of this proposed rule will be deregulatory in nature and designed to improve efficiency, consistency, and proportionality of the rule's application. New costs attributable to this proposed rule would be associated with regulated entities' obligations to comply with updated requirements.

The Department anticipates that this proposed rule would generate significant quantifiable and unquantifiable deregulatory benefits by improving efficiency and enabling a more risk-based application of human subjects protections requirements. By expanding flexibilities for low-risk research activities and clarifying existing requirements, the proposed rule is expected to reduce administrative burden on investigators, institutions, and institutional review boards while helping accelerate scientific discovery, improve healthcare delivery practices, and support more timely development of treatments and interventions that benefit public health.

Risks: Potential risks include concerns from some stakeholders that expanded exemptions and additional regulatory flexibilities could reduce oversight for certain categories of research or create inconsistent implementation across institutions. The Department expects these risks to be mitigated through continued IRB oversight for higher-risk activities, existing human subject protections requirements, interagency coordination among Common Rule departments and agencies, and public engagement through the notice-and-comment process to ensure that participant protections remain strong while unnecessary burden is reduced.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: None

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RIN: 0937–AA16

HHS—Centers for Medicare & Medicaid Services (CMS)	Proposed Rule Stage

56. INTEROPERABILITY STANDARDS AND PRIOR AUTHORIZATION FOR DRUGS (CMS–0062)

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Other

Legal Authority: 42 U.S.C. 1395hh; 42 U.S.C. 1302; Pub. L. 104–191; Pub. L. 111–148, sec. 1104

CFR Citation: 42 CFR 422; 42 CFR 431; 42 CFR 438; 42 CFR 457; 45 CFR 156; . . .

Legal Deadline: None

Abstract: This rule would propose new requirements for Medicare Advantage (MA) organizations, state Medicaid fee-for service (FFS) programs, state Children's Health Insurance Program (CHIP) FFS programs, Medicaid managed care plans, CHIP managed care entities, and Qualified Health Plans (QHPs) offered on the Federally-facilitated Exchanges (FFEs) to streamline processes for the prior authorization for certain drugs. We are developing this rule, in part, based on the significant number of public commenters who responded to the CMS Interoperability and Prior Authorization proposed rule (87 FR 76238) urging CMS to expand the proposed prior authorization policies to include drugs. This rule would also propose a modified standard for prior authorization-related transactions under the Administrative Simplification provisions of HIPAA. In addition, as part of this rule, ASTP/ONC would propose to adopt updated versions of certain standards referenced in the proposed updated technical requirements for payer APIs, including standards supporting electronic prior authorization transactions. Finally, we are proposing to update the definition of ''failure to report'' under the Open Payments program.

Statement of Need: This proposed rule furthers CMS efforts to reduce administrative burden on providers and allow them to spend more time on patient care. The proposals increase appropriate electronic access to health care data, while keeping that information safe and secure by utilizing the latest standards adopted by the Assistant Secretary for Technology Policy/Office of the National Coordinator for Health Information Technology. The proposals build on the CMS Interoperability and Prior Authorization final rule by expanding the types of prior authorizations that could be conducted electronically to include those for drugs. Based on public comments received on the CMS Interoperability and Prior Authorization proposed rule (87 FR 76238), we expect patients and providers will overwhelmingly support the addition of drugs to our prior authorization policies and the increased alignment across Medicare, Medicaid, CHIP and Marketplace coverage.

Summary of Legal Basis: The policies in this proposed rule are intended, where possible, to address disparities in standards and processes for prior authorization for drugs across Medicare Advantage, Medicaid, CHIP and QHPs offered on the FFEs. The statutory authority for these proposals is contained in the Social Security Act (42 U.S.C. 1302 and 1395hh).

Alternatives: In this proposed rule, we continue to build on the efforts from the CMS Interoperability and Patient Access final rule (85 FR 25510) and the CMS Interoperability and Prior Authorization final rule (89 FR 8758) to advance interoperability, improve care coordination, empower patients with access to their data, and improve prior authorization processes. When we excluded prior authorizations for drugs from the CMS Interoperability and Prior Authorization proposed rule, we received significant public feedback that we should reconsider that decision with future rulemaking. Those comments and engagements with industry experts over the past two years support our conclusions that the alternative of continuing to exclude drugs would leave significant burden on patients and providers.

Anticipated Cost and Benefits: We expect this rule will not be significant under section 3(f)(1). This rule proposes updates to the Application Programming Interfaces (APIs) already required by previous rules, proposes to require standards that were previously recommended, and proposes standards for the electronic prior authorization of drugs that are already required or being implemented across the country. We acknowledge that business processes would need to be updated for these payers, but we do not believe these costs would exceed the section 3(f)(1) threshold.

Risks: These policies are natural continuations of the policies finalized in the CMS Interoperability and Prior Authorization final rule. Adding certain drugs to the prior authorization requirements and data availability would close a gap in our current requirements.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal, State

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RIN: 0938–AV44

HHS—CMS	

57. STRENGTHENING THE INTEGRITY OF MEDICAID AND CHIP MANAGED CARE, FINANCING, AND ACCESS TO CARE (CMS–2450)

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Regulatory

Legal Authority: 42 U.S.C. 1302; 42 U.S.C. 1396u; 42 U.S.C. 1396r–8; Pub. L. 111–148; Pub. L. 119–21

CFR Citation: 42 CFR 431; 42 CFR 433; 42 CFR 438; 42 CFR 441; . . .

Legal Deadline: None

Abstract: This proposed rule would update regulations to strengthen the integrity of state enrollment processes, state directed payments and other payment and access requirements.

Statement of Need: Following an extensive review of rulemaking finalized in 2024, which includes the Medicaid and Children's Health Insurance Program Managed Care Access, Finance and Quality Final Rule (89 FR 41002; CMS–2439–F) and the Ensuring Access to Medicaid Services Final Rule (89 FR 40542; CMS–2442–F), CMS is developing a proposed rule to address priority fiscal and program integrity issues in Medicaid and the Children's Health Insurance Program (CHIP), including rescinding or revising provisions finalized in the 2024 final rules.

Additionally, CMS intends to propose a number of provisions to enhance oversight of states managed care plans, and provider enrollment, such as (1) revising various overpayment, disallowance, and other administrative action authorities, (2) adding new grounds for state Medicaid agencies (SMA) to use to terminate/deny the enrollment of bad actor providers, and (3) giving SMAs greater authority to conduct on-site visits of providers to verify compliance with state Medicaid requirements.

CMS would issue proposals affecting managed care and access that are intended to reduce administrative costs and regulatory and administrative burden for both state Medicaid and CHIP agencies and the federal government. CMS would also issue proposals that affect program integrity that are intended to decrease fraud and improper payments. These proposals, if finalized, would be expected to lessen burden on states and enable more efficient and cost-effective implementation of the revised provisions.

Summary of Legal Basis: To provide states with the direction they need on whether or how to implement the rulemaking finalized in 2024, and to give states notice as early as possible of CMS's plans for implementing sections 71103 and 71104 certain provisions of the One Big Beautiful Bill Act (OBBBA) (Public Law 119–21).

Alternatives: In developing the proposals for this rule, alternatives will be considered, including maintaining existing requirements. These alternatives will be described in the rule.

Anticipated Cost and Benefits: As we move toward publication, estimates of costs and benefits will be included in the rule.

Risks: Risks associated with the impact of this rule are under development and will be included in the published rule.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal, State

Federalism: Undetermined

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RIN: 0938–AV70

HHS—CMS	

58. • CY 2027 REVISIONS TO PAYMENT POLICIES UNDER THE PHYSICIAN FEE SCHEDULE AND OTHER REVISIONS TO MEDICARE PART B (CMS–1848) (SECTION 610 REVIEW)

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Other

Unfunded Mandates: Undetermined

Legal Authority: 42 U.S.C. 1302; 42 U.S.C. 1395hh

CFR Citation: 42 CFR 409; 42 CFR 410; 42 CFR 414

Legal Deadline: Final, Statutory, January 1, 2027, By statute, rule must be effective by January 1 annually.

Abstract: This annual proposed rule would revise payment polices under the Medicare physician fee schedule, and make other policy changes to payment under Medicare Part B, including for telehealth and primary care, to promote rural health and support deregulation. These changes would apply to services furnished beginning January 1, 2027. Additionally, this rule proposes updates to the Quality Payment Program.

Statement of Need: The statute requires that we establish each year, by regulation, payment amounts for all physicians' services furnished in all fee schedule areas. This rule would implement changes affecting Medicare Part B payment to physicians and other Part B suppliers and updates to the Quality Payment Program. The final rule has a statutory publication date of November 1, 2026, and an implementation date of January 1, 2027.

Summary of Legal Basis: Section 1848 of the Social Security Act (the Act) establishes the payment for physician services provided under Medicare. Section 1848 of the Act imposes an annual deadline of no later than November 1 for publication of the final rule or final physician fee schedule.

Alternatives: None. This rule implements a statutory requirement.

Anticipated Cost and Benefits: Total expenditures will be adjusted for CY 2027.

Risks: If this regulation is not published timely, physician services will not be paid appropriately, beginning January 1, 2027.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Federalism: Undetermined

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RIN: 0938–AV82

HHS—CMS	

59. • COMPREHENSIVE REGULATIONS TO UNCOVER SUSPICIOUS HEALTHCARE (CRUSH) (CMS–6098)

Priority: Other Significant

Regulatory Accounting: Other

Legal Authority: 42 U.S.C. 1395hh

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This proposed rule would include provisions related to provider enrollment, medical review, investigations, and other program integrity oversight provisions that would greatly strengthen CMS's ability to crush fraud, enhance program integrity efforts across Medicare, Medicaid, and the Children's Health Insurance Program (CHIP), and maximize legislative authorities to address inappropriate payments.

Timetable:

Action	Date	FR Cite
Request for Information.	02/27/26	91 FR 9803
RFI Comment Period End.	03/30/26	
NPRM	10/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal

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RIN: 0938–AV97

HHS—CMS	Final Rule Stage

60. STRENGTHENING OVERSIGHT OF ACCREDITING ORGANIZATIONS (AO), BURDEN REDUCTION, AND RELATED PROVISIONS (CMS–3367)

Priority: Other Significant

Regulatory Accounting: Regulatory

Legal Authority: 42 U.S.C. 1302; 42 U.S.C. 1395hh

CFR Citation: 42 CFR 488; 42 CFR 489

Legal Deadline: Final, Statutory, February 15, 2027, MMA sec. 902 requires Medicare final rules publish within 3 years of a proposed or interim final rule.

Per the CMS notice published December 30, 2004 (69 FR 78442), except for certain Medicare payment regulations and certain other statutorily–mandated regulations, we schedule all Medicare final regulations for publication within the 3–year standardized time limit in the current Unified Agenda. We do not intend to delay publishing a Medicare final regulation for 3 years if we are able to publish it sooner.

Abstract: This final rule sets forth a number of provisions to strengthen the oversight of accrediting organizations (AO) by addressing conflicts of interest, establishing consistent standards, processes and definitions, and updating the validation and performance standards systems.

Statement of Need: We seek to strengthen public trust in CMS-approved Accrediting Organization (AO) findings and to promote the health and safety of patients who receive services from Medicare and Medicaid-participating providers accredited by CMS-approved AOs. When AOs request and receive CMS approval to determine compliance for facilities they accredit and are deemed by CMS to meet federal requirements, they take on a public trust responsibility in their oversight of providers and suppliers across the country. CMS needs to hold these organizations accountable for that responsibility and to eliminate any corporate conflicts of interest. Patients need to be able to rely on the strength of that accreditation to be assured that their health care services will be safe and of high quality. Where there are gaps in that accreditation process, or where quality issues are not fully identified or investigated by the AO, it means that current and future patients may experience unnecessary harm or quality issues.

Summary of Legal Basis: This rule implements changes under 42 U.S.C.

1302 and 1395hh (the Social Security Act).

Alternatives: In developing the policies contained in this rule, we considered several alternatives affecting AO fee-based consulting and the validation program. These alternatives will be described in the rule.

Anticipated Cost and Benefits: In developing this regulation, we carefully considered its potential effects including both costs and benefits. The overall benefit of this rule would be to improve CMS' oversight of the AOs and to improve the overall quality and safety of healthcare. More specifically, the benefits of this rule include the improvement of the validation process and anticipated reductions in the validation disparity rate, the additional performance measure and the implementation of plans of correction that would help AOs that have low performance measure scores to prepare a plan for how to improve their performance, and the prevention and removal of potential and actual conflicts of interest. We note that the generation of benefits is contingent upon behavior change, which entails costs, as having negligible costs would therefore be anticipated to have minimal benefits. As we move toward publication, estimates of costs and benefits will be included in the rule.

Risks: The changes to be finalized in this rule are intended to mitigate risks and improve patient care.

Timetable:

Action	Date	FR Cite
NPRM	02/15/24	89 FR 11996
NPRM Comment Period End.	04/15/24	
Final Action	02/00/27	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0938–AU88

HHS—CMS	

61. • ESTABLISHING STATE COMMUNITY ENGAGEMENT REQUIREMENTS FOR CERTAIN INDIVIDUALS UNDER SECTION 1902(XX) OF THE SOCIAL SECURITY ACT (CMS–2454)

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Other

Unfunded Mandates: Undetermined

Legal Authority: Pub L 119–21, section 71119 ; Section 1902(xx) of the Social Security Act

CFR Citation: Not Yet Determined

Legal Deadline: Final, Statutory, June 1, 2026.

Section 71119 of Public Law 119–21 requires the agency to promulgate an interim final rule no later than June 1, 2026, to implement the requirements established by such section beginning January 1, 2027 (or earlier date at state option).

Abstract: Section 71119 (Requirement for States to Establish Medicaid Community Engagement Requirements for Certain Individuals) of Public Law 119–21 amended section 1902 of the Social Security Act (the Act) to add subsection (xx). Section 1902(xx) of the Act requires states and the District of Columbia to ensure that applicable individuals demonstrate, as a condition of their Medicaid eligibility, a minimum number of community engagement hours (generally, that they work, are enrolled in an educational program, complete community service, participate in a work program, or any combination thereof) for a minimum period of time preceding their application and during their enrollment. The requirements of section 1902(xx) of the Act are effective beginning January 1, 2027, unless a state opts to implement the requirements sooner. Section 71119 also requires the agency to promulgate an interim final rule to implement 1902(xx) of the Act no later than June 1, 2026.

Statement of Need: As required by statute, beginning January 1, 2027, states must condition eligibility for applicable individuals on their demonstration of community engagement (generally, that they work, are enrolled in an educational program, complete community service, participate in a work program, or any combination thereof, or meet an exception), unless a state opts to implement community engagement sooner.

Summary of Legal Basis: Section 71119 of the Working Families Tax Cut Act (Pub L. 119–21) requires that we promulgate an interim final rule to implement 1902(xx) of the Act no later than June 1, 2026.

Alternatives: None. This rule implements a statutory requirement.

Anticipated Cost and Benefits: As we move toward publication, estimates of costs and benefits will be included in the rule.

Risks: Risks associated with the impact of this rule are under development and will be included in the published rule.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal, State

Federalism: This action may have federalism implications as defined in E.O. 13132.

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RIN: 0938–AV98

HHS—Administration for Children and Families (ACF)	Proposed Rule Stage

62. • REDUCING BUREAUCRACY AND BURDEN IN THE CHILD CARE AND DEVELOPMENT FUND (CCDF)

Priority: Economically Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Unfunded Mandates: Undetermined

Legal Authority: 42 U.S.C. 9857 et seq; 42 U.S.C. 618

Relevant Executive Orders: 14303; 14191; 14219

CFR Citation: CFR part 98 and 99

Legal Deadline: None

Abstract: This NPRM proposes to modify Child Care and Development Fund (CCDF) regulations to improve child care access and choice for families, reduce administrative burdens for states, territories, and Tribes, and provide additional flexibilities. The proposed changes would remove outdated provisions, significantly change requirements for Tribal CCDF programs, and streamline overly complicated and burdensome requirements for states and territories.

Statement of Need: This NPRM proposes to significantly reduce CCDF regulations (45 Part 98 and 99) to serve more children and reduce costs and burden for states, territories, and Tribes administering the CCDF program. It builds upon the first deregulatory CCDF NPRM (RIN: 0970–AD20) by further promoting the Administration's interests and priorities around expanding parental choice, reducing bureaucratic red tape and regulatory burden, and prioritizing flexibility for states, territories, and Tribes. More specifically, this NPRM is in line with Executive Order (E.O.) 14192, *Unleashing Prosperity Through Deregulation.*

Summary of Legal Basis: This NPRM will be issued under the authority granted to the Secretary of Health and Human Services by the Child Care and Development Block Grant (CCDBG) Act of 1990, as amended (42 U.S.C. 9857, *et seq.*), and section 418 of the Social Security Act (42 U.S.C. 618).

Alternatives: TBD

Anticipated Cost and Benefits: ACF anticipates that this regulatory action would result in great cost savings for states, territories, and Tribes due to reduced administrative burden. ACF expects these savings would allow states, territories, and Tribes to serve additional children and families.

Risks: TBD

Timetable:

Action	Date	FR Cite
NPRM	11/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

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RIN: 0970–AD29

HHS—CMS	

63. • MODERNIZE THE HEAD START PROGRAM BY REDUCING REQUIREMENTS AND ENHANCING ALIGNMENT WITH STATE AND LOCAL SYSTEMS

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Unfunded Mandates: Undetermined

Legal Authority: Public Law 110–134, Sec. 641A, 645, and 645A

Relevant Executive Orders: 14303; 14242; 14219

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This NPRM proposes to reduce and streamline Head Start regulatory requirements, to align Head Start standards with state and local systems and reduce burden on Head Start programs. Regulatory changes will support the integration of Head Start programs and funding into state systems of early care and education.

Statement of Need: This NPRM proposes to modify the Head Start Program Performance Standards to significantly reduce regulatory requirements and better align Head Start standards with state and local systems. This NPRM will lower burden on Head Start programs and improve coordination with state early childhood systems. The NPRM also proposes to prioritize and strengthen the importance of nutrition and physical exercise in Head Start programs.

This builds upon the first deregulatory OHS NPRM by further promoting the Administration's interests and priorities around expanding parental choice, reducing bureaucratic red tape and regulatory burden, and prioritizing flexibility for states, territories, and Tribes. More specifically, this NPRM is in line with Executive Order (E.O.) 14192, *Unleashing Prosperity Through Deregulation.*

Summary of Legal Basis: This NPRM will be issued under the authority granted to the Secretary of Health and Human Services by the Head Start Act.

Alternatives: ACF has considered alternatives, including issuance of sub-regulatory guidance, but has determined that regulatory action is necessary to reduce burden on agencies administering the Head Start program and to promote choice for parents in the program. Sub-regulatory action alone is insufficient to overcome mandates and requirements included in existing regulations.

Anticipated Cost and Benefits: ACF anticipates that this regulatory action will result in cost savings for Head Start programs by reducing burden on grant recipients.

Risks: ACF expects this NPRM will be well-received by Head Start programs, since they will welcome reduced burden and increased flexibility. ACF expects that some providers, some state or regional associations, and child and family stakeholders may have some express hesitation with the removal or revision of certain requirements; however, the NPRM would generally allow flexibility to Head Start programs to implement policies that best address the needs of their communities with direct engagement with state and local entities.

Timetable:

Action	Date	FR Cite
NPRM	11/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Shawna Pinckney, Acting Deputy Director, Office of Head Start, Department of Health and Human Services, Administration for Children and Families, 330 C Street SW, Washington, DC 20416

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RIN: 0970–AD30

HHS—ACF	

64. • REFORMING FEDERAL REPORTING AND ASSESSMENTS IN CHILD WELFARE

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Not subject to, not significant

Unfunded Mandates: Undetermined

Legal Authority: Not Yet Determined

Relevant Executive Orders: 14270; 14219; 14303

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This NPRM would permit ACF to streamline the assessment and reporting scheme in the Children's Bureau.

Statement of Need: This NPRM proposes to simplify and restructure the overly bureaucratic array of reporting and monitoring systems that evaluate a state's compliance with federal child welfare requirements. This includes both the five-year Child and Family Services Plan (CFSP), the Annual Progress and Services Report (APSR), and the Child and Family Services Review (CFSR). The CFSR is a periodic review of a state's child welfare system, which no state has achieved substantial conformity under after three complete rounds of review of every state. As such, every state is on a Program Improvement Plan (PIP) to take corrective action to improve the CFSR's findings.

Unfortunately, the PIPs have also been ineffective, with states producing worse results in each subsequent round of the CFSR. It is clear that the web of reviews and reporting associated with state child welfare monitoring is overly restrictive and prescriptive. This rulemaking seeks to address this issue and reform the compliance reviews from a check-the-box process to an outcomes-based approach directed towards a tailored goal of ensuring a safe, loving home for every American child.

Summary of Legal Basis: TBD

Alternatives: ACF has considered alternatives, including issuance of sub-regulatory guidance, but has determined that regulatory action is necessary to reduce burden on states who are responsible for complying with the current bureaucratic patchwork of reporting and assessments. Sub-regulatory action alone is insufficient to overcome the needlessly prescriptive mandates and requirements included in existing regulations.

Anticipated Cost and Benefits: ACF has calculated that the cost of administering the CFSR is roughly $600,000 per state, per round. A rewritten reporting and review process seeks to not only save administrative expenses, but will also allow states and ACF to spend time seeking to improve child welfare as opposed to following a failed bureaucratic process. This proposed rulemaking is set to save considerable administrative costs for both the states and ACF.

Risks: Risks are minimal. ACF expects this NPRM will be well-received by the community as few individuals see much of a benefit in the CFSR process, which since the turn of the century has identified zero states in substantial compliance. While with any changes in reporting requirements, there could be some initial hesitation, it is expected that stakeholders would be excited for compliance reporting to strengthen a component of child welfare, rather than waste hundreds of thousands of dollars per review which will lead to a pre-determined failure.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

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RIN: 0970–AD32

HHS—ACF	

65. • REDUCING BUREAUCRACY AND BURDEN FOR CHILDREN, YOUTH AND FAMILIES

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Unfunded Mandates: Undetermined

Legal Authority: Not Yet Determined

Relevant Executive Orders: 14219; 14303; 13563

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This NPRM would eliminate the Administration for Children and Families' obsolete and unnecessary regulations related to the Administration on Children, Youth and Families.

Statement of Need: This NPRM proposes to modify Administration Children, Youth and Families regulations to identify outdated and obsolete regulations, while also shining a brighter spotlight onto the regulations that remain in order to improve clarity and to support families, reduce administrative burdens for states, territories, and Tribes, and provide additional flexibilities. The proposed changes would remove outdated provisions and streamline requirements.

This action is necessary as ACF has amassed nearly 1,500 sections of regulations, some of which have not been amended or updated since the final year of the Johnson Administration. Without this intentional removal of dead-weight regulations, regulatory provisions can confuse and burden members of the public who are forced to abide by them.

Summary of Legal Basis: TBD

Alternatives: ACF has considered alternatives, including issuance of sub-regulatory guidance, but has determined that regulatory action is necessary to reduce burden on states, territories, and tribes who are currently saddled with dead weight text that presently remains on the books. Sub-regulatory action alone is insufficient to overcome outdated and obsolete mandates and requirements included in existing regulations.

Anticipated Cost and Benefits: The regulations that are to be repealed as a result of this rulemaking are obsolete, and thus currently impose limited cost. As a result, the financial cost associated with their removal will not necessarily result in saved dollars, but will rather provide clarity and ease confusion to grantees and the public who interact with ACF's regulations.

Risks: ACF expects this NPRM will be well-received by the community as this serves to eliminate unnecessary and obsolete regulations.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal, Local, State

Federalism: Undetermined

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RIN: 0970–AD37

HHS—ACF	

66. • REDUCING BUREAUCRACY AND BURDEN FOR FAMILY ASSISTANCE PROGRAMS

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Unfunded Mandates: Undetermined

Legal Authority: Not Yet Determined

Relevant Executive Orders: 14219; 14303; 13563

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This NPRM would eliminate the Administration for Children and Families' obsolete and unnecessary regulations related to the Office of Family Assistance.

Statement of Need: This NPRM proposes to modify Office of Family Assistance regulations to identify outdated and obsolete regulations, while also shining a brighter spotlight onto the regulations that remain in order to support families, reduce administrative burdens for states, territories, and Tribes, and provide additional flexibilities. The proposed changes would remove outdated provisions and streamline requirements.

This action is necessary as ACF has amassed nearly 1,500 sections of regulations, some of which have not been amended or updated since the final year of the Johnson Administration. Without this intentional removal of dead-weight regulations, regulatory provisions can confuse and burden members of the public who are forced to abide by them.

Summary of Legal Basis: TBD

Alternatives: ACF has considered alternatives, including issuance of sub-regulatory guidance, but has determined that regulatory action is necessary to reduce burden on states, territories, and tribes who are currently saddled with dead weight text that presently remains on the books. Sub-regulatory action alone is insufficient to overcome outdated and obsolete mandates and requirements included in existing regulations.

Anticipated Cost and Benefits: The regulations that are to be repealed as a result of this rulemaking are obsolete, and thus currently impose limited cost. As a result, the financial cost associated with their removal will not necessarily result in saved dollars, but will rather provide clarity and ease confusion to grantees and the public who interact with ACF's regulations.

Risks: ACF expects this NPRM will be well-received by the community as this serves to eliminate unnecessary and obsolete regulations.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal, Local, State

Federalism: Undetermined

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RIN: 0970–AD38

HHS—ACF	

67. • REDUCING BUREAUCRACY AND BURDEN FOR CHILD SUPPORT ENFORCEMENT

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Unfunded Mandates: Undetermined

Legal Authority: Not Yet Determined

Relevant Executive Orders: 14219; 14303; 13563

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This NPRM would eliminate the Administration for Children and Families' obsolete and unnecessary regulations related to the Office of Child Support Enforcement.

Statement of Need: This NPRM proposes to modify Office of Child Support Enforcement regulations to identify outdated and obsolete regulations, while also shining a brighter spotlight onto the regulations that remain in order to improve clarity, reduce administrative burdens for states, territories, and Tribes, and provide additional flexibilities. The proposed changes would remove outdated provisions and streamline requirements.

This action is necessary as ACF has amassed nearly 1,500 sections of regulations, some of which have not been amended or updated since the final year of the Johnson Administration. Without this intentional removal of dead-weight regulations, regulatory provisions can confuse and burden members of the public who are forced to abide by them.

Summary of Legal Basis: TBD

Alternatives: ACF has considered alternatives, including issuance of sub-regulatory guidance, but has determined that regulatory action is necessary to reduce burden on states, territories, and tribes who are currently saddled with dead weight text that presently remains on the books. Sub-regulatory action alone is insufficient to overcome outdated and obsolete mandates and requirements included in existing regulations.

Anticipated Cost and Benefits: The regulations that are to be repealed as a result of this rulemaking are obsolete, and thus currently impose limited cost. As a result, the financial cost associated with their removal will not necessarily result in saved dollars, but will rather provide clarity and ease confusion to grantees and the public who interact with ACF's regulations.

Risks: ACF expects this NPRM will be well-received by the community as this serves to eliminate unnecessary and obsolete regulations.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal, Local, State

Federalism: Undetermined

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RIN: 0970–AD39

HHS—ACF	

68. • REDUCING BUREAUCRACY AND BURDEN IN COMMUNITY SERVICES

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Unfunded Mandates: Undetermined

Legal Authority: Not Yet Determined

Relevant Executive Orders: 14219; 14303; 13563

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This NPRM would eliminate the Administration for Children and Families' obsolete and unnecessary regulations related to the Office of Community Services.

Statement of Need: This NPRM proposes to modify Office of Community Services regulations to identify outdated and obsolete regulations, while also shining a brighter spotlight onto the regulations that remain in order to improve support families, reduce administrative burdens for states, territories, and Tribes, and provide additional flexibilities. The proposed changes would remove outdated provisions and streamline requirements.

This action is necessary as ACF has amassed nearly 1,500 sections of regulations, some of which have not been amended or updated since the final year of the Johnson Administration. Without this intentional removal of dead-weight regulations, regulatory provisions can confuse and burden members of the public who are forced to abide by them.

Summary of Legal Basis: TBD

Alternatives: ACF has considered alternatives, including issuance of sub-regulatory guidance, but has determined that regulatory action is necessary to reduce burden on states, territories, and tribes who are currently saddled with dead weight text that presently remains on the books. Sub-regulatory action alone is insufficient to overcome outdated and obsolete mandates and requirements included in existing regulations.

Anticipated Cost and Benefits: The regulations that are to be repealed as a result of this rulemaking are obsolete, and thus currently impose limited cost. As a result, the financial cost associated with their removal will not necessarily result in saved dollars, but will rather provide clarity and ease confusion to grantees and the public who interact with ACF's regulations.

Risks: ACF expects this NPRM will be well-received by the community as this serves to eliminate unnecessary and obsolete regulations.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal, Local, State

Federalism: Undetermined

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RIN: 0970–AD41

HHS—ACF	

69. • REDUCING BUREAUCRACY AND BURDEN IN FAMILY VIOLENCE AND PREVENTION SERVICES

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Unfunded Mandates: Undetermined

Legal Authority: Not Yet Determined

Relevant Executive Orders: 14219; 14303; 13563

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This NPRM would eliminate the Administration for Children and Families' obsolete and unnecessary regulations related to the Office of Family Violence and Prevention Services.

Statement of Need: This NPRM proposes to modify Office of Family Violence and Prevention Services regulations to identify outdated and obsolete regulations, while also shining a brighter spotlight onto the regulations that remain in order to improve clarity and to support families, reduce administrative burdens for states, territories, and Tribes, and provide additional flexibilities. The proposed changes would remove outdated provisions and streamline requirements.

This action is necessary as ACF has amassed nearly 1,500 sections of regulations, some of which have not been amended or updated since the final year of the Johnson Administration. Without this intentional removal of dead-weight regulations, regulatory provisions can confuse and burden members of the public who are forced to abide by them.

Summary of Legal Basis: TBD

Alternatives: ACF has considered alternatives, including issuance of sub-regulatory guidance, but has determined that regulatory action is necessary to reduce burden on states, territories, and tribes who are currently saddled with dead weight text that presently remains on the books. Sub-regulatory action alone is insufficient to overcome outdated and obsolete mandates and requirements included in existing regulations.

Anticipated Cost and Benefits: The regulations that are to be repealed as a result of this rulemaking are obsolete, and thus currently impose limited cost. As a result, the financial cost associated with their removal will not necessarily result in saved dollars, but will rather provide clarity and ease confusion to grantees and the public who interact with ACF's regulations.

Risks: ACF expects this NPRM will be well-received by the community as this serves to eliminate unnecessary and obsolete regulations.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal, Local, State

Federalism: Undetermined

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RIN: 0970–AD42

HHS—ACF	Final Rule Stage

70. • REDUCING BUREAUCRACY AND BURDEN FOR REFUGEE RESETTLEMENT PROGRAMS

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: Not Yet Determined

Relevant Executive Orders: 14219; 14303; 13563

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This DFR would eliminate the Administration for Children and Families' obsolete and unnecessary regulations related to the Office of Refugee Resettlement.

Statement of Need: This DFR proposes to modify Office of Refugee Resettlement regulations to identify outdated and obsolete regulations, while also shining a brighter spotlight onto the regulations that remain in order to support for families, reduce administrative burdens for states, territories, and Tribes, and provide additional flexibilities. The proposed changes would remove outdated provisions and streamline requirements.

This action is necessary as ACF has amassed nearly 1,500 sections of regulations, some of which have not been amended or updated since the final year of the Johnson Administration. Without this intentional removal of dead-weight regulations, regulatory provisions can confuse and burden members of the public who are forced to abide by them.

Summary of Legal Basis: TBD

Alternatives: ACF has considered alternatives, including issuance of sub-regulatory guidance, but has determined that regulatory action is necessary to reduce burden on states, territories, and tribes who are currently saddled with dead weight text that presently remains on the books. Sub-regulatory action alone is insufficient to overcome outdated and obsolete mandates and requirements included in existing regulations.

Anticipated Cost and Benefits: The regulations that are to be repealed as a result of this rulemaking are obsolete, and thus currently impose limited cost. As a result, the financial cost associated with their removal will not necessarily result in saved dollars, but will rather provide clarity and ease confusion to grantees and the public who interact with ACF's regulations.

Risks: ACF expects this DFR will be well-received by the community as this serves to eliminate unnecessary and obsolete regulations.

Timetable:

Action	Date	FR Cite
Direct Final Rule	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal, Local, State

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RIN: 0970–AD28

BILLING CODE 4150–03–P

Department of Homeland Security (DHS)

2026 Statement of Regulatory Priorities

The Department of Homeland Security (DHS or Department) was established in 2003 pursuant to the Homeland Security Act of 2002, Public

Law 107–296. The DHS mission statement provides the following: ''With honor and integrity, we will safeguard the American people, our homeland, and our values.''

Fulfilling that mission requires the dedication of more than 271,000 employees in jobs that range from aviation and border security to emergency response, from cybersecurity analyst to chemical facility inspector. Our duties are wide-ranging, but our goal is clear: keep America safe.

There are six overarching homeland security missions that make up DHS's strategic plan: (1) Counter terrorism and homeland security threats; (2) secure U.S. borders; (3) administer the nation's legal immigration system; (4) secure cyberspace and critical infrastructure; (5) strengthen preparedness and respond to incidents; and (6) combat crimes of exploitation and protect victims. See also 6 U.S.C. 111(b)(1) (identifying the primary mission of the Department).

In achieving those goals, we are committed to upholding and strengthening the nation's economic security and prosperity. We are continually strengthening our partnerships with communities, first responders, law enforcement, and Government agencies—at the Federal, State, local, tribal, and international levels. We are accelerating the deployment of science, technology, and innovation in order to make America more secure, and we are becoming leaner, smarter and more efficient, ensuring that every security resource is used as effectively as possible. For a further discussion of our mission, see the DHS website at *https://www.dhs.gov/mission.*

The regulations in the Department's 2026 regulatory plan and agenda support the Department's mission, and also address legislative initiatives such as those found in the One Big Beautiful Bill Act, the REAL ID Act, and the Implementing Recommendations of the 9/11 Commission Act of 2007.

In addition, the regulations advance the President's priorities as outlined in executive orders and presidential memoranda, including Executive Order 14165, Securing Our Borders; Executive Order 14159, Protecting the American People Against Invasion; and Executive Order 14267, Reducing Anti-Competitive Regulatory Barriers. Consistent with the priorities in these and related executive actions, the Department is strengthening the integrity of its immigration programs and ensuring that immigration benefits are only issued to aliens that establish eligibility after thorough screening and vetting. In this effort, DHS is enhancing vetting of aliens who seek to enter the United States and who apply for benefits such as work authorization or admission as students or exchange visitors. DHS is also working to reduce asylum fraud and backlogs, address vulnerabilities in the transportation system, guard against cyber-attacks and threats to critical infrastructure, reduce barriers to American innovation, and streamline operations across its components. DHS is committed to supporting fair competition in the marketplace and is pursuing actions to facilitate private-sector engagement in disaster response efforts and innovation in the technology sector. In addition, DHS is working to restore American dominance in the maritime industry by eliminating needless barriers to entry for mariners and outdated requirements for vessel owners and operators.

DHS is committed to reviewing existing regulations, consistent with Executive Orders 14192 and 14219, and to rescinding any regulations that may be contrary to the public interest or administration policy, or unduly burdensome on private enterprise. These actions will improve the Department's ability to accomplish its mission and support broader Administration priorities. In fiscal year 2026, based on current estimates, DHS has already or plans to finalize the following actions:

- 0 Executive Order 14192 regulatory action;
- 24 Executive Order 14192 deregulatory actions;
- 19 Executive Order 14192-exempt regulations; and
- 2 additional regulations that do not yet have an Executive Order 14192 designation.

DHS strives for organizational excellence and uses a centralized and unified approach to manage its regulatory resources. The Office of the General Counsel manages the Department's regulatory program, including the agenda and regulatory plan. In addition, DHS senior leadership reviews each significant regulatory project in order to ensure that the project fosters and supports the Department's mission.

The DHS 2026 regulatory plan includes regulations from multiple DHS components, including U.S. Citizenship and Immigration Services (USCIS), U.S. Immigration and Customs Enforcement (ICE), U.S. Coast Guard (Coast Guard), U.S. Customs and Border Protection (CBP), Transportation Security Administration (TSA), Cybersecurity and Infrastructure Security Agency (CISA) and Federal Emergency Management Agency (FEMA). Below, we describe the regulations that comprise the DHS 2026 regulatory plan.

United States Citizenship and Immigration Services

USCIS oversees lawful immigration to the United States. USCIS is restoring integrity to the legal immigration system by prioritizing enhanced screening and vetting to deter, detect, and disrupt immigration fraud and threats to our national security and public safety. In the coming year, USCIS will pursue regulatory actions to further these priorities and to fortify our ability to process and issue accurate and timely eligibility determinations in strict adherence to U.S. immigration law, regulations, and policy.

Improving the Process of Certification of Form N–648, Medical Certification for Disability Exceptions. DHS will propose to amend its regulations governing the process of certifying Form N–648, Medical Certification for Disability Exceptions, by certain medical professionals. Through this certification process, aliens qualify for exemptions from the English proficiency and civics requirements for naturalization. The proposed amendments seek to strengthen the safeguards designed to protect the integrity of the naturalization process and reduce the ability of medical professionals to exploit vulnerabilities in the process. These changes would ensure proper administration of the disability exception process by implementing streamlined certification procedures for Form N–648 requests.

Naturalization Application Fee Adjustments. DHS will propose to adjust the fees that USCIS charges for Form N–400, Application for Naturalization, and Form N–336, Request for a Hearing on a Decision in Naturalization Proceedings, eliminate the reduced fee option for Form N–400, and eliminate the availability of fee waivers for both forms. Adjusting these fees would allow USCIS to recover operating costs more fully and support the issuance of accurate and timely eligibility determinations. Armed forces service members filing under INA 328 or INA 329 would remain exempt from paying the fees when filing for naturalization under statutes for members of the armed forces.

Protecting the Integrity of Naturalization through Enhanced Educational Standards. DHS will propose to amend regulations governing the educational requirements for naturalization. Naturalization is the most significant immigration benefit offered by the U.S. and it is a privilege that allows aliens to become fully vested members of American society, with important rights and responsibilities that all citizens should exercise and respect. DHS will propose to establish a framework and a standard for applicants to meet showing they have satisfied the educational requirements to ensure only those aliens who meet all eligibility requirements—including the ability to read, write, and speak English and an understanding of U.S. government and civics—are able to naturalize. DHS will also propose additional flexibilities to allow USCIS to modify the way it administers the naturalization test, including allowing third parties to administer the test.

Sponsor Reimbursement and Deeming. To uphold the rule of law, preserve hard-earned taxpayer resources, and protect benefits for American citizens in need,DHS will propose to amend its regulations relating to the mechanisms by which the Federal government, as well as the States and state agencies, hold the sponsors of aliens to their commitments to financially support those aliens. These amendments will include changes relating to requests for reimbursement and actions to compel reimbursement. DHS will also propose to amend its regulations to clarify the responsibilities of States and state agencies administering Federal means-tested public benefits to attribute a sponsor's income and resources to an alien when determining the eligibility and the amount of benefits of an alien for Federal means-tested public benefits programs. The goal is to hold individuals who have agreed to financially support aliens responsible for repaying American taxpayers for any means-tested public benefits received by those sponsored aliens.

United States Immigration and Customs Enforcement

ICE is the principal criminal investigative arm of DHS and one of the three DHS components charged with the criminal and civil enforcement of the Nation's immigration laws. ICE's primary mission is to enforce immigration laws in order to preserve national security and public safety, while also mitigating transnational threats and safeguarding our nation, communities, lawful immigration, trade, travel, and financial systems. During the coming year, ICE will focus on rulemakings that relate to foreign students, fees, and streamlining immigration processes in line with executive orders and Administration priorities. ICE highlights the rule below, which promotes fiscal responsibility and enhancing oversight of foreign student programs.

Establishing a Fixed Time Period of Admission and an Extension of Stay Procedure for Nonimmigrant Academic Students, Exchange Visitors, and Representatives of Foreign Information Media. On August 28, 2025, ICE proposed to amend the regulations governing the admission period of aliens in the F, J, and I classifications into the United States. Currently, aliens under those classifications are admitted into the United States for a period known as duration of status, which is an unspecified period of time, to engage in activities authorized under the alien's respective nonimmigrant classification. This rule will replace the duration of status framework with a fixed period of admission. This rule will ensure that DHS has an effective mechanism to periodically and directly assess whether these aliens are complying with the conditions of their classifications and U.S. immigration laws, while also addressing fraud and national security concerns.

United States Coast Guard

The Coast Guard is a military, multi-mission, maritime service of the United States and the only military organization within DHS. It is the principal Federal agency responsible for maritime safety, security, and stewardship in U.S. ports and waterways. The Coast Guard delivers daily value to the nation through its unique resources, authorities, and capabilities.

The United States is a maritime nation, and our security, resilience, and economic prosperity are intrinsically linked to the oceans. Safety, efficient waterways, and freedom of transit on the high seas are essential to our well-being. The Coast Guard is leaning forward, poised to meet the demands of the modern maritime environment. The Coast Guard creates value for the public through solid prevention and response efforts. Activities involving oversight and regulation, enforcement, maritime presence, and public and private partnership foster increased maritime safety, security, and stewardship. The Coast Guard supports the Department's overarching goals of mobilizing and organizing our Nation to secure the homeland from terrorist attacks, natural disasters, and other emergencies.

To empower its deregulatory endeavors, the Coast Guard has established over a dozen Process Improvement Teams (Deregulatory PIT Crews) that identified dozens of deregulatory ideas. The Coast Guard is deregulating through guidance documents, legislative change proposals, legacy stakeholder ideas, leveraging AI, program evaluation and evidence building, information collection requests, and several maritime sectors specific to Coast Guard jurisdiction. In fiscal year 2026, the Coast Guard plans to finalize the following 3 deregulatory actions.

Clarification of Certain Mariner Training Requirements. The Coast Guard will propose to remove certain Coast Guard merchant mariner requirements related to International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended (STCW) and the Seafarer's Training Certification and Watchkeeping Code endorsements from its regulations. The Coast Guard has determined these training requirements exceed current international certification and training standards of the STCW and cause a misalignment between the training of U.S. mariners and of mariners of other countries. The Coast Guard is taking this action to reduce the regulatory burden on U.S. mariners and to promote equivalent compliance standards with international requirements.

Electronic Chart and Navigation Equipment Carriage Requirements. This deregulatory action will revise regulations associated with the approval and carriage of navigation equipment, navigational charts, and publications. It will allow the use of electronic navigational charts and publications and certain classes of electronic charting systems to meet navigational equipment carriage requirements. This action will align Coast Guard regulations with current industry behavior. By establishing clear and updated standards for both paper and electronic navigational charts and systems, the Coast Guard regulations will reflect technological advancements and operational practices adopted by the maritime industry, and it will make navigational charting easier for the mariner.

Shipping Safety Fairways Along the Atlantic Coast. The Coast Guard published a notice of proposed rulemaking on January 19, 2024 to establish shipping safety fairways and other routing measures along the Atlantic Coast. The Coast Guard will reopen the comment period to request comments on a supplemental regulatory analysis and draft programmatic environmental impact statement. Fairways are marked routes for vessel traffic in which any obstructions are prohibited. The proposed fairways will be based on studies about vessel traffic along the Atlantic Coast. This action would ensure that obstruction-free routes are preserved to and from US ports and along the Atlantic coast; reduce the risk of collisions, allisions and grounding; and alleviate the chance of increased time and expenses in transit. These routing measures would facilitate the direct and unobstructed transit of ships, and the Coast Guard believes that the assurances such routing measures provide would allow for improved medium- and long-term planning strategies, further serving shipping companies and their vessels.

United States Customs and Border Protection

CBP is the DHS agency principally responsible for the security of our Nation's borders, both at and between the ports of entry into the United States. CBP must accomplish its border security and enforcement mission without stifling the flow of legitimate trade and travel. The primary mission of CBP is its homeland security mission, that is, to prevent terrorists and terrorist weapons from entering the United States. An important aspect of this mission involves improving security at our borders and ports of entry, but it also means extending our zone of security beyond our physical borders.

CBP also administers laws concerning the importation of goods into the United States and enforces the laws concerning the entry of persons into the United States. This includes regulating and facilitating international trade; collecting import duties; enforcing U.S. trade, immigration, and other laws of the United States at our borders; inspecting imports; overseeing the activities of persons and businesses engaged in importing; enforcing the laws concerning smuggling and trafficking in contraband; apprehending aliens attempting to enter the United States illegally; protecting our agriculture and economic interests from harmful pests and diseases; servicing all people, vehicles, and cargo entering the United States; maintaining export controls; and protecting U.S. businesses from theft of their intellectual property.

The Homeland Security Act of 2002 provides that, although many functions of the former U.S. Customs Service were transferred to DHS, the Secretary of Treasury retains legal authority over customs revenue functions. By Treasury Department Order No. 100–20, the Secretary of the Treasury delegated to the Secretary of Homeland Security authority to prescribe regulations pertaining to the customs revenue functions. CBP plans to prioritize customs revenue-related regulations that streamline CBP procedures, protect the public, or are required by either statute or executive order.

CBP intends to issue several regulations to improve security at our borders and ports of entry as well as facilitate lawful trade. During the upcoming year, CBP will also work on projects to streamline CBP processing, reduce duplicative processes, reduce burdens on the public, and automate paper forms.

Homeland Security Functions

Advance Passenger Information System (APIS): Electronic Validation of Travel Documents. CBP intends to amend current APIS regulations to incorporate additional carrier requirements. This change would further enable CBP to determine whether each passenger is traveling with valid, authentic travel documents prior to the passenger boarding the aircraft. This rule is deregulatory and will result in time savings to passengers and cost savings to CBP. The rule will also enhance national security, because it will require air carriers to transmit to CBP additional data elements regarding contact information for all commercial aircraft passengers arriving in the United States. CBP also expects that the collection of these elements would support border operations and the Center for Disease Control and Prevention's mission in monitoring and tracing the contacts for persons involved in health incidents.

Automated Commercial Environment (ACE) Electronic Export Manifest for Rail Cargo. This rule will enhance national security by requiring exporters transporting cargo by rail to submit export manifest data electronically to CBP in the ACE. CBP officers are able to review electronic manifests faster than paper manifests, and so the rule would reduce the time burden for CBP, carriers, and transmitters.

Customs Revenue Functions

Elimination of Paper-Based Bond Applications and the Automated Processing of Bond Applications. CBP will propose to replace the paper-based bond application and approval process with an electronic process. The proposed rule would implement the successful National Customs Automation Program test of the electronic bond process.

Transportation Security Administration

TSA protects the Nation's transportation systems to ensure freedom of movement for people and commerce. TSA applies an intelligence-driven, risk-based approach to all aspects of its mission. This approach results in layers of security to mitigate risks effectively and efficiently.

TSA has prioritized regulatory actions that are required to meet statutory mandates, necessary for national and homeland security, and consistent with the goals of Executive Order 14192, *Unleashing Prosperity Through Deregulation* and other Administration priorities. In fiscal year 2026, TSA plans to issue the following three deregulatory and security-related actions.

Update to Procedures for State Certification for Remote Application and Issuance. This deregulatory rule would reduce burdens for individuals to apply for REAL ID-compliant driver's licenses and identification cards by establishing a procedure for TSA to approve States' remote application and issuance processes. Enabling remote processes will eliminate the need for individuals to travel to Departments of Motor Vehicle (DMV) offices and may reduce the burden on States to provide resources at DMV offices for in-person processing. This rulemaking is necessary to implement authority under the REAL ID Modernization Act, which authorized electronic submission of information and remote issuance of REAL ID cards under regulations prescribed by the Secretary of Homeland Security. States currently certified as meeting REAL ID standards would need to update their REAL ID certification documentation to confirm that their remote processes meet, or are comparable to, the existing standards. By enabling REAL ID application and issuance processes to conform to the modern modalities of electronic transactions with which the public is already familiar, this rule would accelerate and expand adoption of REAL ID-compliant cards.

Unmanned Aircraft Systems Beyond Visual Line of Sight Operations Security. This final rule is intended to provide a predictable and clear pathway for private industry to engage in safe, routine, and scalable unmanned aircraft systems (UAS) operations that include package delivery, agriculture, aerial surveying, operations training, demonstration, recreation, and flight testing. On June 6, 2025, the President issued Executive Order 14305, Restoring American Airspace Sovereignty, which noted the public safety benefits and security risks associated with UAS and also required Federal agencies to address the serious threats to our homeland that could be conducted if a UAS is weaponized. Concurrently, the President issued Executive Order 14307, Unleashing American Drone Dominance, which requires the Federal Aviation Administration (FAA) to issue a final rule to enable beyond visual line of sight UAS operations for commercial and public safety purposes. In August 2025, TSA and FAA issued a joint proposed rule. TSA is working on a final rule, which it will issue in conjunction with FAA's final rule. The rule is an enabling rule as it will enable operations that are generally prohibited currently. While there may be costs associated in complying with mitigating security requirements necessary to permit these operations, the overall impact is expected to be deregulatory.

Vetting of Certain Surface Transportation Employees. This final rule will establish the requirements and procedures to conduct the vetting of certain higher-risk railroad, public transportation, and over-the-road bus employees, and to recover the costs of the vetting services. This rulemaking is required by the Implementing Recommendations of the 9/11 Commission Act, and it will enhance the security of surface transportation by ensuring that workers who are central to operations do not pose a threat to transportation or national security, or of terrorism. The final rule will address the public comments that TSA received in response to the May 2023 proposed rule.

Cybersecurity and Infrastructure Security Agency

CISA leads the national effort to understand, manage, and reduce risk to the cyber and physical infrastructure that Americans rely on every hour of every day. CISA's mission expands across three primary areas: cybersecurity, infrastructure security, and emergency communications.CISA is the operational lead for federal cybersecurity and the national coordinator for critical infrastructure security and resilience.

Cybersecurity Incident Reporting for Critical Infrastructure Act (CIRCIA) Reporting Requirements. In March 2022, CIRCIA was signed into law. CIRCIA directs CISA to develop and implement regulations requiring covered entities to submit reports to CISA regarding covered cyber incidents and ransom payments. CISA published a proposed rule on April 4, 2024. CISA received significant public comments, many of which emphasized the need to reduce the scope and burden of the reporting requirements, improve harmonization with other federal cyber incident reporting requirements, and ensure clarity. CISA is working to address Congressional intent and streamline CIRCIA's requirements, consistent with feedback to the NRPM.

Federal Emergency Management Agency

FEMA is responsible for helping the American people before, during, and after disasters. FEMA supports the people and communities of our Nation by providing experience, perspective, and resources in emergency management. FEMA is particularly focused on national resilience in the face of the risks of flooding, drought, extreme heat, and wildfire. FEMA has made a series of efforts to make assistance available promptly to those who need it, and to reduce administrative barriers and burdens. FEMA continues to prioritize those efforts and to improve them.

FEMA is working on deregulatory actions and has included certain ones in the 2026 Agenda. FEMA also plans to revise or repeal guidance documents and information collections to streamline program implementation and reduce burdens on the public. Additionally, FEMA is awaiting the recommendations of the FEMA Review Council, which was established by Executive Order 14180 (January 24, 2025).

Removal of Updates to Floodplain Management and Protection of Wetlands Regulations. FEMA plans to rescind the July 11, 2024 final rule, Updates to Floodplain Management and Protection of Wetlands Regulations to Implement the Federal Flood Risk Management Standard (FFRMS). This action is consistent with Executive Order 14148, Initial Rescissions of Harmful Executive Orders and Actions (January 20, 2025), which rescinded the executive order that had established the FFRMS. On March 25, 2025, FEMA stopped implementation of the FFRMS. FEMA is undertaking rulemaking to remove the FFRMS from its regulations. Removing the standard will streamline FEMA's regulations, streamline program implementation, reduce Federal spending, minimize transfers, and reduce burdens on the public.

BILLING CODE 9110–9B–P

DHS—U.S. Citizenship and Immigration Services (USCIS)	Proposed Rule Stage

1. • IMPROVING THE PROCESS OF CERTIFICATION OF FORM N–648, MEDICAL CERTIFICATION FOR DISABILITY EXCEPTIONS [1615–AD07]

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Fully or Partially Exempt

Unfunded Mandates: Undetermined

Legal Authority: 8 U.S.C. 1103; 8 U.S.C. 1423; 8 U.S.C. 1443

Relevant Executive Orders: 14161

CFR Citation: 8 CFR part 312; 8 CFR 106.2; 8 CFR part 336

Legal Deadline: None

Abstract: DHS proposes to amend its regulations governing the process of certifying Form N–648, Medical Certification for Disability Exceptions by certain medical professionals. Through this certification process, aliens qualify for exemptions from the English proficiency and civics requirements for naturalization. The proposed amendments seek to strengthen the integrity of the naturalization process by implementing streamlined certification procedures for medical professionals and ensuring that only qualified aliens are granted exemptions. These changes are intended to enhance safeguards designed to prevent fraudulent submissions and ensure proper administration of disability exception process for naturalization.

Statement of Need: Across the country and over the decades, there have been numerous instances where the medical certification process has been exploited. Some medical professionals have been arrested, indicted and convicted for submitting fraudulent Forms N–648 in violation of various federal statutes. This rule is intended to mitigate some of the concerns with the exploitation of the Form N–648 process, thereby further enhancing the integrity of naturalization process.

Anticipated Cost and Benefits: DHS is currently considering the specific impacts of the proposed provisions.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Mark Phillips, Residence and Naturalization Division Chief, Department of Homeland Security, U.S. Citizenship and Immigration Services, Office of Policy and Strategy, 5900 Capital Gateway Drive, Suite 4S190, Camp Springs, MD 20588–0009

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RIN: 1615–AD07

DHS—USCIS	

2. • NATURALIZATION APPLICATION FEE ADJUSTMENTS [1615–AD08]

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Fully or Partially Exempt

Unfunded Mandates: Undetermined

Legal Authority: 8 U.S.C. 1356(m), (n)

CFR Citation: 8 CFR 106.2; 8 CFR 106.3

Legal Deadline: None

Abstract: DHS is proposing to adjust the fees that USCIS charges for Form N–400 and Form N–336 to ensure recovery of the cost of adjudication. This includes eliminating fee waivers (except for armed forces service members when filing for naturalization under statutes for members of the armed forces) and reduced fees for these forms.

Statement of Need: These proposed changes provide additional resources to further support USCIS's financial sustainability and provide additional resources for continued review of the integrity of the naturalization process.

Alternatives: DHS is currently considering the specific impacts of the proposed provisions.

Anticipated Cost and Benefits: DHS is currently considering the specific impacts of the proposed provisions.

Timetable:

Action	Date	FR Cite
NPRM	03/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Mark Phillips, Residence and Naturalization Division Chief, Department of Homeland Security, U.S. Citizenship and Immigration Services, Office of Policy and Strategy, 5900 Capital Gateway Drive, Suite 4S190, Camp Springs, MD 20588–0009

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RIN: 1615–AD08

DHS—USCIS	

3. • PROTECTING THE INTEGRITY OF NATURALIZATION THROUGH ENHANCED EDUCATIONAL STANDARDS [1615–AD13]

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Fully or Partially Exempt

Unfunded Mandates: Undetermined

Legal Authority: 8 U.S.C. 1103; 8 U.S.C. 1423; 8 U.S.C. 1443

Relevant Executive Orders: 14161

CFR Citation: 8 CFR part 312, 8 CRF part 316, 8 CFR part 3

Legal Deadline: None

Abstract: DHS proposes to amend its regulations governing the educational requirements for naturalization. DHS proposes to establish a framework and a standard for applicants to meet the educational requirements for naturalization. With this proposed rule, USCIS is seeking to further enhance the integrity of the naturalization test. DHS also proposes additional flexibilities to allow USCIS to modify the way it administers the naturalization tests, including by allowing for third party administration of the test.

Statement of Need: Aliens applying for naturalization must demonstrate an understanding of the English language, including an ability to read, write, and speak words in ordinary usage (English language requirements). Aliens must also demonstrate a knowledge and understanding of the fundamentals of the history, and of the principles and form of government, of the United States (civics requirements). Current regulations do not provide specifics on how aliens should meet the educational requirements. These changes would ensure the proper assimilation of lawful immigrants into the United States and promote a unified American identity and attachment to the Constitution, laws, and founding principles of the United States. With this proposed rule, USCIS is seeking to further enhance the integrity of the naturalization test and provide additional flexibilities in administering the naturalization test. Current regulations limit the administration of the naturalization test by requiring the test as part of the naturalization application and interview with an officer.

Anticipated Cost and Benefits: DHS is currently considering the specific impacts of the proposed provisions.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Mark Phillips, Residence and Naturalization Division Chief, Department of Homeland Security, U.S. Citizenship and Immigration Services, Office of Policy and Strategy, 5900 Capital Gateway Drive, Suite 4S190, Camp Springs, MD 20588–0009

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RIN: 1615–AD13

DHS—USCIS	

4. • SPONSOR REIMBURSEMENT AND DEEMING 8 CFR 213A [1615–AD15]

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Fully or Partially Exempt

Unfunded Mandates: Undetermined

Legal Authority: INA 213A (8 U.S.C. 1183a); 8 U.S.C. 1631; 8 U.S.C. 1632

CFR Citation: 8 CFR 213a

Legal Deadline: None

Abstract: DHS proposes to amend its regulations relating to the mechanisms by which the Federal government, as well as the States and state agencies, hold the sponsors of aliens to their commitments to financially support those aliens. The project will include amendments relating to requests for reimbursement and actions to compel reimbursement. DHS will also amend its regulations to clarify the responsibilities of States and state agencies to attribute a sponsor's income and resources to an alien when determining the eligibility and the amount of benefits of an alien for means-tested public benefits programs.

Statement of Need: Existing regulations relating to sponsor reimbursement and deeming fail to adequately convey the steps that States and state agencies must take to comply with their statutory obligations. These regulations would better aid States and state agencies in fulfilling those obligations, and expand the Federal role in forcing sponsors to financially support the sponsored aliens and reimburse the expenses associated with public benefit use by those aliens.

Anticipated Cost and Benefits: DHS is currently considering the specific impacts of the proposed provisions.

Timetable:

Action	Date	FR Cite
NPRM	03/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Mark Phillips, Residence and Naturalization Division Chief, Department of Homeland Security, U.S. Citizenship and Immigration Services, Office of Policy and Strategy, 5900 Capital Gateway Drive, Suite 4S190, Camp Springs, MD 20588–0009

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RIN: 1615–AD15

DHS—U.S. Coast Guard (USCG)	Proposed Rule Stage

5. SHIPPING SAFETY FAIRWAYS ALONG THE ATLANTIC COAST [1625–AC57]

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 46 U.S.C. 70001; 46 U.S.C. 70003; 46 U.S.C. 70034

Relevant Executive Orders: 14269

CFR Citation: 33 CFR 166; 33 CFR 167

Legal Deadline: None

Abstract: The Coast Guard is proposing the establishment of shipping safety fairways along the Atlantic Coast of the United States. Fairways are marked routes for vessel traffic in which any fixed obstructions are prohibited. The proposed fairways are based on studies about vessel traffic along the Atlantic Coast and do not conflict with other ocean users. Coast Guard establishes shipping safety fairways to maintain safe and secure access to major ports of the U.S. Marine Transportation System.

Statement of Need: This rulemaking would establish shipping safety fairways along the Atlantic Coast of the United States to facilitate the direct and unobstructed transits of ships and facilitate development on the outer continental shelf. The rulemaking would also establish traffic separation schemes, precautionary areas, and a fairway anchorage. The establishment of these routing measures would ensure that obstruction-free routes are preserved to and from US ports and along the Atlantic Coast.

Anticipated Cost and Benefits: Establishing fairways would streamline interagency coordination between the Coast Guard, the Bureau of Ocean Energy Management, and other stakeholders during the wind energy leasing process. By clearly identifying historic vessel travel lanes and areas with high vessel traffic early on, this rule would enable efficient communication and decision-making. Additionally, it would provide clarity on less-trafficked, open-water areas suitable for future energy exploration projects, facilitating quicker and more effective planning. Coast Guard is determining the costs of the rule.

Timetable:

Action	Date	FR Cite
ANPRM	06/19/20	85 FR 37034
ANPRM Comment Period End.	08/18/20	
NPRM	01/19/24	89 FR 3587
Notification of Public Meeting; Extension of Comment Period.	03/25/24	89 FR 20582
NPRM Comment Period Extended End.	05/17/24	
NPRM Comment Period Reopened.	03/00/26	
Final Rule	11/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

URL For More Information: *https://www.regulations.gov*

URL For Public Comments: *https://www.regulations.gov*

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RIN: 1625–AC57

DHS—U.S. Customs and Border Protection (USCBP)	Final Rule Stage

6. ADVANCE PASSENGER INFORMATION SYSTEM: ELECTRONIC VALIDATION OF TRAVEL DOCUMENTS [1651–AB43]

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 49 U.S.C. 44909; 8 U.S.C. 1221; 19 U.S.C. 1431

CFR Citation: 19 CFR 122

Legal Deadline: None

Abstract: U.S. Customs and Border Protection (CBP) regulations require commercial air carriers to electronically transmit passenger information to CBP's Advance Passenger Information System (APIS) prior to an aircraft's arrival in or departure from the United States. CBP proposed to incorporate additional carrier requirements that would enable CBP to validate each passenger's travel documents prior to the passenger boarding the aircraft. The proposed changes, if implemented, would also require air carriers to transmit additional data elements through APIS for all commercial aircraft passengers arriving in the United States in order to support border operations and national security. This rule is deregulatory and will result in time savings to passengers and cost savings to CBP.

Statement of Need: This Rule is needed to increase the safety of the traveling public, the air carrier industry, and the United States.

Anticipated Cost and Benefits: DHS is currently considering the specific impacts of the proposed provisions. Based on the analysis for the NPRM, DHS estimates this rule will result in an annualized net benefit of approximately $1 million due to time savings for CBP and travelers who will now be able to correct errors immediately.

Timetable:

Action	Date	FR Cite
NPRM	02/02/23	88 FR 7016
NPRM Comment Period End.	04/03/23	
Final Action	04/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

URL For More Information: *https://www.regulations.gov*

URL For Public Comments: *https://www.regulations.gov*

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RIN: 1651–AB43

DHS—USCBP	

7. AUTOMATED COMMERCIAL ENVIRONMENT (ACE) ELECTRONIC EXPORT MANIFEST FOR RAIL CARGO [1651–AB52]

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 19 U.S.C. 1415

CFR Citation: 123.93

Legal Deadline: None

Abstract: This rulemaking proposes to create a new regulation requiring the submission of export manifest data electronically to U.S. Customs and Border Protection (CBP) in the Automated Commercial Environment (ACE) for cargo transported by rail pursuant to section 343(a), of the Trade Act of 2002, as amended (19 U.S.C. 1415), for any train departing the United States. The proposed regulation would mandate the electronic transmission of rail export manifest information, identify the parties eligible to transmit information, describe the time frames prior to departure of the train in which the information is due, and identify an initial filing that must occur 24 hours prior to departure from the port of export while requiring that remaining data be transmitted at least two hours prior to such departure. This rule is deregulatory and will result in both time savings and cost savings for carriers, transmitters, and CBP.

Statement of Need: This Rule is needed to address important cargo security concerns while providing efficiencies to the trade.

Anticipated Cost and Benefits: Based on the analysis for the NPRM, CBP expects that this rule would result in a present value total combined net cost savings of $49.8 million using a two percent discount rate, or approximately $3.8 million annualized (2023 U.S. dollars) to CBP, outbound rail carriers and other related parties during the period of analysis (2016 to 2030). CBP anticipates that this proposed rule would also provide added benefits from enhanced cargo security measures by improving compliance and the enforcement of U.S. export laws and regulations on U.S. rail exports, while also improving the facilitation of the export process.

Timetable:

Action	Date	FR Cite
NPRM	01/13/25	90 FR 2874
NPRM Comment Period End.	03/14/25	
Final Rule	04/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

International Impacts: This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

URL For More Information: *https://www.regulations.gov*

URL For Public Comments: *https://www.regulations.gov*

Agency Contact: Thomas Pagano, Chief, Outbound Enforcement Branch, Department of Homeland Security, U.S. Customs and Border Protection, Office of Field Operations, 1300 Pennsylvania Ave NW, Washington, DC 20229

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RIN: 1651–AB52

DHS—Transportation Security Administration (TSA)	Final Rule Stage

8. VETTING OF CERTAIN SURFACE TRANSPORTATION EMPLOYEES [1652–AA69]

Priority: Other Significant

Regulatory Accounting: Regulatory

Legal Authority: 49 U.S.C. 114; Pub. L. 108–90, sec. 520; Pub. L. 110–53, secs. 1411, 1414, 1512, 1520, 1522, and 1531

Relevant Executive Orders: 14157; 14159; 14161; 14165

CFR Citation: 49 CFR 1500 ; 49 CFR 1530; 49 CFR 1570; 49 CFR 1572; 49 CFR 1580; 49 CFR 1582; 49 CFR 1584; . . .

Legal Deadline: Other, Statutory, August 3, 2008, background and immigration status check for all public transportation and railroad frontline employees is due no later than 12 months after date of enactment.

Sections 1411 and 1520 of Pub. L. 110–53, Implementing Recommendations of the 9/11 Commission Act of 2007 (9/11 Act), (121 Stat. 266, Aug. 3, 2007), require background checks of frontline public transportation and railroad employees not later than one year from the date of enactment. Requirement will be met through regulatory action.

Abstract: TSA will finalize regulations to establish the requirements and procedures to conduct the vetting of certain railroad, public transportation, and over-the-road bus employees, and to recover the costs of the vetting services. On May 23, 2023, TSA issued a notice of proposed rulemaking proposing these standards. TSA is evaluating all comments received and will publish the final rule. This regulation is related to 1652–AA55, Security Training for Surface Transportation Employees.

Statement of Need: This rulemaking is required by the Implementing Recommendations of the 9/11 Commission Act, Pub. L. 110–53, (121 Stat. 266, Aug. 3, 2007), and will enhance the security of surface transportation by ensuring that workers who are central to operations do not pose a threat to transportation or national security, or of terrorism.

Anticipated Cost and Benefits: The vetting of railroad, public transportation, and over-the-road bus employees covered under the rule will result in costs to TSA and to industry. TSA is required to recover vetting costs by collecting user fees from the individuals who are subject to the requirements rather than the public at large. TSA also anticipates ancillary costs (*e.g.* updating contact information, compliance inspections) associated with compliance with the rule. Anticipated benefits include reducing security risks by identifying and/or mitigating potential insider threats through vetting.

Timetable:

Action	Date	FR Cite
NPRM	05/23/23	88 FR 33472
NPRM Comment Period End.	08/21/23	
NPRM Extension of Comment Period.	08/22/23	88 FR 57044
NPRM Extension Comment Period End.	10/01/23	
Final Rule	11/00/26	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Local

URL For More Information: *https://www.regulations.gov*

URL For Public Comments: *https://www.regulations.gov*

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Related RIN: Related to 1652–AA55, Related to 1652–AA56

RIN: 1652–AA69

DHS—TSA	

9. MINIMUM STANDARDS FOR DRIVER'S LICENSES AND IDENTIFICATION CARDS ACCEPTABLE BY FEDERAL AGENCIES FOR OFFICIAL PURPOSES; PROCEDURES FOR REMOTE APPLICATION AND ISSUANCE [1652–AA78]

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Legal Authority: 49 U.S.C. 30301 note; 6 U.S.C. 111, 112; 49 U.S.C. 114

Relevant Executive Orders: 14159; 14161; 14165

CFR Citation: 6 CFR 37

Legal Deadline: None

Abstract: TSA is amending regulations implementing the REAL ID Act by issuing a procedural final rule that enables individuals to apply for, and for States to issue, REAL ID-compliant driver's licenses and identification cards remotely. The final rule requires States that elect to implement remote systems to update their existing REAL ID certification documentation to demonstrate how their remote systems meet, or are comparable to, existing standards of this part. Remote processes would eliminate the need for individuals to travel to Departments of Motor Vehicle offices and enable States to reduce support personnel at those offices. By reducing application and issuance burdens on individuals and States, this rule accelerates and expands adoption of REAL ID-compliant cards.

Statement of Need: This rulemaking is necessary to implement authority under the REAL ID Modernization Act, Section 1001 of Title X, Consolidated Appropriations Act, 2021, Pub. L. 116–260 (Dec. 27, 2020), which authorized electronic submission of information and remote issuance of REAL ID cards under regulations prescribed by the Secretary.

Anticipated Cost and Benefits: Allowance of a REAL ID remote issuance process will result in costs to States and TSA and cost savings for individuals. Individuals will realize cost savings from avoiding travel to the State Department of Motor Vehicles. States and TSA will incur administrative costs associated with submitting and reviewing remote issues applications. States may also incur costs to develop and implement remote issuance processes as well as potential cost savings associated with offering a fully remote option. Anticipated benefits include increased efficiencies as well as the acceleration and potential expansion of REAL ID adoption.

Timetable:

Action	Date	FR Cite
Final Action	11/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State

URL For More Information: *https://www.regulations.gov*

URL For Public Comments: *https://www.regulations.gov*

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RIN: 1652–AA78

DHS—TSA	

10. • NORMALIZING UNMANNED AIRCRAFT SYSTEMS BEYOND VISUAL LINE OF SIGHT OPERATIONS [1652–AA80]

Priority: Other Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Deregulatory

Legal Authority: 49 U.S.C. 114, 44901, 44903

Relevant Executive Orders: 14157; 14159; 14161; 14305; 14307; 14165

CFR Citation: 49 CFR 1540; 49 CFR 1544; 49 CFR 1550

Legal Deadline: Final, Statutory, December 7, 2025, Deadline for FAA BVLOS Final Rule under section 930 of Pub. L. 118–63 (May 16, 2024).

Abstract: This final rule is intended to provide a predictable and clear pathway for safe, routine, and scalable UAS operations that include package delivery, agriculture, aerial surveying, civic interest, operations training, demonstration, recreation, and flight testing. This final rule will be issued in conjunction with the FAA's final rule. FAA's final rule provides performance-based regulations enabling the design and operation of unmanned aircraft systems at low altitudes beyond visual line of sight and for third-party services, to include UAS Traffic Management, that support these operations. The FAA Reauthorization Act of 2024 directs the development of this rulemaking. TSA's rule is necessary to support the secure integration of BVLOS UAS operations into the national air space system.

TSA's final rule makes complementary changes to its regulations to require necessary security measures on these operations consistent with its current regulatory structure for civil aviation.

Statement of Need: TSA has proposed revisions to its regulations to ensure that the FAA's regulation of BVLOS UAS operations under part 108 does not inadvertently create a security gap under TSA regulations.

Anticipated Cost and Benefits: TSA is continuing to assess the anticipated costs and benefits of the final rule.

Timetable:

Action	Date	FR Cite
NPRM	08/07/25	90 FR 38212
NPRM Comment Period End.	10/06/25	
Final Rule	05/00/26	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Local

URL For More Information: *https://www.regulations.gov*

URL For Public Comments: *https://www.regulations.gov*

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Related RIN: Related to 2120–AL82

RIN: 1652–AA80

DHS—U.S. Immigration and Customs Enforcement (USICE)	Final Rule Stage

11. ESTABLISHING A FIXED TIME PERIOD OF ADMISSION AND AN EXTENSION OF STAY PROCEDURE FOR NONIMMIGRANT ACADEMIC STUDENTS, EXCHANGE VISITORS, AND REPRESENTATIVES OF FOREIGN INFORMATION MEDIA [1653–AA95]

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Fully or Partially Exempt

Legal Authority: 8 U.S.C. 1101; 8 U.S.C. 1103; 8 U.S.C. 1182; 8 U.S.C. 1184

CFR Citation: 8 CFR 214; 8 CFR 274a; 8 CFR 248

Legal Deadline: None

Abstract: This rule proposes to eliminate the Duration of Status admission for F, J, and I nonimmigrant categories and replace it with a date-limited authorized period of stay when entering the United States. The fixed date would eliminate confusion over how long foreign students, exchange visitors, and representatives of foreign information media may stay in the United States. It would also improve the Department's efforts to reduce overstay rates and address fraud and national security concerns.

Statement of Need: The failure to provide certain categories of nonimmigrants with specific dates for their authorized periods of stay has contributed to fraud, exploitation, and abuse in the system. These changes will allow DHS to effectively assess whether these nonimmigrants are complying with the conditions of their classifications and U.S. immigration law while also mitigating national security risks.

Anticipated Cost and Benefits: Through this NPRM, the DHS proposed changes would have an annualized cost ranging from $390.3 million to $392.4 million (using 3 and 7 percent discount rates, respectively).

Timetable:

Action	Date	FR Cite
NPRM	08/28/25	90 FR 42070
NPRM Comment Period End.	09/29/25	
Final Action	03/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal

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RIN: 1653–AA95

DHS—Federal Emergency Management Agency (FEMA)	Final Rule Stage

12. REMOVAL OF UPDATES TO FLOODPLAIN MANAGEMENT AND PROTECTION OF WETLANDS REGULATIONS [1660–AB18]

Priority: Other Significant

Regulatory Accounting: Other

Legal Authority: 6 U.S.C. 101 *et seq.;* 42 U.S.C. 4001 *et seq.;* 42 U.S.C. 4321 *et seq.;* E.O. 11988 of May 24, 1977, 42 FR 26951, 3 CFR, 1977 Comp., p. 117; E.O. 11990 of May 24, 1977, 42 FR 26961, 3 CFR, 1977 Comp., p. 121

Relevant Executive Orders: 14148; 14219; 14267

CFR Citation: 44 CFR part 9

Legal Deadline: None

Abstract: This rule would rescind certain provisions in the July 11, 2024, final rule titled Updates to Floodplain Management and Protection of Wetlands Regulations to Implement the Federal Flood Risk Management Standard. FEMA had issued this rule due to Executive Order 14030, which reinstated the Federal Flood Risk Management Standard (FFRMS). On January 20, 2025, President Trump issued Executive Order 14148, Initial Rescissions of Harmful Executive Orders and Actions. This Executive Order rescinded Executive Order 14030, thereby eliminating the standard. FEMA stopped implementation of the FFRMS on March 25, 2025, consistent with Executive Order 14148. FEMA is now undertaking rulemaking to remove the specific requirements of Executive Order 14030 from its regulations. Removing the standard from Part 9 will streamline FEMA's regulations, streamline program implementation, and reduce burdens on the public.

Statement of Need: In 2024, following Executive Order 14030, FEMA incorporated the Federal Flood Risk Management Standard (FFRMS) into 44 CFR part 9. However, in January 2025, Executive Order 14148 rescinded Executive Order 14030, thereby eliminating the FFRMS. FEMA stopped implementing the FFRMS in March 2025 and plans to update 44 CFR part 9 to remove the FFRMS from FEMA's regulations.

Anticipated Cost and Benefits: DHS is currently considering the specific impacts of this action.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal, Local, State, Tribal

Agency Contact: Portia Ross, Office of Environmental and Historic Preservation, Department of Homeland Security, Federal Emergency Management Agency, 400 C Street SW, Washington, DC 20472

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RIN: 1660–AB18

DHS—Cybersecurity and Infrastructure Security Agency (CISA)	Final Rule Stage

13. CYBER INCIDENT REPORTING FOR CRITICAL INFRASTRUCTURE ACT (CIRCIA) REPORTING REQUIREMENTS [1670–AA04]

Priority: Other Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Fully or Partially Exempt

Legal Authority: 6 U.S.C. 681 *et seq.*

CFR Citation: 6 CFR 226

Legal Deadline: NPRM, Statutory, March 15, 2024, Notice of Proposed Rulemaking. Final, Statutory, October 4, 2025, Final Rule.

Abstract: The Cybersecurity and Infrastructure Security Agency (CISA) will finalize regulations to implement certain aspects of the Cyber Incident Reporting for Critical Infrastructure Act of 2022 (CIRCIA). Specifically, CIRCIA directs CISA to develop and implement regulations requiring covered entities to submit reports to CISA regarding covered cyber incidents and ransom payments. CISA published the NPRM on April 4, 2024. CISA received significant public comments on the proposed rule, many of which emphasized the need to reduce the scope and burden of the proposed reporting requirements, improve harmonization of CIRCIA with other federal cyber incident reporting requirements, and clarify terms. CISA is considering the public comments and examining options for the rulemaking. Additional information about this rulemaking is available at *www.cisa.gov/circia.*

Statement of Need: Congress directed CISA to promulgate regulations requiring covered entities to report covered cyber incidents and ransom payments to CISA.

Summary of Legal Basis: This regulation is statutorily mandated by 6 U.S.C. 681 *et seq.*

Anticipated Cost and Benefits: CISA is continuing to assess the anticipated costs and benefits of the final rule.

Timetable:

Action	Date	FR Cite
NPRM	04/04/24	89 FR 23644
NPRM Comment Period Extended.	05/06/24	89 FR 37141
NPRM Correction	06/03/24	89 FR 47471
NPRM Comment Period End.	06/03/24	
NPRM Comment Period Extended End.	07/03/24	
Final Rule	05/00/26	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Local, State, Tribal

URL For More Information: *https://www.regulations.gov*

URL For Public Comments: *https://www.regulations.gov*

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RIN: 1670–AA04

DHS—Customs Revenue Functions (CUSTREV)	Final Rule Stage

14. ELECTRONIC BOND TRANSMISSION [1685–AA24]

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Legal Authority: 19 U.S.C. 66; 19 U.S.C. 1411(a)(2)(D); 19 U.S.C. 1623; 19 U.S.C. 1624

CFR Citation: 19 CFR part 113

Legal Deadline: None

Abstract: This Notice of Proposed Rulemaking proposes to amend the CBP regulations to require that most bonds be transmitted to CBP electronically via a specialized system by the surety securing the bond, or by the principal on a bond secured by cash in lieu of surety. The proposed amendments eliminate the more onerous and inefficient paper-based bond application and approval processes. Moving forward, the proposed amendments would implement the successful National Customs Automation Program test for electronic bonds (“eBonds”).

Statement of Need: The proposed rule is needed to modernize existing regulations and reduce burdens on the public.

Anticipated Cost and Benefits: DHS is currently considering the specific impacts of the provisions.

Timetable:

Action	Date	FR Cite
NPRM	02/13/26	91 FR 6986
NPRM Comment Period End.	04/14/26	
Final Rule	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Kara Welty, Chief, Revenue Protection Branch, Revenue Division, Department of Homeland Security, Customs Revenue Functions, 8899 E 56th Street, Indianapolis, IN 46249

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Related RIN: Previously reported as 1515–AE49

RIN: 1685–AA24

BILLING CODE 9110–9B–P

DHS—U.S. Citizenship and Immigration Services (USCIS)	Proposed Rule Stage

71. • IMPROVING THE PROCESS OF CERTIFICATION OF FORM N–648, MEDICAL CERTIFICATION FOR DISABILITY EXCEPTIONS

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Fully or Partially Exempt

Unfunded Mandates: Undetermined

Legal Authority: 8 U.S.C. 1103; 8 U.S.C. 1423; 8 U.S.C. 1443

Relevant Executive Orders: 14161

CFR Citation: 8 CFR part 312; 8 CFR 106.2; 8 CFR part 336

Legal Deadline: None

Abstract: DHS proposes to amend its regulations governing the process of certifying Form N–648, Medical Certification for Disability Exceptions by certain medical professionals. Through this certification process, aliens qualify for exemptions from the English proficiency and civics requirements for naturalization. The proposed amendments seek to strengthen the integrity of the naturalization process by implementing streamlined certification procedures for medical professionals and ensuring that only qualified aliens are granted exemptions. These changes are intended to enhance safeguards designed to prevent fraudulent submissions and ensure proper administration of disability exception process for naturalization.

Statement of Need: Across the country and over the decades, there have been numerous instances where the medical certification process has been exploited. Some medical professionals have been arrested, indicted and convicted for submitting fraudulent Forms N–648 in violation of various federal statutes. This rule is intended to mitigate some of the concerns with the exploitation of the Form N–648 process, thereby further enhancing the integrity of naturalization process.

Anticipated Cost and Benefits: DHS is currently considering the specific impacts of the proposed provisions.

Timetable:

Action	Date	FR Cite
NPRM	04/00/27	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Mark Phillips, Residence and Naturalization Division Chief, Department of Homeland Security, U.S. Citizenship and Immigration Services, Office of Policy and Strategy, 5900 Capital Gateway Drive, Suite 4S190, Camp Springs, MD 20588–0009

Phone: 240 721–3000

RIN: 1615–AD07

DHS—USCIS	

72. • NATURALIZATION APPLICATION FEE ADJUSTMENTS

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Fully or Partially Exempt

Unfunded Mandates: Undetermined

Legal Authority: 8 U.S.C. 1356(m), (n)

CFR Citation: 8 CFR 106.2; 8 CFR 106.3

Legal Deadline: None

Abstract: DHS is proposing to adjust the fees that USCIS charges for Form N–400 and Form N–336 to ensure recovery of the cost of adjudication. This includes eliminating fee waivers (except for armed forces service members when filing for naturalization under statutes for members of the armed forces) and reduced fees for these forms.

Statement of Need: These proposed changes provide additional resources to further support USCIS's financial sustainability and provide additional resources for continued review of the integrity of the naturalization process.

Alternatives: DHS is currently considering the specific impacts of the proposed provisions.

Anticipated Cost and Benefits: DHS is currently considering the specific impacts of the proposed provisions.

Timetable:

Action	Date	FR Cite
NPRM	06/23/26	91 FR 37500
NPRM Comment Period End.	08/24/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Mark Phillips, Residence and Naturalization Division Chief, Department of Homeland Security, U.S. Citizenship and Immigration Services, Office of Policy and Strategy, 5900 Capital Gateway Drive, Suite 4S190, Camp Springs, MD 20588–0009

Phone: 240 721–3000

RIN: 1615–AD08

DHS—USCIS

73. • PROTECTING THE INTEGRITY OF NATURALIZATION THROUGH ENHANCED EDUCATIONAL STANDARDS

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Fully or Partially Exempt

Unfunded Mandates: Undetermined

Legal Authority: 8 U.S.C. 1103; 8 U.S.C. 1423; 8 U.S.C. 1443

Relevant Executive Orders: 14161

CFR Citation: 8 CFR part 312, 8 CRF part 316, 8 CFR part 3

Legal Deadline: None

Abstract: DHS proposes to amend its regulations governing the educational requirements for naturalization. DHS proposes to establish a framework and a standard for applicants to meet the educational requirements for naturalization. With this proposed rule, USCIS is seeking to further enhance the integrity of the naturalization test. DHS also proposes additional flexibilities to allow USCIS to modify the way it administers the naturalization tests, including by allowing for third party administration of the test.

Statement of Need: Aliens applying for naturalization must demonstrate an understanding of the English language, including an ability to read, write, and speak words in ordinary usage (English language requirements). Aliens must also demonstrate a knowledge and understanding of the fundamentals of the history, and of the principles and form of government, of the United States (civics requirements). Current regulations do not provide specifics on how aliens should meet the educational requirements. These changes would ensure the proper assimilation of lawful immigrants into the United States and promote a unified American identity and attachment to the Constitution, laws, and founding principles of the United States. With this proposed rule, USCIS is seeking to further enhance the integrity of the naturalization test and provide additional flexibilities in administering the naturalization test. Current regulations limit the administration of the naturalization test by requiring the test as part of the naturalization application and interview with an officer.

Anticipated Cost and Benefits: DHS is currently considering the specific impacts of the proposed provisions.

Timetable:

Action	Date	FR Cite
NPRM	12/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Mark Phillips, Residence and Naturalization Division Chief, Department of Homeland Security, U.S. Citizenship and Immigration Services, Office of Policy and Strategy, 5900 Capital Gateway Drive, Suite 4S190, Camp Springs, MD 20588–0009

Phone: 240 721–3000

RIN: 1615–AD13

DHS—USCIS

74. • SPONSOR REIMBURSEMENT AND DEEMING 8 CFR 213A

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Fully or Partially Exempt

Unfunded Mandates: Undetermined

Legal Authority: INA 213A (8 U.S.C. 1183a); 8 U.S.C. 1631; 8 U.S.C. 1632

CFR Citation: 8 CFR 213a

Legal Deadline: None

Abstract: DHS proposes to amend its regulations relating to the mechanisms by which the Federal government, as well as the States and state agencies, hold the sponsors of aliens to their commitments to financially support those aliens. The project will include amendments relating to requests for reimbursement and actions to compel reimbursement. DHS will also amend its regulations to clarify the responsibilities of States and state agencies to attribute a sponsor's income and resources to an alien when determining the eligibility and the amount of benefits of an alien for means-tested public benefits programs.

Statement of Need: Existing regulations relating to sponsor reimbursement and deeming fail to adequately convey the steps that States and state agencies must take to comply with their statutory obligations. These regulations would better aid States and state agencies in fulfilling those obligations, and expand the Federal role in forcing sponsors to financially support the sponsored aliens and reimburse the expenses associated with public benefit use by those aliens.

Anticipated Cost and Benefits: DHS is currently considering the specific impacts of the proposed provisions.

Timetable:

Action	Date	FR Cite
NPRM	06/00/27	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Mark Phillips, Residence and Naturalization Division Chief, Department of Homeland Security, U.S. Citizenship and

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Phone: 240 721–3000
RIN: 1615–AD15

DHS—U.S. Coast Guard (USCG)	Proposed Rule Stage

75. CLARIFICATION OF CERTAIN MARINER TRAINING REQUIREMENTS

Priority: Other Significant
Regulatory Accounting: Deregulatory
Legal Authority: 46 U.S.C. 7101(c)
CFR Citation: 46 CFR 11.317; 46 CFR 11.321(a); 46 CFR 11.321(b); 46 CFR 12.611(a)(4)
Legal Deadline: None

Abstract: The Coast Guard proposes to remove four merchant mariner credentialing training requirements related to Standards of Training, Certification, and Watchkeeping (STCW) officer and rating endorsements from its regulations in 46 CFR parts 11 and 12. The Coast Guard has determined that these training requirements exceed the minimum training and certification standards required by the STCW. These training requirements are not necessary for the safety of life and property at sea. The rule would propose to remove: leadership and managerial skills training to qualify as master of vessels of less than 500 gross tons (GT) limited to near-coastal waters; demonstration of meeting the standard of competence in leadership and teamworking skills to renew an endorsement of an STCW as an officer in charge of a navigational watch (OICNW) of vessels of less than 500 GT limited to near-coastal waters to be valid on or after January 1, 2017; bridge resource management training to qualify as OICNW on vessels of less than 500 GT limited to near-coastal waters; and computer systems and maintenance training to qualify as electro-technical rating (ETR) on vessels powered by main propulsion machinery of 750 kilowatts (kW)/1,000 horsepower (HP) or more.

Statement of Need: The Coast Guard has determined that five requirements exceed current international certification and training standards of the STCW, causing a misalignment between the training of U.S. mariners and the mariners of other countries. These requirements are not necessary for the safety of life and property at sea.

Anticipated Cost and Benefits: DHS is currently considering the specific impacts of the proposed provisions.

Timetable:

Action	Date	FR Cite
NPRM	11/00/26	

Regulatory Flexibility Analysis Required: Undetermined
Government Levels Affected: None
Agency Contact: Megan Johns Henry, Marine Transportation Specialist, Department of Homeland Security, U.S. Coast Guard, Office of Merchant Mariner Credentialing (CG–MMC–1), 2703 Martin Luther King Jr. Avenue SE, STOP 7509, Washington, DC 20593–7509
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RIN: 1625–AC48

DHS—USCG	

76. SHIPPING SAFETY FAIRWAYS ALONG THE ATLANTIC COAST

Priority: Other Significant
Regulatory Accounting: Deregulatory
Legal Authority: 46 U.S.C. 70001; 46 U.S.C. 70003; 46 U.S.C. 70034
Relevant Executive Orders: 14269
CFR Citation: 33 CFR 166; 33 CFR 167
Legal Deadline: None

Abstract: The Coast Guard is proposing the establishment of shipping safety fairways along the Atlantic Coast of the United States. Fairways are marked routes for vessel traffic in which any fixed obstructions are prohibited. The proposed fairways are based on studies about vessel traffic along the Atlantic Coast and do not conflict with other ocean users. Coast Guard establishes shipping safety fairways to maintain safe and secure access to major ports of the U.S. Marine Transportation System.

Statement of Need: This rulemaking would establish shipping safety fairways along the Atlantic Coast of the United States to facilitate the direct and unobstructed transits of ships and facilitate development on the outer continental shelf. The rulemaking would also establish traffic separation schemes, precautionary areas, and a fairway anchorage. The establishment of these routing measures would ensure that obstruction-free routes are preserved to and from US ports and along the Atlantic Coast.

Anticipated Cost and Benefits: Establishing fairways would streamline interagency coordination between the Coast Guard, the Bureau of Ocean Energy Management, and other stakeholders during the wind energy leasing process. By clearly identifying historic vessel travel lanes and areas with high vessel traffic early on, this rule would enable efficient communication and decision-making. Additionally, it would provide clarity on less-trafficked, open-water areas suitable for future energy exploration projects, facilitating quicker and more effective planning. Coast Guard is determining the costs of the rule.

Timetable:

Action	Date	FR Cite
ANPRM	06/19/20	85 FR 37034
ANPRM Comment Period End.	08/18/20	
NPRM	01/19/24	89 FR 3587
Notification of Public Meeting; Extension of Comment Period.	03/25/24	89 FR 20582
NPRM Comment Period Extended End.	05/17/24	
NPRM Comment Period Reopened.	05/05/26	
NPRM Reopened Comment Period End.	06/22/26	

Regulatory Flexibility Analysis Required: Undetermined
Government Levels Affected: None
URL For More Information: *https://www.regulations.gov*
URL For Public Comments: *https://www.regulations.gov*
Agency Contact: Maureen Kallgren, Program Manager, Department of Homeland Security, U.S. Coast Guard, Office of Navigation Systems (CG–NAV), 2703 Martin Luther King Jr. Avenue SE, STOP 7509, Washington, DC 20593–7509
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RIN: 1625–AC57

DHS—USCG	Final Rule Stage

77. ELECTRONIC CHART AND NAVIGATION EQUIPMENT CARRIAGE REQUIREMENTS

Priority: Economically Significant. Major under 5 U.S.C. 801.
Regulatory Accounting: Deregulatory
Legal Authority: 46 U.S.C. 3105
Relevant Executive Orders: 14269
CFR Citation: 33 CFR 164; 46 CFR 26; 46 CFR 28; 46 CFR 35; 46 CFR 78; 46 CFR 97; 46 CFR 109; 46 CFR 121; 46 CFR 130; 46 CFR 140; 46 CFR 167; 46 CFR 169; 46 CFR 184; 46 CFR 196
Legal Deadline: None

Abstract: This rulemaking would modify the chart, publications, and navigational equipment requirements in titles 33 and 46 of the Code of Federal Regulations (CFR) for all commercial

U.S.-flagged vessels and foreign-flagged vessels operating in the waters of the United States.

Statement of Need: This rulemaking is needed to reduce the burden on vessel owners and operators, eliminating unnecessary compliance requirements and streamlining Coast Guard regulations.

Anticipated Cost and Benefits: DHS is currently considering the specific impacts of the proposed provisions.

Timetable:

Action	Date	FR Cite
ANPRM	03/28/22	87 FR 17241
ANPRM Comment Period End.	06/27/22	
Final Rule with Comment.	12/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: Docket number USCG–2021–0291

URL For More Information: *https://www.regulations.gov*

URL For Public Comments: *https://www.regulations.gov*

Agency Contact: Brian Mottel, Marine Transportation Specialist, Department of Homeland Security, U.S. Coast Guard, Office of Navigation Systems (CG–NAV), 2703 Martin Luther King Jr. Avenue SE, STOP 7509, Washington, DC 20593–1526

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RIN: 1625–AC74

DHS—U.S. Customs and Border Protection (USCBP)	Final Rule Stage

78. ADVANCE PASSENGER INFORMATION SYSTEM: ELECTRONIC VALIDATION OF TRAVEL DOCUMENTS

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 49 U.S.C. 44909; 8 U.S.C. 1221; 19 U.S.C. 1431

CFR Citation: 19 CFR 122

Legal Deadline: None

Abstract: U.S. Customs and Border Protection (CBP) regulations require commercial air carriers to electronically transmit passenger information to CBP's Advance Passenger Information System (APIS) prior to an aircraft's arrival in or departure from the United States. CBP proposed to incorporate additional carrier requirements that would enable CBP to validate each passenger's travel documents prior to the passenger boarding the aircraft. The proposed changes, if implemented, would also require air carriers to transmit additional data elements through APIS for all commercial aircraft passengers arriving in the United States in order to support border operations and national security. This rule is deregulatory and will result in time savings to passengers and cost savings to CBP.

Statement of Need: This Rule is needed to increase the safety of the traveling public, the air carrier industry, and the United States.

Anticipated Cost and Benefits: DHS is currently considering the specific impacts of the proposed provisions. Based on the analysis for the NPRM, DHS estimates this rule will result in an annualized net benefit of approximately $1 million due to time savings for CBP and travelers who will now be able to correct errors immediately.

Timetable:

Action	Date	FR Cite
NPRM	02/02/23	88 FR 7016
NPRM Comment Period End.	04/03/23	
Final Action	09/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

URL For More Information: *https://www.regulations.gov*

URL For Public Comments: *https://www.regulations.gov*

Agency Contact: Robert Neumann, Program Manager, Office of Field Operations, Department of Homeland Security, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW, Washington, DC 20229

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RIN: 1651–AB43

DHS—USCBP	

79. AUTOMATED COMMERCIAL ENVIRONMENT (ACE) ELECTRONIC EXPORT MANIFEST FOR RAIL CARGO

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 19 U.S.C. 1415

CFR Citation: 123.93

Legal Deadline: None

Abstract: This rulemaking proposes to create a new regulation requiring the submission of export manifest data electronically to U.S. Customs and Border Protection (CBP) in the Automated Commercial Environment (ACE) for cargo transported by rail pursuant to section 343(a), of the Trade Act of 2002, as amended (19 U.S.C. 1415), for any train departing the United States. The proposed regulation would mandate the electronic transmission of rail export manifest information, identify the parties eligible to transmit information, describe the time frames prior to departure of the train in which the information is due, and identify an initial filing that must occur 24 hours prior to departure from the port of export while requiring that remaining data be transmitted at least two hours prior to such departure. This rule is deregulatory and will result in both time savings and cost savings for carriers, transmitters, and CBP.

Statement of Need: This Rule is needed to address important cargo security concerns while providing efficiencies to the trade.

Anticipated Cost and Benefits: Based on the analysis for the NPRM, CBP expects that this rule would result in a present value total combined net cost savings of $49.8 million using a two percent discount rate, or approximately $3.8 million annualized (2023 U.S. dollars) to CBP, outbound rail carriers and other related parties during the period of analysis (2016 to 2030). CBP anticipates that this proposed rule would also provide added benefits from enhanced cargo security measures by improving compliance and the enforcement of U.S. export laws and regulations on U.S. rail exports, while also improving the facilitation of the export process.

Timetable:

Action	Date	FR Cite
NPRM	01/13/25	90 FR 2874
NPRM Comment Period End.	03/14/25	
Final Rule	07/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

International Impacts: This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

URL For More Information: *https://www.regulations.gov*

URL For Public Comments: *https://www.regulations.gov*

Agency Contact: Thomas Pagano, Chief, Outbound Enforcement Branch, Department of Homeland Security, U.S. Customs and Border Protection, Office of Field Operations, 1300 Pennsylvania Ave. NW, Washington, DC 20229

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RIN: 1651–AB52

DHS—Transportation Security Administration (TSA)	Final Rule Stage

80. VETTING OF CERTAIN SURFACE TRANSPORTATION EMPLOYEES

Priority: Other Significant

Regulatory Accounting: Regulatory

Legal Authority: 49 U.S.C. 114; Pub. L. 108–90, sec. 520; Pub. L. 110–53, secs. 1411, 1414, 1512, 1520, 1522, and 1531

Relevant Executive Orders: 14157; 14159; 14161; 14165

CFR Citation: 49 CFR 1500 ; 49 CFR 1530; 49 CFR 1570; 49 CFR 1572; 49 CFR 1580; 49 CFR 1582; 49 CFR 1584; . . .

Legal Deadline: Other, Statutory, August 3, 2008, background and immigration status check for all public transportation and railroad frontline employees is due no later than 12 months after date of enactment.

Sections 1411 and 1520 of Pub. L. 110–53, Implementing Recommendations of the 9/11 Commission Act of 2007 (9/11 Act), (121 Stat. 266, Aug. 3, 2007), require background checks of frontline public transportation and railroad employees not later than one year from the date of enactment. Requirement will be met through regulatory action.

Abstract: TSA will finalize regulations to establish the requirements and procedures to conduct the vetting of certain railroad, public transportation, and over-the-road bus employees, and to recover the costs of the vetting services. On May 23, 2023, TSA issued a notice of proposed rulemaking proposing these standards. TSA is evaluating all comments received and will publish the final rule. This regulation is related to 1652–AA55, Security Training for Surface Transportation Employees.

Statement of Need: This rulemaking is required by the Implementing Recommendations of the 9/11 Commission Act, Pub. L. 110–53, (121 Stat. 266, Aug. 3, 2007), and will enhance the security of surface transportation by ensuring that workers who are central to operations do not pose a threat to transportation or national security, or of terrorism.

Anticipated Cost and Benefits: The vetting of railroad, public transportation, and over-the-road bus employees covered under the rule will result in costs to TSA and to industry. TSA is required to recover vetting costs by collecting user fees from the individuals who are subject to the requirements rather than the public at large. TSA also anticipates ancillary costs (*e.g.* updating contact information, compliance inspections) associated with compliance with the rule. Anticipated benefits include reducing security risks by identifying and/or mitigating potential insider threats through vetting.

Timetable:

Action	Date	FR Cite
NPRM	05/23/23	88 FR 33472
NPRM Comment Period End.	08/21/23	
NPRM Extension of Comment Period.	08/22/23	88 FR 57044
NPRM Extension Comment Period End.	10/01/23	
Final Rule	11/00/26	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Local

URL For More Information: *https://www.regulations.gov*

URL For Public Comments: *https://www.regulations.gov*

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Related RIN: Related to 1652–AA55, Related to 1652–AA56

RIN: 1652–AA69

DHS—TSA	

81. MINIMUM STANDARDS FOR DRIVER'S LICENSES AND IDENTIFICATION CARDS ACCEPTABLE BY FEDERAL AGENCIES FOR OFFICIAL PURPOSES; PROCEDURES FOR REMOTE APPLICATION AND ISSUANCE

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Legal Authority: 49 U.S.C. 30301 note; 6 U.S.C. 111, 112; 49 U.S.C. 114

Relevant Executive Orders: 14159; 14161; 14165

CFR Citation: 6 CFR 37

Legal Deadline: None

Abstract: TSA is amending regulations implementing the REAL ID Act by issuing a procedural final rule that enables individuals to apply for, and for States to issue, REAL ID-compliant driver's licenses and identification cards remotely. The final rule requires States that elect to implement remote systems to update their existing REAL ID certification documentation to demonstrate how their remote systems meet, or are comparable to, existing standards of this part. Remote processes would eliminate the need for individuals to travel to Departments of Motor Vehicle offices and enable States to reduce support personnel at those offices. By reducing application and issuance burdens on individuals and States, this rule accelerates and expands adoption of REAL ID-compliant cards.

Statement of Need: This rulemaking is necessary to implement authority under the REAL ID Modernization Act, Section 1001 of Title X, Consolidated Appropriations Act, 2021, Pub. L .116–260 (Dec. 27, 2020), which authorized electronic submission of information and remote issuance of REAL ID cards under regulations prescribed by the Secretary.

Anticipated Cost and Benefits: Allowance of a REAL ID remote issuance process will result in costs to States and TSA and cost savings for individuals. Individuals will realize cost savings from avoiding travel to the State Department of Motor Vehicles. States and TSA will incur administrative costs associated with submitting and reviewing remote issues applications. States may also incur costs to develop and implement remote issuance processes as well as potential cost savings associated with offering a fully remote option. Anticipated benefits include increased efficiencies as well as the acceleration and potential expansion of REAL ID adoption.

Timetable:

Action	Date	FR Cite
Final Action	11/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State

URL For More Information: *https://www.regulations.gov*

URL For Public Comments: *https://www.regulations.gov*

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RIN: 1652–AA78

DHS—TSA	

82. • NORMALIZING UNMANNED AIRCRAFT SYSTEMS BEYOND VISUAL LINE OF SIGHT OPERATIONS

Priority: Other Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Deregulatory

Legal Authority: 49 U.S.C. 114, 44901, 44903

Relevant Executive Orders: 14157; 14159; 14161; 14305; 14307; 14165

CFR Citation: 49 CFR 1540; 49 CFR 1544; 49 CFR 1550

Legal Deadline: Final, Statutory, December 7, 2025, Deadline for FAA BVLOS Final Rule under section 930 of Pub. L. 118–63 (May 16, 2024).

Abstract: This final rule is intended to provide a predictable and clear pathway for safe, routine, and scalable UAS operations that include package delivery, agriculture, aerial surveying, civic interest, operations training, demonstration, recreation, and flight testing. This final rule will be issued in conjunction with the FAA's final rule. FAA's final rule provides performance-based regulations enabling the design and operation of unmanned aircraft systems at low altitudes beyond visual line of sight and for third-party services, to include UAS Traffic Management, that support these operations. The FAA Reauthorization Act of 2024 directs the development of this rulemaking. TSA's rule is necessary to support the secure integration of BVLOS UAS operations into the national air space system.

TSA's final rule makes complementary changes to its regulations to require necessary security measures on these operations consistent with its current regulatory structure for civil aviation.

Statement of Need: TSA has proposed revisions to its regulations to ensure that the FAA's regulation of BVLOS UAS operations under part 108 does not inadvertently create a security gap under TSA regulations.

Anticipated Cost and Benefits: TSA is continuing to assess the anticipated costs and benefits of the final rule.

Timetable:

Action	Date	FR Cite
NPRM	08/07/25	90 FR 38212
NPRM Comment Period End.	10/06/25	
Final Rule	07/00/26	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Local

URL For More Information: *https://www.regulations.gov*

URL For Public Comments: *https://www.regulations.gov*

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Related RIN: Related to 2120–AL82

RIN: 1652–AA80

DHS—U.S. Immigration and Customs Enforcement (USICE)	Final Rule Stage

83. ESTABLISHING A FIXED TIME PERIOD OF ADMISSION AND AN EXTENSION OF STAY PROCEDURE FOR NONIMMIGRANT ACADEMIC STUDENTS, EXCHANGE VISITORS, AND REPRESENTATIVES OF FOREIGN INFORMATION MEDIA

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Fully or Partially Exempt

Legal Authority: 8 U.S.C. 1101; 8 U.S.C. 1103; 8 U.S.C. 1182; 8 U.S.C. 1184

CFR Citation: 8 CFR 214; 8 CFR 274a; 8 CFR 248

Legal Deadline: None

Abstract: This rule proposes to eliminate the Duration of Status admission for F, J, and I nonimmigrant categories and replace it with a date-limited authorized period of stay when entering the United States. The fixed date would eliminate confusion over how long foreign students, exchange visitors, and representatives of foreign information media may stay in the United States. It would also improve the Department's efforts to reduce overstay rates and address fraud and national security concerns.

Statement of Need: The failure to provide certain categories of nonimmigrants with specific dates for their authorized periods of stay has contributed to fraud, exploitation, and abuse in the system. These changes will allow DHS to effectively assess whether these nonimmigrants are complying with the conditions of their classifications and U.S. immigration law while also mitigating national security risks.

Anticipated Cost and Benefits: Through this NPRM, the DHS proposed changes would have an annualized cost ranging from $390.3 million to $392.4 million (using 3 and 7 percent discount rates, respectively).

Timetable:

Action	Date	FR Cite
NPRM	08/28/25	90 FR 42070
NPRM Comment Period End.	09/29/25	
Final Action	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal

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RIN: 1653–AA95

DHS—Federal Emergency Management Agency (FEMA)	Final Rule Stage

84. REMOVAL OF UPDATES TO FLOODPLAIN MANAGEMENT AND PROTECTION OF WETLANDS REGULATIONS

Priority: Other Significant

Regulatory Accounting: Other

Legal Authority: 6 U.S.C. 101 *et seq.;* 42 U.S.C. 4001 *et seq.;* 42 U.S.C. 4321 *et seq.;* E.O. 11988 of May 24, 1977, 42 FR 26951, 3 CFR, 1977 Comp., p. 117; E.O. 11990 of May 24, 1977, 42 FR 26961, 3 CFR, 1977 Comp., p. 121

Relevant Executive Orders: 14148; 14219; 14267

CFR Citation: 44 CFR part 9

Legal Deadline: None

Abstract: This rule would rescind certain provisions in the July 11, 2024, final rule titled Updates to Floodplain Management and Protection of Wetlands Regulations to Implement the Federal Flood Risk Management Standard. FEMA had issued this rule due to Executive Order 14030, which reinstated the Federal Flood Risk Management Standard (FFRMS). On January 20, 2025, President Trump issued Executive Order 14148, Initial Rescissions of Harmful Executive Orders and Actions. This Executive Order rescinded Executive Order 14030, thereby eliminating the standard. FEMA stopped implementation of the FFRMS on March 25, 2025, consistent with Executive Order 14148. FEMA is now undertaking rulemaking to remove the specific requirements of Executive Order 14030 from its regulations. Removing the standard from Part 9 will streamline FEMA's regulations, streamline program implementation, and reduce burdens on the public.

Statement of Need: In 2024, following Executive Order 14030, FEMA incorporated the Federal Flood Risk Management Standard (FFRMS) into 44 CFR part 9. However, in January 2025, Executive Order 14148 rescinded Executive Order 14030, thereby eliminating the FFRMS. FEMA stopped implementing the FFRMS in March 2025 and plans to update 44 CFR part 9 to remove the FFRMS from FEMA's regulations.

Anticipated Cost and Benefits: DHS is currently considering the specific impacts of this action.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal, Local, State, Tribal

Agency Contact: Portia Ross, Office of Environmental and Historic Preservation, Department of Homeland Security, Federal Emergency Management Agency, 400 C Street SW, Washington, DC 20472

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RIN: 1660–AB18

DHS—Cybersecurity and Infrastructure Security Agency (CISA)	Final Rule Stage

85. CYBER INCIDENT REPORTING FOR CRITICAL INFRASTRUCTURE ACT (CIRCIA) REPORTING REQUIREMENTS

Priority: Other Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Fully or Partially Exempt

Legal Authority: 6 U.S.C. 681 *et seq.*

CFR Citation: 6 CFR 226

Legal Deadline: NPRM, Statutory, March 15, 2024, Notice of Proposed Rulemaking.

Final, Statutory, October 4, 2025, Final Rule.

Abstract: The Cybersecurity and Infrastructure Security Agency (CISA) will finalize regulations to implement certain aspects of the Cyber Incident Reporting for Critical Infrastructure Act of 2022 (CIRCIA). Specifically, CIRCIA directs CISA to develop and implement regulations requiring covered entities to submit reports to CISA regarding covered cyber incidents and ransom payments. CISA published the NPRM on April 4, 2024. CISA received significant public comments on the proposed rule, many of which emphasized the need to reduce the scope and burden of the proposed reporting requirements, improve harmonization of CIRCIA with other federal cyber incident reporting requirements, and clarify terms. CISA is considering the public comments and examining options for the rulemaking. Additional information about this rulemaking is available at *www.cisa.gov/circia.*

Statement of Need: Congress directed CISA to promulgate regulations requiring covered entities to report covered cyber incidents and ransom payments to CISA.

Summary of Legal Basis: This regulation is statutorily mandated by 6 U.S.C. 681 *et seq.*

Anticipated Cost and Benefits: CISA is continuing to assess the anticipated costs and benefits of the final rule.

Timetable:

Action	Date	FR Cite
NPRM	04/04/24	89 FR 23644
NPRM Comment Period Extended.	05/06/24	89 FR 37141
NPRM Correction	06/03/24	89 FR 47471
NPRM Comment Period End.	06/03/24	
NPRM Comment Period Extended End.	07/03/24	
Final Rule	09/00/26	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Local, State, Tribal

URL For More Information: *https://www.regulations.gov*

URL For Public Comments: *https://www.regulations.gov*

Agency Contact: Todd Klessman, CIRCIA Rulemaking Team Lead, Department of Homeland Security, Cybersecurity and Infrastructure Security Agency, CISA—WB2 Stop 0612, 4200 Wilson Blvd., Arlington, VA 20598–0612

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RIN: 1670–AA04

DHS—Customs Revenue Functions (CUSTREV)	Final Rule Stage

86. ELECTRONIC BOND TRANSMISSION

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Legal Authority: 19 U.S.C. 66; 19 U.S.C. 1411(a)(2)(D); 19 U.S.C. 1623; 19 U.S.C. 1624

CFR Citation: 19 CFR part 113

Legal Deadline: None

Abstract: This rulemaking amends the CBP regulations to require that most bonds be transmitted to CBP electronically via a specialized system by the surety securing the bond, or by the principal on a bond secured by cash in lieu of surety. The amendments eliminate the more onerous and inefficient paper-based bond application and approval processes. Moving forward, the amendments would implement the successful National Customs Automation Program test for electronic bonds (''eBonds'').

Statement of Need: The rule is needed to modernize existing regulations and reduce burdens on the public.

Anticipated Cost and Benefits: DHS is currently considering the specific impacts of the provisions.

Timetable:

Action	Date	FR Cite
NPRM	02/13/26	91 FR 6986
NPRM Comment Period End.	04/14/26	
Final Rule	To Be Determined	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

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Related RIN: Previously reported as 1515–AE49

RIN: 1685–AA24

BILLING CODE 9110–9B–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT STATEMENT OF REGULATORY PRIORITIES FOR FISCAL YEAR 2026

Introduction

The Regulatory Plan for the Department of Housing and Urban Development (HUD) for Fiscal Year (FY) 2026 highlights two significant regulations that HUD seeks to publish during the upcoming fiscal year. HUD is committed to promoting healthy, safe, and affordable housing

Under the leadership of Secretary Scott Turner, HUD is dedicated to setting forth initiatives to reduce burdens on the public, improve program integrity, and provide clearer information for program participants across all HUD programs. HUD is intending to finalize 22 regulations to reduce burden, and propose another 15.

The rules highlighted in HUD's regulatory plan for FY 2026 reflect HUD's efforts to continue its work in building strong and sustainable communities and addressing the housing needs of all Americans.

Updating the Definition of Chassis To Promote Production of Manufactured Homes

HUD's Manufactured Home Construction and Safety Standards (MHCSS) regulations are currently interpreted to require that every transportable section of a manufactured home be built and transported on a permanent chassis. This proposed rule would revise HUD's regulations to clarify that this requirement applies only to the lowest floor of the manufactured home. This proposed rule would amend the definition of ''manufactured home'' in the MHCSS, Model Manufactured Home Installation Standards (MMHIS), and Manufactured Home Installation Program (MHIP) to provide that a transportable section of a manufactured home serving as part of an upper floor of a manufactured home would not need to be transported or built on a permanent chassis.

Aggregate Costs and Benefits

Executive Order 12866, as amended, requires the agency to provide its best estimate of the combined aggregate costs and benefits of all regulations included in the agency's Regulatory Plan that will be pursued in fiscal year 2026. HUD expects that the proposed rule would reduce the costs associated with vertical density for manufactured homes, leading to economic gains from lower costs for two-story manufactured homes and growth in the manufactured housing market.

Statement of Need

The permanent chassis requirement adds thousands of dollars to the cost of a multistory manufactured home for producers and consumers and creates engineering and architectural challenges that complicate the design and production of multistory manufactured homes. Consequently, the permanent chassis requirement for every transportable section of a multistory manufactured home hinders HUD's execution on the Act's purposes of protecting the affordability of manufactured housing, facilitating the availability of affordable manufactured homes, and encouraging innovative and cost-effective construction techniques. Multistory manufactured homes could be built more cost-effectively and in a more innovative fashion if the permanent chassis requirement did not apply to upper floors.

Alternatives

HUD considered whether retaining this requirement, in one form or another, might serve an important purpose. Ultimately, HUD determined that the requirement provides no practical, safety, aesthetic, or design benefit for upper floors of multistory manufactured homes. Therefore, no alternative short of eliminating the requirement would meet HUD's goals.

Risks

This rule imposes no risks or additional costs on HUD.

Housing and Community Development Act of 1980: Verification of Eligible Status

Section 214 of the Housing and Community Development Act of 1980, as amended (''Section 214''), prohibits the Secretary of HUD from making financial assistance available to persons other than United States citizens or certain categories of eligible aliens in HUD's public and specified assisted housing programs. This proposed rule would revise HUD's Section 214 implementing regulations to require the verification of U.S. citizenship or the eligible immigration status of all applicants and recipients of assistance under a covered program regardless of age. The proposed rule would also make prorated assistance a temporary condition pending verification of eligible status of family members, where permitted by statute, as opposed to under HUD's current regulations where prorated assistance could continue indefinitely.

Aggregate Costs and Benefits

Consistent with the current Administration's regulatory reform efforts, these proposed regulatory amendments are consistent with the principles of Executive Order 13828 and 14218 and the current Administration's regulatory reform efforts. The policy changes will bring HUD's regulations into greater alignment with the requirements of Section 214 and make the administrative process for verification more uniform for citizens and eligible noncitizens, as well as ensure that only U.S. citizens or nationals and eligible noncitizens under Section 214 and other relevant legal authorities have access to HUD financial assistance.

The proposed rule would impose administrative costs on responsible entities and HUD. Most of the costs of the rule would be upfront costs of adjustment, borne by the households adversely affected.

Statement of Need

The proposed rule would ensure better implementation to statutory authorities and align with President Trump's Executive Order to ensure that federal public benefits do not go to unqualified aliens.

Alternatives

In developing this proposed rule, HUD considered alternatives. Alternatives such as grandfathering in existing mixed families or continuing to provide housing assistance to specific subsets of mixed families would decrease administrative and transition costs. However, these alternatives would lead to decreased compliance with Section 214 and this Administration's immigration priorities.

Risks

Verification costs for tenants and applicants may increase the burden of complying with this rule. However, HUD believes based on research and data that methods of verification offset this burden and that verification costs are a necessary cost to ensure compliance with the law.

HUD—Office of the Secretary (HUDSEC)	Final Rule Stage

87. HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1980: VERIFICATION OF ELIGIBLE STATUS (FR–6524)

Priority: Other Significant

Regulatory Accounting: Fully or Partially Exempt

Legal Authority: 42 U.S.C. 1436a; 42 U.S.C. 3535(d)

Relevant Executive Orders: 14218

CFR Citation: 24 CFR part 5, subpart E

Legal Deadline: None

Abstract: Section 214 of the Housing and Community Development Act of 1980, as amended (Section 214) prohibits the Secretary of HUD from making financial assistance available to persons other than United States citizens, nationals, or certain categories of eligible noncitizens in HUD's public and specified assisted housing programs. This proposed rule would require the verification of U.S. citizenship or eligible immigration status of recipients of assistance under a covered program and make prorated assistance a temporary condition pending verification of eligible status. The proposed rule also proposes technical changes to remove outdated acronyms and terminology.

Statement of Need: The proposed rule would ensure better implementation to statutory authorities and align with President Trump's Executive Order to ensure that federal public benefits do not go to unqualified aliens.

Summary of Legal Basis: This falls within HUD's authority to issue regulations under section 7(d) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(d)).

Alternatives: In developing this proposed rule, HUD considered alternatives. Alternatives such as grandfathering in existing mixed families or continuing to provide housing assistance to specific subsets of mixed families would decrease administrative and transition costs. However, these alternatives would lead to decreased compliance with Section 214 and this Administration's immigration priorities.

Anticipated Cost and Benefits: Consistent with the current Administration's regulatory reform efforts, these proposed regulatory amendments are consistent with the principles of Executive Order 13828 and 14218 and the current Administration's regulatory reform efforts. The policy changes will bring HUD's regulations into greater alignment with the requirements of Section 214 and make the administrative process for verification more uniform for citizens and eligible noncitizens, as well as ensure that only U.S. citizens or nationals and eligible noncitizens under Section 214 and other relevant legal authorities have access to HUD financial assistance.

The proposed rule would impose administrative costs on responsible entities and HUD. Most of the costs of the rule would be upfront costs of adjustment, borne by the households adversely affected.

Risks: Verification costs for tenants and applicants may increase the burden of complying with this rule. However, HUD believes based on research and data that methods of verification offset this burden and that verification costs are a necessary cost to ensure compliance with the law.

Timetable:

Action	Date	FR Cite
NPRM	02/20/26	91 FR 8151
NPRM Comment Period End.	04/21/26	
Final Rule	11/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Local, State

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RIN: 2501–AE16

HUD—Office of Housing (OH)	Proposed Rule Stage

88. REVISING THE DEFINITION OF ''MANUFACTURED HOME'' TO LOWER HOUSING COSTS

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 42 U.S.C. 5402, 42 U.S.C. 5403, 42 U.S.C. 5404, ; 42 U.S.C. 5424, 42 U.S.C. 3535(d)

CFR Citation: 24 CFR 3280, 3282, 3284, 3285, 3286, and 3288

Legal Deadline: None

Abstract: This proposed rule would amend the definition of manufactured home to provide that only the first floor of a multistory transportable structure must be built on a permanent chassis. Under this proposed rule, the portion of the transportable section serving as the upper floor(s) would not need to be built on or transported on a permanent chassis. The proposed rule would provide that any transportable section of a manufactured home that does not include a permanent chassis must solely be utilized as part of multistory manufactured homes where the transportable section used for the ground floor is built on a permanent chassis. Units produced by this method would remain subject to all other provisions of the Manufactured Home Construction and Safety Standards (24 CFR part 3280) and Procedural and Enforcement Regulations (24 CFR part 3282) in their entirety under the proposed rule.

Statement of Need: The permanent chassis requirement adds thousands of dollars to the cost of a multistory manufactured home for producers and consumers and creates engineering and architectural challenges that complicate the design and production of multistory manufactured homes. Consequently, the permanent chassis requirement for every transportable section of a multistory manufactured home hinders HUD's execution on the Act's purposes of protecting the affordability of manufactured housing, facilitating the availability of affordable manufactured homes, and encouraging innovative and cost-effective construction techniques. Multistory manufactured homes could be built more cost-effectively and in a more innovative fashion if the permanent chassis requirement did not apply to upper floors.

Summary of Legal Basis: This falls within HUD's authority to issue regulations under section 7(d) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(d)).

Alternatives: HUD considered whether retaining this requirement, in one form or another, might serve an important purpose. Ultimately, HUD determined that the requirement provides no practical, safety, aesthetic, or design benefit for upper floors of multistory manufactured homes. Therefore, no alternative short of eliminating the requirement would meet HUD's goals.

Anticipated Cost and Benefits: Executive Order 12866, as amended, requires the agency to provide its best estimate of the combined aggregate costs and benefits of all regulations included in the agency's Regulatory Plan that will be pursued in fiscal year 2026. HUD expects that the proposed rule would reduce the costs associated with vertical density for manufactured homes, leading to economic gains from lower costs for two-story manufactured homes and growth in the manufactured housing market.

Risks: This rule imposes no risks or additional costs on HUD.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 2502–AJ80

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR REGULATORY PLAN

2026 Unified Agenda

Introduction

The U.S. Department of the Interior (Interior or the Department) manages the Nation's vast public lands and natural resources for the benefit and enjoyment of the American people. This includes managing approximately 500 million surface acres of Federal land or about 20 percent of the Nation's land area, approximately 700 million subsurface acres of Federal mineral estate,[3] and nearly 3.2 billion acres of submerged lands on the Outer Continental Shelf (OCS).[4] Through development of our Nation's energy and mineral resources, timber and grazing operations, and abundant recreation opportunities, Interior powers American prosperity. The Department also protects wildlife and ecosystems, manages water resources, and leads Federal wildland fire management and response activities. Interior's work is done collaboratively with States, local communities, federally recognized Indian Tribes, Alaska Natives, the Native Hawaiian Community, and U.S. Territories.

Interior plays a central role in the Trump administration's energy dominance agenda. The development of domestic energy, minerals, and other natural resources on Federal lands advances the Trump administration's agenda and generates billions of dollars in revenue for current and future generations. Interior is unleashing America's natural resources with a focus on affordable and reliable energy and prioritizing productive uses of Federal land, including grazing and timber harvesting.

Interior provides access to some of the best recreation opportunities in the Nation. Hundreds of millions of people visit Interior-managed lands each year in order to engage in camping, hiking, hunting, fishing, and various other forms of outdoor recreation, all of which support local communities and their economies. Interior is committed to increasing access to these opportunities.

Regulatory Reform Overview

The Department is committed to advancing President Trump's deregulation agenda. Federal regulations have imposed massive costs on millions of Americans and constrained our Nation's economy and productive uses of public lands and natural resources. On February 3, 2025, the Secretary of the Interior Doug Burgum issued Secretary's Order (SO) 3421, ''Achieving Prosperity through Deregulation,'' which implements the January 31, 2025, Executive Order (E.O.) 14192, ''Unleashing Prosperity Through Deregulation.'' SO 3421 ensures that the Department's Bureaus and Offices are focused on cutting all red tape to promote America's economic prosperity, further national security, and foster the highest possible quality of life for each United States citizen. Shortly thereafter, in SO 3418, ''Unleashing American Energy,'' Secretary Burgum directed the Department to suspend, rescind, or revise certain rules and guidance documents that may conflict with the goal of unleashing affordable and reliable energy. Interior has been methodically and expeditiously evaluating the rules and guidance documents referenced in SO 3418. As discussed below, Interior has proposed the repeal or modification of many of the rules referenced in SO 3418, including the Biden administration's overly burdensome rules regarding the Department's Endangered Species Act regulations, management of the National Petroleum Reserve in Alaska, and multiple use of public lands in the Conservation and Landscape Health rule. During Fiscal Year (FY) 2025, the Department rescinded dozens of obsolete, unnecessary, or redundant regulations to advance the President's energy dominance agenda. These rescissions accord with the Trump administration's broader commitment to decrease regulatory burdens, streamline agency processes, and promote energy development on public lands.

As part of President Trump's government-wide deregulatory agenda, Interior published a request for information (RFI) inviting the public to identify outdated, overly complex, or burdensome regulations. The effort aims to lower costs and regulatory burdens on the American people. The Department received hundreds of thoughtful comments and is in the process of identifying ideas for implementation.

In FY 2026, Interior will continue its successful efforts to identify and repeal, replace, or modify regulations that are unlawful, unnecessary, ineffective, or impose costs that are not adequately justified by benefits. Interior will also continue to encourage and seek public input on these regulatory reform efforts, including through its RFI, which remains open to the public. In FY 2026, Interior expects to complete

[3] *https://www.doi.gov/sites/default/files/u.s.-department-of-the-interior-fy-2022-2026-strategic-plan.pdf.*

[4] *https://www.boem.gov/factsheet/about-boem.*

deregulatory actions that will provide significant regulatory cost savings.

Regulatory and Deregulatory Priorities

To help the Secretary advance his priorities to promote energy dominance, affordability, and reliability, including by implementing SO 3418 and the One Big Beautiful Bill Act (OBBBA); right-size its implementation of environmental statutes; increase access to recreational opportunities on Federal land, and more. we are highlighting a few key regulatory and deregulatory efforts below.

OBBB Implementation

Following President Trump's signing of the OBBBA, H.R. 1, on July 4, 2025, the Department began implementing statutory directives that will promote U.S. energy production and timber development.

For example:

• *Applying for Commingling and Allocation Approval Onshore, RIN 1004–AF38.*

The Bureau of Land Management's (BLM) proposed rule ''Requirements for Site Security and Production Handling; Applying for Commingling and Allocation Approval,'' (RIN 1004–AF38), would revise its regulations to make it easier for operators to combine production from multiple leases—a practice known as commingling—in response to Congress' direction in OBBBA section 50101(d)(3) to approve onshore commingling applications. This approach allows oil and gas production from different leases, often under different ownership, using the same well pad, which reduces environmental impacts, lowers operating costs, and increases overall efficiency. If finalized, the updated rule could result in as much as $1.8 billion in industry savings annually.

• *Offshore Downhole Commingling Regulatory Updates, RIN 1014–AA68.*

The Bureau of Safety and Environmental Enforcement (BSEE) published the final rule ''Offshore Downhole Commingling Regulatory Updates.'' See 90 FR 38935, August 13, 2025. This rule revises the downhole commingling regulations on the OCS to ensure consistency with the OBBB when BSEE reviews a request for downhole commingling. This rule clarifies that the Department should approve requests for commingling with only limited exceptions.

• *Offshore Distribution Cap Changes, RIN 1012–AA41.*

The Office of Natural Resources Revenue (ONRR) published the direct final rule ''Offshore Distribution Cap Changes.'' See 90 FR 38938, August 13, 2025. In this rule, ONRR amended its regulations at 30 CFR 1219.512 to raise the cap on the distribution of OCS revenues from $500 million to $650 million for FY 2025.

Right-Sizing Implementation of Environmental Statutes

The Department has made massive strides towards reforming its implementation of the National Environmental Policy Act (NEPA) and the Endangered Species Act (ESA).

In June 2025, Secretary Burgum, in coordination with President Trump, announced reforms to modernize the Department's NEPA regulations and prevent them from being weaponized to delay American innovation and energy infrastructure construction. These modifications implement direction from all three branches of government (President Trump in E.O. 14154 ''Unleashing American Energy;'' the U.S. Congress in its BUILDER Act amendments as part of the 2023 Fiscal Responsibility Act; and the U.S. Supreme Court in its recent landmark decision in *Seven County Infrastructure Coalition* v. *Eagle County*).

In response to SO 3418 and other directives, the Department recently proposed new ESA rules that would better align the Department's regulations with the text and intent of the ESA and would reduce burdens on project proponents. This includes the following:

• *Listing Endangered and Threatened Species and Designating Critical Habitat, RIN 1018–BI73.*

The U.S. Fish and Wildlife Service (FWS) published a proposed rule on November 21, 2025, proposing to revise portions of its regulations that implement section 4 of the ESA. This is a joint proposed rule with National Marine Fisheries Service (NMFS). The proposed revisions concern the procedures and criteria used for listing, reclassifying, and delisting species on the Lists of Endangered and Threatened Wildlife and Plants and designating critical habitat, clarifying, among other things, that the Department can only designate unoccupied habitat if occupied habitat isn't enough for the preservation of the species.

• *Regulations Pertaining to Endangered and Threatened Wildlife and Plants, RIN 1018–BI74.*

FWS published a proposed rule on November 21, 2025, proposing to revise its regulations concerning protection of threatened species under the ESA. FWS proposes to remove the ''blanket rule'' option for protecting newly listed threatened species pursuant to section 4(d) of the ESA, right-sizing protections for threatened species and decreasing permitting burdens in line with the best reading of the ESA.

• *Interagency Cooperation Regulations, RIN 1018–BI75.*

FWS published a proposed rule on November 21, 2025, proposing to revise portions of its regulations that implement section 7 of the ESA. This is a joint proposed rule with NMFS. The proposed revisions to the interagency cooperation implementing regulations confirm FWS' and NMFS' longstanding application of statutory requirements for interagency cooperation and aim to facilitate quicker consultations.

• *Regulations for Designating Critical Habitat, RIN 1018–BI76.*

FWS published a proposed rule on November 21, 2025, proposing to amend portions of its regulations that implement section 4 of the ESA. Specifically, FWS proposes to revise regulations related to ESA section 4(b)(2), which requires consideration of the economic, national security, and any other relevant impacts of designating any particular area as critical habitat. Section 4(b)(2)(d) authorizes the exclusion of areas from critical habitat if the benefits of excluding the area outweigh the benefits of designating it as critical habitat. Here, the Department proposes text that would permit additional industry and landowner participation when excluding lands from the designation of critical habitat.

• *Definition of* ''*Harm*'' *Under the Endangered Species Act, RIN 1018–BI38.*

FWS published a proposed rule on April 17, 2025, to rescind the regulatory definition of ''harm'' in its ESA regulations. This is a joint proposed rule with NMFS. The existing regulatory definition of ''harm,'' which includes habitat modification, runs contrary to the best meaning of the statutory term ''take.'' FWS undertakes this change to adhere to the single, best meaning of the ESA.

Achieving U.S. Energy Dominance while Promoting Affordable and Reliable Energy.

As discussed above, the Department is implementing the President's and Secretary's energy dominance agenda as outlined in several Executive and Secretary's orders.[5] These orders direct the removal of impediments imposed on

[5] See *e.g.,* E.O. 14153 ''Unleashing Alaska's Extraordinary Resource Potential;'' E.O. 14154 ''Unleashing American Energy;'' E.O. 14156 ''Declaring a National Energy Emergency;'' SO 3417 ''Addressing the National Energy Emergency;'' SO 3418 ''Unleashing American Energy;'' SO 3422 ''Unleashing Alaska's Extraordinary Resource Potential.''

the development and use of our Nation's abundant energy and natural resources by obsolete, unnecessary, and burdensome regulations. In FY 2026, the Department will continue to focus on deregulating with an eye towards promoting affordable and reliable energy. This includes potential changes to regulations involving energy and critical minerals identification, permitting, leasing, development, production, transportation, refining, distribution, exporting, and generation capacity onshore and offshore.

The Department will pursue finalizing the following rules to advance the administration's energy dominance agenda:

• *Rescission of Conservation and Landscape Health Rule, RIN 1004–AF03.*

On September 11, 2025, BLM proposed rescinding the Biden-era, Conservation and Landscape Health rule. In its proposed rule, BLM explained that the Conservation and Landscape Health rule is inconsistent with the Federal Land Management and Policy Act's (FLPMA) multiple-use mandate and that rescission would provide the framework for future land management plans to better enable energy development as well as ranching, grazing, timber production, and recreation across America's public lands.

• *Risk Management and Financial Assurance for OCS Lease and Grant Obligations, RIN 1010–AE26.*

BOEM has reviewed market conditions of supply and demand in the crude oil and gas markets, and, as a result, is proposing to amend its existing risk management and financial assurance regulations. If finalized, this revision will reduce the economic burden on OCS lessees and grant holders and promote OCS oil and gas development. BOEM estimates that a reduction of approximately $6.2 billion of financial burden to the regulated community will be achieved through this rulemaking. This reduction of the financial burden increases the amount of capital available for oil and gas exploration and production on the OCS.

• *Rescission of the Management and Protection of the National Petroleum Reserve in Alaska Regulations, RIN 1004–AF02.*

On November 17, 2025, BLM published the final rule, Rescission of the Management and Protection of the National Petroleum Reserve in Alaska Regulations. See 90 FR 51470. This final rule is a major step towards unlocking the energy potential of the roughly 23-million-acre reserve. This rule implements direction that President Trump issued on his first day in office through E.O. 14153 and responds to calls from Alaskans, including North Slope leaders, to rescind restrictive regulations that had downstream effects on energy development and economic growth.

• *Federal Oil, Gas, and Coal Amendments, RIN 1012–AA39.*

Consistent with Executive and Secretary's orders, ONRR is proposing to clarify the scope of review for Director-level appeals and amend its Federal oil, gas, and coal valuation regulations. Through this rulemaking, ONRR seeks to propose changes that will reduce cost and burden to industry by simplifying regulatory requirements.

• *Rights-of Way, Leasing, and Operations for Renewable Energy, RIN 1004–AF32.*

BLM intends to propose rescission of the final rule, Rights-of-Way, Leasing, and Operations for Renewable Energy. If finalized, the rule will eliminate biased renewable energy rules that advantage intermittent energy over other energy sources. "Eliminating the Biden administration's preferential treatment of unaffordable, unreliable intermittent projects and dismantling excessive, one-sided restrictions on traditional energy sources like oil, gas, and critical minerals, will unlock the full potential of America's natural resources," said Secretary Burgum. "This step will restore balance, strengthens our energy independence, and ensures taxpayers get the maximum return from the responsible use of our public lands." [6]

• *Oil and Gas Leasing Rescission Rule, RIN 1004–AF05.*

BLM proposes revising its oil and gas regulations regarding allocation schedules in multi-party agreements that outline how royalties are distributed across different leases within the agreement. BLM also proposes to return the minimum bonds to the amounts that existed before the 2024 rule. Finally, the proposed rule would improve BLM's leasing process to ensure stewardship of public lands as required by the Mineral Leasing Act.

• *Royalty for Oil and Gas Lost from Onshore Federal and Indian Leases, 1004–AF33.*

BLM proposes to modify its existing regulations pertaining to royalties due on oil and natural gas lost on Federal and Tribal leases. These modifications would reduce unnecessary compliance burdens for operators and streamline BLM's royalty determinations on lost oil or natural gas.

[6] *https://www.doi.gov/pressreleases/interior-initiate-action-rescind-blms-intermittent-energy-rule.*

• *Revisions to the 2023 Well Control Rule, RIN 1014–AA63.*

BSEE proposes to revise certain regulatory provisions in its 2023 well control rule (88 FR 57334, August 23, 2023) to clarify certain reporting and recordkeeping requirements. This rule would reduce duplicative submissions and provide consistency and clarity of information available for BSEE review.

Increase Access to Recreational Opportunities on Public Land

The Department manages 480 million acres of public land and welcomes over 565 million visitors each year. Interior offers recreational activities like hunting, fishing, boating, hiking, and sightseeing, which contribute over a trillion dollars to our Nation's economy.[7] The Department seeks to increase access to these activities and improve access to public lands more generally. Rules that will further this goal include the following:

• *Process for Authorizing Seasonal Migratory Game Bird Hunting, RIN 1018–BI04.*

To better meet Federal, State, and Tribal rulemaking needs, reduce the complexity and delays associated with the current process, and ensure the timely start to hunting seasons, FWS proposes a streamlined approach to authorizing annual hunting seasons. Essentially, FWS proposes to change the authorization process from promulgating annual Federal regulations with State hunting seasons to issuing general Federal regulations that authorize States to establish regulations for the seasonal hunting of migratory game birds in accordance with Federal authorization conditions and the general regulations.

• *Deregulatory Actions for Migratory Bird and Eagle Permits, RIN 1018–BF58.*

FWS proposes to deregulate migratory bird and eagle permitting to better serve the American public, streamline government operations, and reduce permitting requirements. FWS proposes to leverage technology in support of innovative approaches to permitting by using general permits and regulatory authorizations. Specifically, FWS would create a general permit option for 75 percent of existing migratory bird and eagle-specific permits, primarily those that authorize possessions such as exhibition and breeding. FWS also proposes replacing the current paper system with an electronic registration system for the eight existing depredation and control orders that authorize take of depredating,

[7] *https://www.bia.gov/sites/default/files/dup/tcinfo/sp_final_for_consultation_and_comment.pdf.*

overabundant, or otherwise injurious birds. FWS also intends to eliminate situations where previously two Federal permits were required for the same or similar actions.

• *Annual station-specific hunting and fishing regulations, RIN 1018–BI01.*

FWS annually proposes regulatory additions and revisions to hunting and fishing at its national wildlife refuges and fish hatcheries. These actions are part of an annual update for the national wildlife refuge and the national fish hatchery systems to ensure adequate public notice of openings and changes. These actions enhance conservation stewardship and outdoor recreation and improve the management of game species and their habitat. FWS seeks to maximize hunting and fishing opportunities at its refuges and hatcheries to benefit the American people.

• *Alaska Hunting and Trapping in National Preserves, RIN 1024–AE96.*

The National Park Service (NPS) proposes to amend its regulations for hunting, fishing, trapping, and other natural resource harvest in national preserves in Alaska and for the procedures used to restrict public use and access in Alaska park lands. These changes restore regulations adopted to implement the Alaska National Interest Lands Conservation Act of 1980 (P.L. 96–487) that were in effect for several decades, which allows for bear baiting consistent with State law. Rulemaking in 2015, 2017, and 2024 preempted methods of State-authorized fish and wildlife harvests, revised codified and established procedures for restricting public access and activities in Alaska park lands. This rulemaking would walk back those 2024 changes.

Additional Regulatory Priorities by Bureau

The following sections give an overview of some of the other major deregulatory and regulatory priorities of the Department's Bureaus and Offices in FY 2026.

I. Bureau of Indian Affairs

The Bureau of Indian Affairs (BIA) enhances the quality of life, promotes economic opportunity, and protects and improves the trust assets of approximately 1.9 million American Indians, Indian Tribes, and Alaska Natives. BIA maintains a government-to-government relationship with the 573 federally recognized Indian Tribes. BIA also administers and manages 55 million acres of surface land and 57 million acres of subsurface minerals held in trust by the United States for American Indians and Indian Tribes.

Other Deregulatory and Regulatory Actions

• *Leasing of Osage Reservation Lands for Oil and Gas Mining, RIN 1076–AF59.*

The proposed rule was published on January 13, 2023 (88 FR 2430). This final rule will revise the regulations in 25 CFR part 226 to strengthen BIA's management of the Osage mineral estate and improve accounting and production measurement standards; offer consistency in production valuation; address inadequate bonding; support the implementation of electronic reporting systems; enhance accountability; clarify lessees' obligations; prevent waste; promote safe and environmentally sound operations; and protect resource values. The Department received Tribal government input through consultation sessions held pursuant to E.O. 13175 and the Department's policy on communication and collaboration with Tribal officials.

• *Agricultural Leasing of Indian Land, RIN 1076–AF66.*

This proposed rule would update provisions addressing leasing of Indian trust or restricted lands for agricultural purposes to reflect updates that have been made to business and residential leasing provisions and address outdated provisions.

• *Mineral Leasing Regulations, RIN 1076–AF76.*

This rule proposes to modernize the Department's trust responsibility in the areas of energy and minerals. This rule would propose to increase the benefit to Indian beneficiaries by revising definitions, authorities, bonding requirements, royalty rates, and leasing and cooperative agreements. The Department will seek Tribal government input through consultation sessions held pursuant to E.O. 13175 and the Department's policy on communication and collaboration with Tribal officials

II. Bureau of Land Management

BLM manages more than 245 million acres of public land, known as the National System of Public Lands, primarily located in 12 Western States, including Alaska. BLM also administers 700 million acres of sub-surface mineral estate throughout the Nation. As a steward, BLM pursues its multiple-use mission, providing opportunities for economic growth through uses such as energy development, ranching, mining and logging, as well as outdoor recreation activities such as camping, hunting, and fishing, while also supporting conservation efforts. Public lands provide valuable, tangible goods and materials that we, as Americans, use every day to heat our homes, build our roads, and feed our families. BLM strives to be a good neighbor in the communities it serves and is committed to keeping public landscapes healthy and productive.

Other Regulatory and Deregulatory Actions

In addition to the deregulatory and regulatory actions addressed above, the BLM intends to propose rules in FY 2026 re-imagining its grazing regulations, land use planning regulations, and regulations governing areas of critical environmental concern, among others. These rules would help lower the price of beef by, among other things, increasing the amount of cattle grazing on public lands and eliminate red tape that is slowing down BLM's execution of its multiple-use mandate.

Specifically, under the rulemaking, Grazing Administration- Exclusive of Alaska (RIN 1004–AE82), BLM will be revisions to the livestock grazing regulations found at 43 CFR part 4100. This rulemaking includes removing subpart 4180 from the grazing regulations and moving the Fundamentals of Rangeland Health to Part 1700 for the evaluation and achievement of the fundamentals of land health across all BLM programs. The proposed revisions are intended to modernize the BLM's grazing program, increase flexibility for ranchers, better protect rangeland health, and align with amendments to the Federal Land Policy and Management Act (FLPMA) and recommendations of the Government Accountability Office.

For the land use planning regulations, BLM will be proposing the Planning and Designation of Areas of Critical Environment Concern ((RIN 1004–AF53) which intends to modernize the BLM's land use planning. The proposed rule would eliminate unnecessary procedures that impose delays and roadblocks to an efficient process and remove program-specific procedures from the planning regulations while improving the BLM's coordination responsibilities in a more streamlined process. The proposed rule would also improve the readability of the planning regulations.

III. Bureau of Ocean Energy Management

BOEM is committed to ongoing efforts and initiatives vital to its mission to manage development of the Nation's offshore energy, mineral, and geological resources in an environmentally and economically responsible way. BOEM's mission is foundational to advancing the administration's oil and gas energy policies on the OCS.

Offshore energy development is a vital component of U.S. national security and a critical driver of American prosperity. In accordance with E.O. 14154 and SO 3418, both titled ''Unleashing American Energy,'' E.O. 14192, titled ''Unleashing Prosperity Through Deregulation,'' and SO 3421, titled ''Achieving Prosperity Through Deregulation,'' BOEM is committed to the safe development of our offshore energy and mineral resources, with the goal of decreasing regulatory burdens that unnecessarily restrict energy production, constrain economic growth, and prevent job creation. During the coming year, BOEM will continue to be committed to identifying deregulatory opportunities and policies that lower costs and boost exploration, investment, development, and production.

Other Deregulatory and Regulatory Actions

• *Offshore Wind Regulatory Reform, RIN 1010–AE38.*

As part of the Interior Department's full review of offshore wind energy regulations to ensure alignment with the Outer Continental Shelf Lands Act and the President's energy priorities, BOEM will propose revisions to the offshore wind regulations addressing bidding credits and financial assurance.

IV. Bureau of Safety and Environmental Enforcement

BSEE's mission is to promote offshore development and production of energy resources, while ensuring that offshore operations are safe and environmentally sound. BSEE's priorities in fulfillment of its mission are to, promote and regulate offshore energy development and build and sustain the organizational, technical, and intellectual capacity within and across BSEE's key functions in order to keep pace with offshore industry technology improvements, innovate in economically sound regulation and enforcement, and reduce risk through appropriate risk assessment and regulatory and enforcement actions.

Consistent with the direction in E.O. 14154 and SO 3418, both titled ''Unleashing American Energy,'' E.O. 14192, titled ''Unleashing Prosperity Through Deregulation,'' and SO 3421, titled ''Achieving Prosperity through Deregulation,'' BSEE has reviewed and will continue to review its existing regulations to determine whether they unnecessarily burden the development or use of domestically produced energy resources, constrain economic growth, or prevent job creation. BSEE is a well-positioned partner ready to help all stakeholders maintain the Nation's position as a global energy leader and foster energy independence for the benefit of the American people, while ensuring that offshore oil and gas activity on the OCS is performed in a safe and environmentally responsible manner.

Other Deregulatory and Regulatory Actions

• *Updates of Documents Incorporated by Reference—Oil and Gas and Sulphur Operations in the Outer Continental Shelf, RIN 1014–AA56.*

BSEE proposes to update the editions of industry documents (*e.g.,* standards incorporated by reference in 30 CFR part 250). BSEE incorporates by reference over 125 standards in its regulations. Incorporation of a specific edition of a standard into the regulations requires the regulated industry to comply with the terms of that edition and will promote regulatory clarity.

• *Oil-Spill Response Requirements for Facilities Located Seaward of the Coast Line, RIN 1014–AA44.*

BSEE proposes to update its existing regulations to incorporate the latest advancements in spill response and preparedness policies and technologies. These advancements include recent lessons learned and recommendations from reports related to the Deepwater Horizon explosion and subsequent oil spill..

• *Revisions to Subpart J—Pipelines and Pipeline Rights-of-Way, RIN 1014–AA45.*

BSEE proposes to revise specific provisions of the current pipelines and pipeline rights-of-way regulations under 30 CFR part 250, subpart J. This proposed rule would align with current technology and state-of-the-art safety equipment and procedures, primarily through the incorporation of industry standards.

V. Office of Natural Resources Revenue

ONRR collects, accounts for, and disburses revenues from Federal offshore energy and mineral leases and from onshore mineral leases on Federal and Indian lands. ONRR operates nationwide and is primarily responsible for timely and accurate collection, distribution, and accounting for revenues associated with mineral and energy production.

Other Deregulatory and Regulatory Actions

• *Federal Oil, Gas, and Coal Amendments, RIN 1012–AA39.*

ONRR proposes to amend its oil, gas, and coal valuation regulations and to specify the standard of review for Director-level appeals. This proposed rule likely would reduce cost and administrative burden to industry and the Federal Government by simplifying regulatory requirements and would ultimately incentivize production to unleash energy dominance.

VI. Office of Surface Mining Reclamation and Enforcement (OSMRE)

OSMRE was created by the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Under SMCRA, OSMRE has two principal functions, regulation of surface coal mining and reclamation operations, and reclamation and restoration of abandoned coal mine lands. In enacting SMCRA, Congress directed OSMRE to ''strike a balance between protection of the environment and agricultural productivity and the Nation's need for coal as an essential source of energy.'' OSMRE seeks to develop and maintain a regulatory program that provides a safe, cost-effective, and environmentally sound supply of coal to help support the Nation's economy and local communities.

Other Deregulatory and Regulatory Actions

• *Rescission of the* ''*Ten-Day Notices and Corrective Action for State Regulatory Program Issues*'' *Rule, Issued April 9, 2024, RIN 1029–AC89.*

OSMRE proposed rescinding the Biden-era 10-day notices and corrective action rule. This rescission would align the regulations with the single, best meaning of the statutory language in SMCRA, streamline OSMRE's coordination with State regulatory authorities to minimize duplication of efforts, and appropriately recognize that State regulatory authorities are the primary regulatory authorities of non-Federal, non-Indian lands within their borders.

VII. National Park Service

NPS preserves the natural and cultural resources and values within 433 units of the National Park System encompassing more than 85 million acres of lands and waters for the enjoyment, education, and inspiration of this and future generations.

Other Deregulatory and Regulatory Actions

• During the coming year, NPS plans to develop deregulatory actions that further the purposes of E.O. 14192 ''Unleashing Prosperity Through Deregulation,'' E.O. 14153 ''Unleashing Alaska's Extraordinary Resource Potential,'' E.O. 14219 ''Ensuring Lawful

Governance and Implementing the President's 'Department of Government Efficiency' Initiative,'' and E.O. 14314 ''Making America Beautiful Again by Improving Our National Parks.'' These actions will create new opportunities for recreational access in park areas through off-road vehicle use, bicycling, horseback riding, fishing, hiking, use of powered micromobility devices (*e.g.,* e-scooters), use of motorized vessels and personal watercraft, and hunting and trapping.

In addition to the Alaska Hunting and Trapping in National Preserves rule referenced above, NPS highlights the following deregulatory actions:

○ *Olympic National Park; Fishing (1024–AF00).* This rule would give the superintendent more flexibility to allow salmon fishing in park waters, consistent with a new fishery management plan under development. This could result in the NPS opening the Elwha River to salmon fishing by the general public for the first time in decades. This would create a new, highly anticipated opportunity for recreational fishing in the park, consistent with the direction in Executive Order 14314, Making America Beautiful Again by Improving Our National Parks, to improve the recreational experience in national parks for American residents.

○ *Revisions to Bicycle Regulations (1024–AE97).* This rule would remove unnecessary procedural requirements for the designation of trails for bicycle use in park areas. Existing regulations require the NPS to prepare an environmental assessment or an environmental impact statement to evaluate the potential impacts of bicycle use whether or not they would be required by the National Environmental Policy Act (NEPA). As a result, the NPS conducts levels of review that may not be justified by the scope of the action or needed under Federal law. These regulations should therefore be modified consistent with the direction in Executive Order 14219, ''Ensuring Lawful Governance and Implementing the President's 'Department of Government Efficiency' Deregulatory Initiative.'' By streamlining the process for designating trails for bicycle use in park areas, this rule may lead to increased opportunities for recreation and access in park areas thereby improving the recreational experience in national parks for American residents, consistent with Executive Order 14314.

VIII. Other Regulatory Actions of the Department of the Interior

• *Practices Before the Department of the Interior. RIN 1094–AA57.*

The Office of Hearings and Appeals (OHA) will make comprehensive procedural changes to Federal regulations governing hearings and appeals proceedings before Interior's administrative tribunals. OHA will modify and update its regulations located in title 43 of the Code of Federal Regulations in parts 4 and 30 to: (1) promote expeditious and meaningful review of administrative decisions; (2) reflect changes in the law; (3) reorganize and streamline procedures and retitle subparts to improve clarity to parties; (4) consolidate redundant language; (5) eliminate outdated procedures; and (6) allow OHA to continue to modernize its practice and keep pace with technological and other advancements, including the establishment of a regulatory framework for an electronic filing and case docket management system.

BILLING CODE 4334–63–P

DOI—Bureau of Ocean Energy Management (BOEM)	Proposed Rule Stage

89. • OFFSHORE WIND REGULATORY REFORM

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Regulatory

Legal Authority: Outer Continental Shelf Lands Act

Relevant Executive Orders: 14315

CFR Citation: 30 CFR 585

Legal Deadline: None

Abstract: This rule will propose revisions to the offshore wind regulations. In 2024, BOEM promulgated the Renewable Energy Modernization Rule. Now, to support Executive Order 14315 and Secretary's Order 3437, and in accordance with the Department's August 7, 2025, announcement, BOEM will update the offshore wind regulations.

Statement of Need: The Department of the Interior, acting through the Bureau of Ocean Energy Management is proposing this regulatory action to support Executive Order 14315, Ending Market Distorting Subsidies for Unreliable, Foreign-Controlled Energy Sources (July 7, 2025), Secretary's Order 3437, Ending Preferential Treatment for Unreliable, Foreign-Controlled Energy Sources in Department Decision-Making (July 29, 2025), and the President's memorandum, Temporary Withdrawal of All Areas on the Outer Continental Shelf from Offshore Wind Leasing and Review of the Federal Government's Leasing and Permitting Practices for Wind Projects (January 20, 2025).

Summary of Legal Basis: Congress authorized the Secretary to grant OCS leases for renewable energy activities when it enacted the Energy Policy Act of 2005, which amended the Outer Continental Shelf Lands Act (OCSLA) by adding a new subsection 8(p), codified at 43 U.S.C. 1337(p). Subsection 8(p) of OCSLA authorizes the Secretary to award OCS leases, pipeline ROW grants, and RUE grants for activities not otherwise authorized by other applicable law, if those activities produce or support production, transportation, storage, or transmission of energy sources other than oil or gas.

Subsection 8(p) requires the Secretary to award such leases, ROWs, and RUEs on a competitive basis unless the Secretary determines, following public notice, that competitive interest does not exist. Additionally, subsection 8(p) also authorizes the Secretary to issue regulations to carry out the subsection's grant of authority. The Secretary delegated that authority to BOEM's and BSEE's predecessor, the Minerals Management Service. Subsection 8(p)(8) of OCSLA (43 U.S.C. 1337(p)(8)) authorizes the Secretary to issue any necessary regulations to carry out this subsection.

Alternatives: TBD

Anticipated Cost and Benefits: TBD

Risks: TBD

Timetable:

Action	Date	FR Cite
NPRM	08/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

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RIN: 1010–AE38

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Department of Justice (DOJ)

Statement of Regulatory Priorities

The mission of the Department of Justice is to uphold the rule of law, to keep our country safe, and to protect civil rights. In carrying out this mission, the Department is guided by the core values of excellence, integrity, fairness, and commitment to promoting the impartial administration of justice. Consistent with its mission and values, the Department is prioritizing activities that protect the public against foreign and domestic threats, enforce immigration laws, strengthen enforcement of civil rights laws, defend against domestic and international terrorism, combat violent crime while protecting Second Amendment rights and reducing unnecessary burdens on the regulated communities, prevent and control crime, and uphold our system of criminal justice. Because the Department of Justice is primarily a law enforcement agency, not a regulatory agency, it carries out its principal investigative, prosecutorial, and other enforcement activities through means other than the regulatory process.

Regulatory action is, however, a significant aspect of the mission of the Department. The regulatory priorities of the Department include initiatives in the areas of effective law enforcement, immigration enforcement, civil rights, and illicit firearms trafficking reduction, and are effectuated through rulemaking by the various components of the Department. These initiatives, as well as others important to components' accomplishing key law enforcement priorities, are summarized below.

Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)

ATF issues regulations to enforce and implement Federal laws relating to the manufacture, importation, sale, and other commerce in firearms and explosives. Such regulations are designed to promote the ATF mission to curb illegal traffic in, and criminal use of, firearms and explosives, and to assist state, local, Tribal, territorial, and other Federal law enforcement agencies in reducing violent crime.

ATF will, as a priority during fiscal year 2026, streamline firearms and explosives regulations to reduce unnecessary burdens on the public consistent with Federal laws governing commerce in firearms and explosives. In this way, ATF's approach is animated by an interest in deregulation. ATF is pursuing a large rulemaking initiative, which includes updating regulations, so the firearms industry and public are not subject to inadvertent regulatory traps, removing outdated and repetitive regulations, and reducing regulatory burdens to promote business efficiencies while still promoting public safety. As one priority, ATF is undertaking amendments to the regulations that govern firearms transactions and the Firearms Transaction Record, ATF Form 4473. The rulemaking will streamline identity and residence verification requirements, double the performance timeframe for transactions following a Form 4473 and background check, permit electronic forms and notices as well as auto-populating documents, and address private party transfers and firearms handlers checks (RIN 1140–AA82). As another priority, ATF is amending its regulations to conform with the One Big Beautiful Bill Act (OBBBA), which reduced the tax liability for certain firearms subject to the National Firearms Act of 1934 from $200 to $0, effective January 1, 2026 (RIN 1140–AA83). ATF is also amending the regulatory definition of ''machine gun'' in response to the Supreme Court decision in *Garland* v. *Cargill* to remove any language pertaining to bump-stock devices (RIN 1140–AA60) and is rescinding the final rule ''Factoring Criteria for Firearms with Attached 'Stabilizing Braces','' as it has rarely been in effect since its publication due to ongoing litigation.

ATF's continuing priorities include proposing a rulemaking to update certain provisions of the Federal explosives regulations at 27 CFR part 555, most of which have not been updated since the early 1970s (RIN 1140–AA59). The rulemaking is expected to be deregulatory in nature and address certain definitions of commonly used terms, consolidate licensing and permitting, simplify record-keeping provisions, and clarify certain aspects of storing and identifying explosive materials by multiple licensees using a single magazine. ATF is also publishing a final rule aimed at protecting first responders that industry has long recommended as a safety measure. The final rule amends 27 CFR part 555 to require persons who are subject to explosives regulations, and thus already report to the local authority with jurisdiction for fire safety in the locality when they begin storing explosive materials at a location, to annually notify that local authority of the current type, quantity, and location of each site where the licensee is storing explosive materials within that jurisdiction (RIN 1140–AA51).

Bureau of Prisons (BOP)

BOP issues regulations to enforce the Federal laws relating to its mission to protect public safety by ensuring that Federal offenders serve their sentences of imprisonment in facilities that are safe, humane, cost-efficient, and appropriately secure, and to provide reentry programming to ensure their successful return to the community.

The First Step Act (FSA) of 2018, Public Law 115–391, 132 Stat. 5194 (2018), has brought a host of regulatory changes for BOP. To date, BOP has successfully enacted FSA-related regulations (1) to enable eligible inmates to earn Time Credits towards prerelease custody or early transfer to supervised release, and (2) to modify the amount of Good Time Credit to which eligible inmates are entitled.

BOP has two remaining FSA-related regulatory measures it plans to finalize. The first involves the Reservation of Funds for Reentry Under the First Step Act final rule, which will implement an FSA provision requiring BOP to reserve a portion of the compensation inmates would otherwise receive for working to assist these inmates with costs associated with release from prison. The second involves promulgating an interim final rule that changes two specific sections of the First Step Act Time Credits regulation to conform with recent case law trends.

In February 2024, BOP published a notice of proposed rulemaking (NPRM) titled Inmate Discipline Program: Disciplinary Segregation and Prohibited Act Code Changes, which proposed several significant revisions and updates to the Inmate Discipline Program. BOP continues to work toward a final rule.

Finally, BOP continues to take the lead on updating and clarifying certain standards related to the Prison Rape Elimination Act (PREA), working toward publication of a proposed rule before the end of 2025.

Civil Rights Division (CRT)

CRT works to uphold the civil and constitutional rights of all persons in the United States, particularly some of the most vulnerable members of our society, and also works to facilitate compliance among regulated entities by addressing the regulatory burdens they face. Consistent with this mission, CRT plans to engage in four separate rulemakings on disability rights.

First and second, under Section 610 of the Regulatory Flexibility Act (5 U.S.C. 610), CRT intends to review the Americans with Disabilities Act title II and title III regulations issued in 2010, at 28 CFR 35 and 28 CFR 36 respectively, to determine whether updates are necessary. Third, CRT plans to reconsider whether some of the regulatory provisions imposed by the April 24, 2024, title II rule regarding the accessibility of web information and the services of state and local government entities could be made less burdensome and the deadlines for implementation extended. Fourth, CRT is proposing to revise the ADA title III regulations to establish specific criteria for determining when qualified small businesses are presumed to be in compliance with their obligation to remove readily achievable barriers in existing facilities.

Drug Enforcement Administration (DEA)

DEA is primarily responsible for coordinating the drug law enforcement activities of the United States and assisting in the implementation of the President's National Drug Control Strategy. DEA implements and enforces titles II and III of the Comprehensive Drug Abuse Prevention and Control Act of 1970 and the Controlled Substances Import and Export Act (21 U.S.C. 801–971), as amended, collectively referred to as the Controlled Substances Act (CSA).

DEA's mission is to enforce the controlled substances laws and regulations of the United States and bring to the criminal, civil, and administrative justice systems those organizations and individuals involved in the growing, manufacture, or distribution of controlled substances and listed chemicals appearing in or destined for illicit traffic in the United States. The CSA and its implementing regulations are designed to prevent, detect, and eliminate the diversion of controlled substances and listed chemicals into the illicit market while providing for the legitimate medical, scientific, research, and industrial needs of the United States.

Pursuant to its statutory authority, DEA intends to continue with the following priority regulations:

On December 31, 2025, DEA, jointly with the Department of Health and Human Services, issued a fourth temporary extension (Fourth Temporary Rule) extending the full set of telemedicine flexibilities regarding prescription of controlled medications as were in place during the COVID–19 public health emergency, through December 31, 2026. This extension authorized all DEA-registered practitioners to prescribe schedule II–V controlled medications via telemedicine through December 31, 2026.

On January 17, 2025, DEA promulgated the ''Special Registrations for Telemedicine and Limited State Telemedicine Registrations'' NPRM, which proposed a framework for a Special Registration for telemedicine, authorizing practitioners and mid-level practitioners to prescribe controlled substances via audio-video telemedicine (and in limited instances, video-only telemedicine) without having ever conducted a prior in-person medical evaluation, provided they adhere to the proposed prescription, recordkeeping, and reporting requirements. The NPRM also proposed to require that certain Direct-to-Consumer (DTC) telemedicine platforms register with DEA when they engage in intermediary conduct integral to the provider-patient relationship.

DEA is currently reviewing the over 6,400 public comments submitted on the Special Registration for Telemedicine (RIN 1117–AB40).

DEA intends to publish a final regulation to revise its regulations relating to suspicious orders of controlled substances found at 21 CFR 1301.74 and 21 CFR 1301.76. DEA published an NPRM titled Suspicious Orders of Controlled Substances in November of 2020, that proposed to define the term suspicious order and specify the procedures a registrant must follow upon receiving such orders. Due to the large volume of public comments, DEA reopened the comment period until March 29, 2021 (RIN 1117–AB47).

Executive Office for Immigration Review (EOIR)

EOIR's primary mission is to adjudicate immigration cases by fairly, expeditiously, and uniformly interpreting and administering the Nation's immigration laws. Under delegated authority from the Attorney General, EOIR conducts Immigration Court proceedings under the Office of the Chief Immigration Judge (OCIJ), appellate reviews by the Board of Immigration Appeals (BIA or the Board) of Immigration Judge decisions and other matters specified by regulation, and administrative hearings involving immigration-related employment practices, discrimination claims, and document fraud cases under the Office of the Chief Administrative Hearing Officer (OCAHO). In Fiscal Year 2024, Immigration Judges adjudicated over 700,000 cases to determine whether aliens should be ordered removed from the United States or whether they are eligible for relief or protection from removal.

EOIR's top regulatory priorities focus on revising and updating regulations to increase efficiency in Immigration Court proceedings and enable adjudicators to quickly resolve immigration cases, thereby reducing the backlog of pending cases before EOIR. For example, EOIR is working to finalize a rulemaking that would implement the statutorily provided contempt authority, which will allow Immigration Judges to better control their courtrooms by imposing civil money penalty sanctions on individuals who engage in contemptuous behavior that delays, disrupts, or obstructs the due course of immigration proceedings (RIN 1125–AB02). EOIR is also finalizing a regulation implementing electronic filing and records applications for all cases before OCAHO (RIN 1125–AB23). This regulation will mandate electronic filing for most parties in proceedings before OCAHO, which will create significant efficiencies by reducing labor costs associated with using paper case files and allowing case deadlines to be set quickly since electronic filings do not require additional time to account for paper mail delivery. Finally, pursuant to the OBBBA, EOIR is finalizing a rule to update relevant EOIR regulations governing fees to ensure full regulatory consistency with OBBBA's statutory changes.

Federal Bureau of Investigation (FBI)

The FBI is responsible for protecting and defending the United States against terrorist and foreign intelligence threats, upholding and enforcing the criminal laws of the United States, and providing leadership and criminal justice services to Federal, state, local, tribal, territorial, and international agencies and partners. Only in limited contexts does the FBI rely on rulemaking.

The FBI intends to publish a proposed rule regarding additional permissible uses of the National Instant Criminal Background Check System (NICS). This proposed rule will, among other things, allow Federal firearms licensees (FFLs) to query the NICS regarding proposed transfers of privately owned firearms and will allow for further uses of the NICS Indices by criminal justice agencies, the FBI, ATF, the Nuclear Regulatory Commission, and other authorized agencies.

The FBI intends to publish a final rule regarding criteria for NICS checks concerning firearm handlers and other eligible employees. This final rule will implement a portion of the Bipartisan Safer Communities Act (BSCA), 34 U.S.C. 40901, by authorizing and establishing the process for FFLs to use NICS for the purpose of voluntarily conducting background checks of certain current and/or prospective employees of the FFL, to determine whether such employees are prohibited from possessing or receiving firearms. (RIN 1100–AA35).

Finally, the FBI continues to actively work on additional regulatory actions to implement other BSCA provisions, the Child Protection Improvement Act, and the Private Security Officer Employment Authorization Act that are on its long-term regulatory docket.

National Security Division (NSD)

In December 2021, the Department published a National Security Division (NSD) Advance Notice of Proposed Rulemaking (ANPRM) (86 FR 70787) soliciting comments about potential revisions to the Foreign Agents Registration Act (FARA) regulations. Based on comments received, the Department published an NPRM (90 FR 40) in early January 2025. NSD has previously carefully considered comments received in response to the NPRM, and is now considering a final rule that adopts many—but not all—of the NPRM's proposals. Among others, changes anticipated in the final rule will expand the availability of exemptions commonly relied upon by corporations and law firms and provide requested clarity on labeling digital media. In sum, the final rule will clarify ambiguities in the existing regulations, update the regulations to keep pace with technological change, and improve civil FARA administration while reducing regulatory burdens on the public.

Additional Noteworthy Regulations

The Department of Justice is updating its existing procedures in 28 CFR part 61 concerning compliance with the National Environmental Policy Act (NEPA). The updates are necessary to respond to guidance issued by the Council on Environmental Quality, as well as amendments to NEPA made in 2023 by the Fiscal Responsibility Act.

The Department of Justice is also releasing a set of procedures and criteria in 28 CFR part 107 regarding Applications for Relief from Disabilities Imposed by Federal Laws with Respect to the Acquisition, Receipt, Transfer, Shipment, Transportation, or Possession of Firearms. The rule resurrects a moribund process under 18 U.S.C. 925(c) that had previously been effectuated by the ATF. In July, the Department issued an NPRM outlining the proposed criteria and guidelines for members of the public to apply for this new process. The comment period for this proposal ended in October 2025. The Department is reviewing comments and working to draft a final rule which will adopt many of the proposed rule's criteria. The development of this rule was necessary to satisfy the public's request for relief under this long-dormant provision, and the Department is committed to providing this valuable service in support of citizens' Second Amendment rights.

BILLING CODE 4410–BP–P

DOJ—Drug Enforcement Administration (DEA)	Final Rule Stage

90. SPECIAL REGISTRATIONS FOR TELEMEDICINE AND LIMITED STATE TELEMEDICINE REGISTRATIONS

Priority: Economically Significant

Regulatory Accounting: Deregulatory

Legal Authority: 21 U.S.C. 831(h); 21 U.S.C. 802(54); Pub. L. 115–271, sec. 3232

Relevant Executive Orders: 12866; 13563

CFR Citation: 21 CFR 1301

Legal Deadline: Final, Statutory, October 24, 2019.

Abstract: The Ryan Haight Online Pharmacy Consumer Protection Act of 2008 (the Act) (Pub. L. 110–425) was enacted on October 15, 2008, and amended the Controlled Substances Act by adding various provisions to prevent the illegal distribution and dispensing of controlled substances by means of the internet. Among other things, the Act required an in-person medical evaluation as a prerequisite to prescribing or otherwise dispensing controlled substances by means of the internet, except in the case of practitioners engaged in the practice of telemedicine. The definition of the ''practice of telemedicine'' includes seven distinct categories that involve circumstances in which the prescribing practitioner might be unable to satisfy the Act's in-person medical evaluation requirement yet nonetheless has sufficient medical information to prescribe a controlled substance for a legitimate medical purpose in the usual course of professional practice. One specific category within the Act's definition of the ''practice of telemedicine'' includes ''a practitioner who has obtained from the [DEA Administrator] a special registration under [21 U.S.C. 831(h)].'' 21 U.S.C. 802(54)(E). The Act also specifies certain criteria that the DEA must consider when evaluating an application for such a registration. However, the Act contemplates that the DEA must issue regulations to effectuate this special registration provision.

On January 17, 2025, DEA promulgated the Special Registrations for Telemedicine and Limited State Telemedicine Registrations NPRM, which proposed a framework for a Special Registration for telemedicine, authorizing practitioners and mid-level practitioners to prescribe controlled substances via audio-video telemedicine (and in limited instances, video-only telemedicine) without having ever conducted a prior in-person medical evaluation, provided they adhere to the proposed prescription, recordkeeping, and reporting requirements. The NPRM also proposed to require that certain Direct-to-Consumer (DTC) telemedicine platforms register with DEA when they engage in intermediary conduct integral to the provider-patient relationship.

Statement of Need: DEA is currently reviewing the over 6,400 public comments submitted on the Special Registration for Telemedicine NPRM published on January 17, 2025, and is considering various alternatives in drafting a Final Rule for Telemedicine Prescribing of Controlled Substances when the Practitioner and the Patient Have Not Had a Prior In-Person Medical Evaluation in order to promulgate effective regulations responsive to the general public and industry concerns.

Summary of Legal Basis: DEA implements and enforces the CSA and the Controlled Substances Import and Export Act, (21 U.S.C. 801–971), as amended. DEA publishes the implementing regulations for these statutes in 21 CFR parts 1300 to end. These regulations are designed to ensure a sufficient supply of controlled substances for medical, scientific, and other legitimate purposes, and to deter the diversion of controlled substances for illicit purposes.

As mandated by the CSA, DEA establishes and maintains a closed system of control for manufacturing, distribution, and dispensing of controlled substances, and requires any person who manufactures, distributes, dispenses, imports, exports, or conducts research or chemical analysis with controlled substances to register with DEA, unless they meet an exemption, pursuant to 21 U.S.C. 822. The CSA further authorizes the Administrator to promulgate regulations necessary and appropriate to execute the functions of subchapter I (Control and Enforcement) and subchapter II (Import and Export) of the CSA. 21 U.S.C. 871(b), 958(f).

Alternatives: DEA is considering various alternatives, particularly the proposed requirements outlined in the January 17, 2025, NPRM.

Anticipated Cost and Benefits: DEA anticipates this rule will be economically significant (that is, that the rule will 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, territorial, or tribal governments or communities). DEA believes the rule will reduce the cost of providing and receiving medical care, increasing access, particularly for those patients where an in-person medical evaluation is difficult, such as patients in rural areas and with disabilities.

Risks: Failing to issue a rule on telemedicine would interfere with DEA's mission to prevent, detect, and investigate the diversion of controlled pharmaceuticals and listed chemicals from legitimate sources while ensuring an adequate and uninterrupted supply for legitimate medical, commercial, and scientific needs.

Timetable:

Action	Date	FR Cite
NPRM	03/01/23	88 FR 12875
NPRM Comment Period End.	03/31/23	
Temporary Rule	05/10/23	88 FR 30037
Temporary Rule Effective.	05/11/23	
Second Temporary Rule.	10/10/23	88 FR 69879
Second Temporary Rule Effective.	11/11/23	
Third Temporary Rule.	11/19/24	89 FR 91253
Third Temporary Rule Effective.	01/01/25	
NPRM	01/17/25	90 FR 6541
Fourth Temporary Rule.	12/31/25	90 FR 61301
Fourth Temporary Rule Effective.	01/01/26	
Final Action	11/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: DEA Docket number 407/Related rule 1117–AB88 DEA407VA

URL For More Information: *DPW@dea.gov*

URL For Public Comments: *www.regulations.gov*

Agency Contact: Heather E. Achbach, Acting Section Chief, Regulatory Drafting and Support Section, Department of Justice, Drug Enforcement Administration, Diversion Control Division, 8701 Morrissette Drive, Springfield, VA 22152

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Related RIN:

Related to 1117–AB88

RIN: 1117–AB40

BILLING CODE 4410–BP–P

Department of Labor

2026 Regulatory Plan

Executive Summary: Putting the American Worker First

The Department of Labor's mission is to foster, promote, and develop the welfare of America's wage earners, job seekers, and retirees; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights. The Department advocates for workers by ensuring that employers are held accountable for their legal obligations, while helping employers understand and comply with the many laws and regulations affecting their workplaces.

Under President Trump's leadership, the Department will continue to place American workers first by focusing on policies that protect American jobs, reduce unnecessary burdens on employers and workers alike, and ensure workers share in the benefits of a strong economy.

The Department's regulatory agenda is guided by the President's Executive Orders. Consistent with Executive Order E.O. 14192, *Unleashing Prosperity Through Deregulation,* the Department is rescinding and revising unlawful, unconstitutional, and overly burdensome rules that have stifled growth, imposed costs, and limited opportunity for workers and employers alike. Under the Executive Order *Restoring Merit-Based Opportunity,* the Department is proposing to end government mandates that pressured employers and contractors to make employment decisions based on race, sex, gender identity, and similar classifications. This includes eliminating divisive Diversity, Equity, and Inclusion (DEI) requirements that encouraged unlawful group preferences. The Department reaffirms the American principle that hiring, promotion, and opportunity should be based on merit, not identity politics. Consistent with Executive Orders 13877, *Improving Price and Quality Transparency in American Healthcare to Put Patients First,* and 14274, *Lowering Drug Prices by Once Again Putting Americans First,* the Department will continue efforts to make health care coverage more affordable and understandable for workers and retirees. Finally, pursuant to Executive Order 14154, *Unleashing American Energy,* the Department is aligning workplace standards with the goals of energy independence and economic strength. A central part of this strategy is maintaining protections for miners while ensuring America's energy producers can expand operations without facing duplicative or unnecessary regulatory burdens.

The Department is committed to fully and fairly enforcing the laws under its jurisdiction. The vast majority of employers work hard to keep their workplaces safe and to comply with wage and pension laws. Acknowledging this, the Department is working to provide compliance assistance, including through self-audit programs and the relaunch and expansion of the opinion letter program, to give employers the knowledge and tools they need to comply with their legal obligations.

The Department's Regulatory Plan To Accomplishing These Objectives

The Department's regulatory approach in 2026 will emphasize clarity, restraint, and accountability. The Department recognizes that workers benefit most from a strong and growing economy, and that excessive, unlawful, or poorly tailored regulation can reduce opportunity, raise costs, and weaken the very protections it was intended to promote.

To carry out its mission, the Department will rely on three core strategies. First, it will faithfully enforce the laws Congress has enacted, ensuring that employers who disregard their obligations are held accountable while providing compliance assistance to the vast majority of employers who want to do right by their employees. Second, it will rescind or revise rules that exceed statutory authority, conflict with constitutional principles, or impose unnecessary costs. Third, where regulation is needed, the Department will proceed through notice-and-comment to provide transparency, solicit public input, and ensure that rules are grounded in sound economic and scientific data.

This balanced approach will protect workers, retirees, and job seekers while giving employers certainty and flexibility. The Department will continue to prioritize deregulatory actions that deliver meaningful cost savings, streamline compliance, and unleash innovation, while also moving forward with targeted rulemakings that secure retirement savings, ensure safe workplaces, and promote true equal opportunity. Through this plan, the Department of Labor is advancing the President's directives to unleash prosperity, restore merit, and put American workers first, ensuring that every regulatory action strengthens the economy, expands opportunity, and safeguards the rights and benefits of the American people.

The Department's Regulatory Priorities

The Employee Benefits Security Administration (EBSA) will propose a rule responsive to Executive Order 14330, Democratizing Access to Alternative Assets for 401(k) Investors, that will clarify the duties that a fiduciary owes to plan participants under ERISA when deciding whether to make available to plan participants an asset allocation fund, including a fund that incorporates investments in alternative assets. Consistent with Executive Orders 13877, *Improving Price and Quality Transparency in American Healthcare to Put Patients First,* and 14273, *Lowering Drug Prices by Once Again Putting Americans First,* EBSA will work with the Departments of HHS and Treasury to propose rules designed to improve transparency and reduce costs in health care. EBSA also will propose a rule to reaffirm that fiduciaries under ERISA must base their investment decisions on financial considerations relevant to risk-adjusted economic value. This approach ensures that retirement plans are not diverted by political or social agendas, but instead remain focused on maximizing security for American retirees.

The Office of Federal Contract Compliance Programs (OFCCP), consistent with Executive Order 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity,* will issue a final rule based on its proposal to rescind regulations that pressured contractors to make employment decisions based on race, sex, or other similar classifications. These rules undermined equal employment opportunity by encouraging unlawful group preferences and perpetuating divisive DEI mandates. Their removal ensures that hiring and promotion in federal contracting is based on merit, not group identity. The Department is also removing other DEI-related rules across its programs, including regulations that imposed unlawful and unauthorized requirements on apprenticeship sponsors and grant recipients.

The Occupational Safety and Health Administration (OSHA) enforces a wide range of standards that are designed to reduce occupational deaths, injuries, and illnesses. OSHA is committed to establishing clear, common-sense standards to help accomplish this. OSHA will finalize the heat illness prevention standard first proposed in 2024, with a view toward avoiding excessive burdens that commenters identified. OSHA will also finalize a standard for emergency responders to ensure they are adequately protected while performing lifesaving duties. OSHA will also propose comprehensive safety rules for the tree care industry and to modernize the lockout/tagout standard to recognize new technologies that both improve safety and reduce costs, ensuring that regulatory requirements do not stand in the way of innovation.

The Wage and Hour Division (WHD) administers numerous laws that establish the minimum standards for wages and working conditions in the United States. WHD will issue a final rule based on a proposal to restore the statutory exemptions from minimum wage and overtime compensation requirements for home health workers, which, if finalized as proposed, could lower the cost of care for seniors and persons with disabilities. WHD has proposed and will finalize a rule that clarifies when a worker is an independent contractor under several of the laws it administers, which is intended to ensure that entrepreneurs and freelancers can work freely while businesses have legal certainty. Finally, WHD will also propose a rule to clarify joint employment under those laws, reducing litigation risk and encouraging job growth.

The Employment and Training Administration (ETA) oversees administration of federal job training and worker dislocation adjustment programs, federal grants to states for public employment service programs, unemployment insurance benefits, and foreign labor certifications. ETA will finalize the rescission of costly regulatory burdens on farmers who use the H–2A program while modernizing the methodology used to determine the adverse effect wage rate for the program. ETA proposed and will finalize reforms to the H–1B temporary nonimmigrant and permanent immigrant visa program to improve wage and employment protections for U.S. workers.

The Mine Safety and Health Administration (MSHA) is responsible for protecting the health and safety of the nation's miners. In 2026, MSHA will propose revisions to its respirable silica standard to address new developments in the mining industry and clarify existing requirements while maintaining strong protections for miners.

The Office of Labor-Management Standards (OLMS) promotes union democracy through standards for union officer elections and trusteeships over subordinate bodies. It also furthers financial integrity in labor unions and safeguards union assets, in part through reporting and disclosure requirements for labor unions and other entities. OLMS seeks to modernize the annual financial reports filed by labor organizations to ensure labor organizations are adhering to the highest standards of responsibility and ethical conduct.

Conclusion

The Trump Administration's 2026 DOL Regulatory Plan places America's workers first. By protecting retirement security, replacing divisive DEI requirements with meritocracy, and unleashing prosperity by reducing regulatory costs, the Department will strengthen America's workforce, increase opportunity, and ensure that every American worker has the chance to prosper.

DOL—Office of Federal Contract Compliance Programs (OFCCP)	Final Rule Stage

91. RESCISSION OF EXECUTIVE ORDER 11246 IMPLEMENTING REGULATIONS

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Deregulatory

Legal Authority: E.O. 14173

Relevant Executive Orders: 14192; 14173; 14219; 14267

CFR Citation: 41 CFR 60–1; 41 CFR 60–2; 41 CFR 60–3; 41 CFR 60–4; 41 CFR 60–20; 41 CFR 60–30; 41 CFR 60–40; 41 CFR 60–50; 41 CFR 60–999

Legal Deadline: None

Abstract: On January 21, 2025, President Trump issued Executive Order 14173, Ending Illegal Discrimination and Restoring Merit-Based Opportunity, which revoked Executive Order 11246, Equal Employment Opportunity. Accordingly, the United States Department of Labor is rescinding its regulations implementing Executive Order 11246 found at 41 CFR part 60–1 *et seq.*

Statement of Need: The rule will rescind the implementing regulations for E.O. 11246, which was revoked by E.O. 14173 on January 21, 2025. The rule will also address legal vulnerabilities related to the regulation's affirmative action requirements, improve the efficiency of the federal contracting process, decrease employer burden, and provide regulatory certainty to Federal contractors and other stakeholders by aligning the regulations with recent executive orders impacting DOL's enforcement.

Summary of Legal Basis: Under development

Alternatives: Under development

Anticipated Cost and Benefits: In the NPRM we estimated 10-year cost savings of $6,998,112,173 at a 7% discount rate. However, my understanding is ASP may add in additional cost savings in the final rule so this is still under development. Benefits include potential cost savings for covered contractors, removing unnecessary regulatory burdens, and reducing confusion about contractors' current regulatory obligations.

Risks: Under development

Timetable:

Action	Date	FR Cite
NPRM	07/01/25	90 FR 28472
Comment Period Ends.	09/02/25	
NPRM Comment Period Extended.	09/04/25	90 FR 42711
NPRM Comment Period Extended End.	09/17/25	
Final Rule	07/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 1250–AA17

DOL—Wage and Hour Division (WHD)	Proposed Rule Stage

92. EMPLOYEE OR INDEPENDENT CONTRACTOR STATUS UNDER THE FAIR LABOR STANDARDS ACT, FAMILY AND MEDICAL LEAVE ACT, AND MIGRANT AND SEASONAL AGRICULTURAL WORKER PROTECTION ACT

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Deregulatory

Legal Authority: 29 U.S.C. 201 et seq; 29 U.S.C. 1861; 29 U.S.C 2654

CFR Citation: 29 CFR 500.20(h)(4); 29 CFR part 795; 29 CFR 825.102

Legal Deadline: None

Abstract: In 2024, the Department of Labor (Department) published a final rule providing an analysis for determining employee or independent contractor classification under the Fair Labor Standards Act (FLSA). See 89 FR 1638 (2024 IC Rule). The 2024 IC Rule took effect on March 11, 2024. However, the 2024 IC Rule has been the subject of five separate legal challenges. In this rulemaking, the Department intends to rescind the 2024 IC rule and replace it with the analysis that the Department previously adopted in an earlier 2021 rule, with a few modifications. 91 FR 9932; see also 86 FR 1168 (2021 IC Rule). The Department has also proposed to modify regulations interpreting the Family and Medical Leave Act (FMLA) and Migrant and Seasonal Agricultural Worker Protection Act (MSPA) to clarify that the analysis for determining employee or independent contractor status under the FLSA also applies under the FMLA and MSPA.

Statement of Need: In 2024, the Department of Labor (Department) published a final rule providing an analysis for determining employee or independent contractor classification under the Fair Labor Standards Act (FLSA). See 89 FR 1638 (2024 IC Rule). The 2024 IC Rule took effect on March 11, 2024. However, the 2024 IC Rule has been the subject of five separate legal challenges. In this rulemaking, the Department has proposed to rescind the 2024 IC rule and replace it with the analysis that the Department previously adopted in an earlier 2021 rule, with a few modifications. 91 FR 9932; see also 86 FR 1168 (2021 IC Rule). the Department has also proposed to modify regulations interpreting the Family and Medical Leave Act (FMLA) and Migrant and Seasonal Agricultural Worker Protection Act (MSPA) to clarify that the analysis for determining employee or independent contractor status under the FLSA also applies under the FMLA and MSPA.

Summary of Legal Basis: The Department's authority to interpret the FLSA comes with its authority to administer and enforce it. See 29 U.S.C. 201–219. The Department's authority to interpret the FMLA and MSPA is delegated by statute. 29 U.S.C. 2654 (FMLA); 29 U.S.C. 1861 (MSPA).

Alternatives: The Department considered three alternatives to the proposed rule, listed below from least to most restrictive of independent contracting: (1) adoption of the common law control test, which applies in distinguishing between employees and independent contractors under various other federal laws; (2) adoption of the Wage and Hour Division's current enforcement policy, which is comprised of sub-regulatory guidance from before 2021 applying a multifactor economic reality balancing test; and (3) adoption of an ABC test (which a number of states have adopted).

Anticipated Cost and Benefits: The Department estimates that the proposed rule would impose an initial one-time regulatory familiarization cost of $488.2 million. However, the Department also estimates cost savings of $682.7 million per year attributable to increased clarity. Assuming that the proposed rule increases the number of independent contractors by 2 percent, the Department estimates benefits to workers from new labor force entry could amount to $17.6 billion over 10 years, with an additional $14.9 billion accruing to broader society in the form of taxes collected on the earnings of the new labor. On an annualized basis, the Department estimates that the benefits from increased labor force participation could amount to $3.25 billion per year at a 7 percent discount rate. See 91 FR 9962.

Risks: Under development

Timetable:

Action	Date	FR Cite
NPRM	02/27/26	91 FR 9932
NPRM Comment Period End.	04/28/26	
Final Rule	10/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Daniel Navarrete, Director, Division of Regulations, Legislation, and Interpretation (DRLI), Department of Labor, Wage and Hour Division, 200 Constitution Avenue NW, Room S–3502, Washington, DC 20210

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Related RIN:

Related to 1235–AA43, Related to 1235–AA34

RIN: 1235–AA46

DOL—WHD	

93. JOINT EMPLOYER STATUS UNDER THE FAIR LABOR STANDARDS ACT, FAMILY AND MEDICAL LEAVE ACT, AND MIGRANT AND SEASONAL AGRICULTURAL WORKER PROTECTION ACT

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Deregulatory

Legal Authority: 29 U.S.C. 201 et seq; 29 U.S.C. 1861; 29 U.S.C. 2654

CFR Citation: 29 CFR 500.20(h)(5); 29 CFR 791; 29 CFR 825.106; 29 CFR 780.305(c) and 780.331(d)

Legal Deadline: None

Abstract: Since 2021, the Department has had no generally-applicable regulatory guidance addressing joint employer liability under the Fair Labor Standards Act (FLSA). The Department is considering a notice of proposed rulemaking to provide interpretive guidance on FLSA joint employer liability at 29 CFR part 791 (where it was located prior to 2021), and also to amend provisions in the Department's regulations for the Family and Medical Leave Act (FMLA) and Migrant and Seasonal Agricultural Workers Protection Act (MSPA) to advise that joint employer status under those laws should be determined using the Department's FLSA analysis.

Statement of Need: Since 2021, the Department has had no generally-applicable regulatory guidance addressing joint employer liability under the Fair Labor Standards Act (FLSA). The Department is considering a notice of proposed rulemaking to provide interpretive guidance on FLSA joint employer liability at 29 CFR part 791 (where it was located prior to 2021), and also to amend provisions in the Department's regulations for the Family and Medical Leave Act (FMLA) and Migrant and Seasonal Agricultural Workers Protection Act (MSPA) to advise that joint employer status under those laws should be determined using the Department's FLSA analysis.

Summary of Legal Basis: The Department's authority to interpret the FLSA comes with its authority to administer and enforce it. See 29 U.S.C. 201–219. The Department's authority to interpret the FMLA and MSPA is delegated by statute. 29 U.S.C. 2654 (FMLA); 29 U.S.C. 1861 (MSPA).

Alternatives: Under development

Anticipated Cost and Benefits: Under development

Risks: Under development

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

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RIN: 1235–AA48

DOL—WHD	Final Rule Stage

94. • APPLICATION OF THE FAIR LABOR STANDARDS ACT TO DOMESTIC SERVICE

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Deregulatory

Legal Authority: 29 U.S.C. 213(a)(15); 29 U.S.C. 213(b)(21); Pub. L. 93–259, 29(b), 88 Stat. 76

CFR Citation: 29 CFR 552

Legal Deadline: None

Abstract: Section 13(a)(15) of the Fair Labor Standards Act (FLSA or the Act) provides an exemption from the Act's minimum wage and overtime pay requirements for domestic service employees engaged in providing companionship services for individuals who (because of age or infirmity) are unable to care for themselves. Section 13(b)(21) of the FLSA provides an exemption from the Act's overtime pay requirement for domestic service employees who reside in the household in which they provide services. In this rulemaking, the Department proposes to rescind a 2013 rule which, among other changes, precluded third-party employers from claiming either exemption and established limits on the amount of certain types of duties that exempt companions could perform. See 78 FR 60454 (Oct. 1, 2013).

Statement of Need: Section 13(a)(15) of the Fair Labor Standards Act (FLSA or the Act) provides an exemption from the Act's minimum wage and overtime pay requirements for domestic service employees engaged in providing companionship services for individuals who (because of age or infirmity) are unable to care for themselves. Section 13(b)(21) of the FLSA provides an exemption from the Act's overtime pay requirement for domestic service employees who reside in the household in which they provide services. In this rulemaking, the Department has proposed to rescind a 2013 rule which, among other changes, precluded third-party employers from claiming either exemption and established limits on the amount of certain types of duties that exempt companions could perform. 91 FR 28976; see also 78 FR 60454 (2013 rule).

Summary of Legal Basis: The exemptions at issue in this rulemaking were added to the FLSA by Congress in the 1974 FLSA Amendments, which included a broad grant of rulemaking authority empowering the Secretary of Labor to ''prescribe necessary rules, regulations, and orders with regard to the amendments made by this Act.'' 1974 Amendments, Public Law 93–259, 29(b), 88 Stat. 76. Additionally, the FLSA's sec. 13(a)(15) exemption for employees who provide companionship services provides that the scope of that exemption should be defined and delimited by regulations of the Secretary. 29 U.S.C. 213(a)(15).

Alternatives: The Department considered two alternatives in its proposed rule. First, the Department considered the alternative of preserving the status quo under the current regulations. Second, the Department considered the alternative of retaining some changes from the 2013 rule in lieu of a wholesale return to the pre-2013 regulations specifically, retaining all changes to the regulatory text in part 552 introduced by the 2013 rule except for the third party provision codified at 29 CFR 552.109 and limits on the provision of care codified in 29 CFR 552.6(b). This approach would, for example, keep the 2013 rule's updated definition of the job duties which constitute care and its removal of outdated domestic service worker examples like governesses, footmen, and grooms.

Anticipated Cost and Benefits: Anticipated costs for the final rule are under development. In its proposal, the Department discussed potential costs such as longer work hours and/or reduced pay for affected home care workers, lower morale for home care workers, increased worker turnover in the home care industry, added difficulty attracting workers to the home care industry, and modest rule familiarization costs. *See* 90 FR 28982. Anticipated benefits for the final rule are also under development. In its proposal, the Department discussed potential benefits such as reduced labor costs for home care provider agencies, reduced costs for home care services for consumers, reduced Medicaid expenditures for the Federal government, expanded access to home care services, and reduced institutionalization of individuals who are in need of care. See 90 FR 28981–82.

Risks: Under development

Timetable:

Action	Date	FR Cite
NPRM	07/02/25	90 FR 28976
NPRM Comment Period End.	09/03/25	
Final Rule	11/00/26	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, Local, State, Tribal

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RIN: 1235–AA51

DOL—Employment and Training Administration (ETA)	Proposed Rule Stage

95. • IMPROVING WAGE PROTECTIONS FOR THE TEMPORARY AND PERMANENT EMPLOYMENT OF CERTAIN FOREIGN NATIONS IN THE UNITED STATES

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Fully or Partially Exempt

Legal Authority: 8 U.S.C. 1182(a)(5)(A); 8 U.S.C. 1182(p) ; 8 U.S.C. 1182(n)(1)(A)(i)(I) and (II) ; 8 U.S.C. 1182(t)(1)(A)(i)(I) and (II) ; 8 U.S.C. 1101(a)(15)(H)(i)(b)

CFR Citation: 20 CFR 656.40 and 656.41; 20 CFR 655.731

Legal Deadline: None

Abstract: The Immigration and Nationality Act (8 U.S.C. 1101, *et seq* .) requires that for most employment-based immigrant admissions to the United States, the Secretary of Labor must first certify that the employment of the immigrant will not adversely affect the wages and working conditions of U.S. workers similarly employed and that U.S. workers are unavailable for the position. The Immigration and Nationality Act also requires that an individual may not be admitted into the United States on an H–1B nonimmigrant visa unless the employer attests that they will pay the individual the higher of the actual wage paid to other workers with similar experience or the prevailing wage in the area of employment. The Department of Labor's (Department) Employment and Training Administration is initiating rulemaking governing prevailing wages for employment opportunities that United States (U.S.) employers seek to fill with foreign workers on a permanent or temporary basis through certain employment-based immigrant visas and H–1B, H–1B1, or E–3 nonimmigrant visas. Specifically, in response to President Trump's proclamation, the Department is initiating a rulemaking to revise prevailing wage levels, in accordance with section 4(a) of the September 19, 2025, Presidential Proclamation, *Restriction on Entry of Certain Nonimmigrant Workers,* consistent with section 212(n) of the INA, 8 U.S.C. 1182(n). The proposed rule will amend the Departmental regulations governing permanent labor certifications and temporary labor condition applications (LCA) to incorporate changes to the computation of wage levels under the Department's four-tiered wage structure based on the Occupational Employment and Wage Statistics wage survey administered by the Bureau of Labor Statistics. The primary purpose of these changes is to update the computation of prevailing wage levels under the existing four-tiered wage structure to better reflect actual wages earned by similarly-employed U.S. workers. With this revision, the Department will be able to more effectively ensure under these programs that the employment of immigrant and nonimmigrant workers does not adversely affect wages for U.S. workers.

Statement of Need: On September 19, 2025, President Trump issued the Presidential Proclamation, Restriction on Entry of Certain Nonimmigrant Workers. Section 4(a) of the proclamation requires the Secretary of Labor shall initiate a rulemaking to revise the prevailing wage levels to levels consistent with the policy goals of this proclamation consistent with section 212(n) of the INA, 8 U.S.C. 1182(n). In response to the proclamation, the Department is initiating a rulemaking to revise the methodology used to compute prevailing wage levels. The proposed rule will amend the Departmental regulations governing permanent labor certifications and temporary labor condition applications to incorporate changes to the computation of wage levels under the Department's four-tiered wage structure based on the Occupational Employment and Wage Statistics wage survey administered by the Bureau of Labor Statistics. The primary purpose of these changes is to update the computation of prevailing wage levels under the existing four-tiered wage structure to better reflect actual wages earned by similarly-employed U.S. workers. With this revision, the Department will be able to more effectively ensure under these programs that the employment of immigrant and nonimmigrant workers does not adversely affect wages for U.S. workers.

Summary of Legal Basis: The Immigration and Nationality Act (INA) (8 U.S.C. 1101, *et seq* .) requires that for most employment-based immigrant admissions to the United States, the Secretary of Labor must first certify that the employment of the immigrant will not adversely affect the wages and working conditions of U.S. workers similarly employed and that U.S. workers are unavailable for the position. The Immigration and Nationality Act also requires that an individual may not be admitted into the United States on an H–1B nonimmigrant visa unless the employer attests that they will pay the individual the higher of the actual wage paid to other workers with similar experience or the prevailing wage in the area of employment. The Department of Labor's (Department) Employment and Training Administration is initiating rulemaking governing prevailing wages for employment opportunities that United States (U.S.) employers seek to fill with foreign workers on a permanent or temporary basis through certain employment-based immigrant visas and H–1B, H–1B1, or E–3 nonimmigrant visas. In accordance with the Presidential Proclamation, the Department will engage in rulemaking to ensure it is fulfilling its mandate under the INA.

Alternatives: The Presidential Proclamation directed the Secretary of Labor to engage in rulemaking, so no alternatives to rulemaking were considered.

Anticipated Cost and Benefits: The Department expects that the proposed rule will result in costs and transfer payments. The proposed rule will have an annualized cost of $3.37 million and a total 10-year cost of $23.66 million at a discount rate of 7 percent in 2024 dollars. The NPRM will result in annualized transfer payments (U.S. employers to other entities and individuals, including foreign workers) of up to $15.76 billion and total 10-year transfer payments of up to $110.66 billion at a discount rate of 7 percent in 2024 dollars.

One benefit of the NPRM 's increase in prevailing wages is the economic incentive to increase employee retention, training, and productivity which will increase benefits to both employers and U.S. workers. Strengthening prevailing wages will also help promote and protect jobs for U.S. workers. By ensuring that the employment of any foreign worker is commensurate with the wages paid to similarly employed U.S. workers, the Department will be protecting the types of white-collar, middle-class jobs that are critical to ensuring the economic viability of communities throughout the country. Finally, ensuring that skilled occupations are not performed at below-market wage rates by foreign workers will provide greater incentives for firms to expand education and job training programs. These programs can attract and develop the skills of a younger generation of U.S. workers to enter occupations that currently rely on elevated levels of foreign workers.

Risks: Under development

Timetable:

Action	Date	FR Cite
NPRM	03/27/26	91 FR 15454
NPRM Comment Period End.	05/26/26	

Regulatory Flexibility Analysis Required: Yes
Small Entities Affected: Businesses
Government Levels Affected: Local, State
Agency Contact: Brian Pasternak, Administrator, Department of Labor, Employment and Training Administration, 200 Constitution Avenue NW, Office of Foreign Labor Certification; Room N–5311, FP Building, Washington, DC 20210
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RIN: 1205–AC30

DOL—ETA	Final Rule Stage

96. ADVERSE EFFECT WAGE RATE METHODOLOGY FOR THE TEMPORARY EMPLOYMENT OF H–2A NONIMMIGRANTS IN NON-RANGE OCCUPATIONS IN THE UNITED STATES

Priority: Economically Significant. Major under 5 U.S.C. 801.
Regulatory Accounting: Deregulatory
Legal Authority: 8 U.S.C. 1188
CFR Citation: 20 CFR 655, Subpart B
Legal Deadline: None
Abstract: The Department of Labor (DOL) amended its regulations governing the certification of agricultural labor or services to be performed by temporary foreign workers in H–2A nonimmigrant status (H–2A workers). Specifically, the Department amended its regulations to revise the methodology by which it determines the Adverse Effect Wage Rates (AEWRs) for non-range agricultural occupations through an Interim Final Rule issued October 2, 2025. DOL intends to issue a final rule after considering all of the comments received.
Statement of Need: Under development
Summary of Legal Basis: Under development
Alternatives: Under development
Anticipated Cost and Benefits: Under development
Risks: Under development
Timetable:

Action	Date	FR Cite
Interim Final Rule	10/02/25	90 FR 47914
Interim Final Rule Effective.	10/02/25	
Interim Final Rule Comment Period End.	12/01/25	
Final Rule	07/00/26	

Regulatory Flexibility Analysis Required: Yes
Small Entities Affected: Businesses
Government Levels Affected: None
Agency Contact: Brian Pasternak, Administrator, Department of Labor, Employment and Training Administration, 200 Constitution Avenue NW, Office of Foreign Labor Certification; Room N–5311, FP Building, Washington, DC 20210
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RIN: 1205–AC24

DOL—ETA	

97. RESCISSION OF FINAL RULE: IMPROVING PROTECTIONS FOR WORKERS IN TEMPORARY AGRICULTURAL EMPLOYMENT IN THE UNITED STATES

Priority: Other Significant. Major under 5 U.S.C. 801.
Regulatory Accounting: Deregulatory
Legal Authority: 8 U.S.C. 1188; 29 U.S.C. 49 *et. seq.*
CFR Citation: 20 CFR 655 Part B
Legal Deadline: None
Abstract: The Department of Labor (DOL) proposed to amend its regulations governing the certification of agricultural labor or services to be performed by temporary foreign workers in H–2A nonimmigrant status (H–2A workers) and enforcement of the contractual obligations applicable to employers of such nonimmigrant workers. The Notice of Proposed Rulemaking (NPRM) proposed rescinding provisions contained within a final rule published by the Department on April 29, 2024, which adopted a number of unnecessary, burdensome, and costly requirements on employers. The proposed regulatory changes may impact the regulations for the Employment Service and the H–2A non-immigrant visa program at 29 CFR part 501 and 20 CFR parts 651, 653, 654, 655, and 658.
Statement of Need: On April 29, 2024, the Department published a final rule entitled *Improving Protections for Workers in Temporary Agricultural Employment in the United States,* which adopted a number of unnecessary, burdensome, and costly requirements on employers. The 2024 Final Rule was the subject of four distinct legal challenges, two of which resulted in the Department being preliminarily enjoined from enforcing all or part of the 2024 Final Rule in certain States and for certain parties, and one of which resulted in a nationwide stay. On July 2, 2025, the Department proposed to rescind most requirements that were introduced by the 2024 Final Rule to ensure that the H–2A program's regulatory framework is a more reasonable balance between the statute's competing goals of providing an adequate labor supply and protecting the jobs of domestic agricultural workers.
Summary of Legal Basis: The Immigration and Nationality Act (INA), as amended by the Immigration Reform and Control Act of 1986 (IRCA), establishes an H–2A nonimmigrant visa classification for a worker having a residence in a foreign country which he has no intention of abandoning who is coming temporarily to the United States to perform agricultural labor or services . . . of a temporary or seasonal nature. 8 U.S.C. 1101(a)(15)(H)(ii)(a); see also 8 U.S.C. 1184(c)(1) and 1188. Agricultural labor or services includes the types of labor and services defined by the Secretary of Labor in regulations, as well as the Internal Revenue Code definition of agricultural labor at section 3121(g) of title 26, the Fair Labor Standards Act definition of agriculture at section 203(f) of title 29, and the pressing of apples for cider on a farm . . . . 8 U.S.C. 1101(a)(15)(H)(ii)(a). The Secretary of Labor has delegated the authority to issue temporary agricultural labor certifications to the Assistant Secretary for Employment and Training, who in turn has delegated that authority to ETA's Office of Foreign Labor Certification (OFLC). In addition, the Secretary has delegated to the Department's Wage and Hour Division (WHD) the responsibility under sec. 218(g)(2) of the INA, 8 U.S.C. 1188(g)(2), to assure employer compliance with the terms and conditions of employment under the H–2A program.
Alternatives: In its NPRM, the Department considered two alternatives to this proposal. First, the Department considered preserving the current regulations at 20 CFR parts 651, 653, 655, and 658, and 29 CFR part 501, as modified by the 2024 H–2A Final Rule, until litigation is resolved. Second, the Department considered reverting back to the regulations in 20 CFR parts 651, 653, 655, and 658, and 29 CFR part 501, as of June 27, 2024. This option would remove all changes effectuated by the 2024 H–2A Final Rule, regardless of their utility.
Anticipated Cost and Benefits: Anticipated costs and benefits for this final rule are under development. In its proposal, the Department estimated total quantifiable annualized net cost savings from the rescissions in this proposed rule as $1.02 million and the annualized transfer payments (from employees to H–2A employers) at $12.66 million, each at a discount rate of 7 percent over a 10-year analysis period.

Risks: Under development

Timetable:

Action	Date	FR Cite
NPRM	07/02/25	90 FR 28919
NPRM Comment Period End.	09/02/25	
Final Rule	07/00/26	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 1205–AC25

DOL—Employee Benefits Security Administration (EBSA)	Proposed Rule Stage

98. PRUDENCE AND LOYALTY IN SELECTING PLAN INVESTMENTS AND EXERCISING SHAREHOLDER RIGHTS

Priority: Economically Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Regulatory

Unfunded Mandates: Undetermined

Legal Authority: 29 U.S.C. 1104 (ERISA sec. 404); 29 U.S.C. 1135 (ERISA sec. 505)

Relevant Executive Orders: 14366; 14219

CFR Citation: 29 CFR 2550.404a–1

Legal Deadline: None

Abstract: This regulatory action is in response to Executive Order 14219, entitled Ensuring Lawful Governance and Implementing the President's ''Department of Government Efficiency'' Deregulatory Initiative, and would revise the Department's regulation at 29 CFR 2550.404a-1 so that plan fiduciaries select investments and exercise shareholder rights based only on financial considerations relevant to the risk-adjusted economic value of a particular investment, and not to advance social causes.

Statement of Need: The Employee Retirement Income Security Act is a comprehensive statute designed to protect the interests of employees and their beneficiaries in employee benefit plans. It does this primarily by imposing, in section 404, a number of stringent duties on plan fiduciaries, including a duty of loyalty, a duty to act for the exclusive purpose of providing plan benefits and defraying reasonable expenses, and a duty of prudence. 29 U.S.C. 1104(a)(1)(A), (B). This regulatory action is needed to ensure that plan fiduciaries select investments and exercise shareholder rights based only on financial considerations relevant to the risk-adjusted economic value of a particular investment, and not to advance social causes. See Executive Order 14219, titled *Ensuring Lawful Governance and Implementing the President's Department of Government Efficiency Deregulatory Initiative.* See also Executive Order 14366 of December 11, 2025, titled *Protecting American Investors from Foreign-Owned and Politically-Motivated Proxy Advisors.*

Summary of Legal Basis: Under development

Alternatives: Under development

Anticipated Cost and Benefits: The proposed regulation will provide clarity regarding the factors that can be considered when making investment selection, as well as the circumstances in which fiduciaries to are required to participate in shareholder activities on behalf of plan participants. Estimates of the cost are still under development and will be reflected in the notice of proposed rulemaking.

Risks: Under development

Timetable:

Action	Date	FR Cite
Rulemaking	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Elizabeth Schumacher, Acting Director, Office of Regulations and Interpretations, Department of Labor, Employee Benefits Security Administration, 200 Constitution Avenue NW, FP Building, Room N–5655, Washington, DC 20210

Phone: 202 693–8339

RIN: 1210–AC37

DOL—EBSA	

99. • FIDUCIARY DUTIES IN SELECTING DESIGNATED INVESTMENT ALTERNATIVES

Priority: Economically Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Legal Authority: 29 U.S.C. 1104 (ERISA sec. 404); 29 U.S.C. 1135 (ERISA sec. 505)

Relevant Executive Orders: 14330

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This action implements Executive Order 14330 (Aug. 2, 2025), titled Democratizing Access to Alternative Assets for 401(k) Investors, 90 FR 3891 (Aug. 12, 2025), which directs the Secretary of Labor, within 180 days of the date of the order, to clarify, as she deems appropriate and consistent with applicable law, the Department of Labor's position on alternative assets and the appropriate fiduciary process associated with offering asset allocation funds containing investments in alternative assets under the Employee Retirement Income Security Act (ERISA). Such clarification must aim to identify the criteria that fiduciaries should use to prudently balance potentially higher expenses against the objectives of seeking greater long-term net returns and broader diversification of investments. The Secretary shall also propose rules, regulations, or guidance, as the Secretary deems appropriate, that clarify the duties that a fiduciary owes to plan participants under ERISA when deciding whether to make available to plan participants an asset allocation fund that includes investments in alternative assets, which rules, regulations, and guidance may include appropriately calibrated safe harbors. In carrying out the directives in this section to further the policy set forth in E.O. 14330, the Secretary shall prioritize actions that may curb ERISA litigation that constrains fiduciaries' ability to apply their best judgment in offering investment opportunities to relevant plan participants.

Statement of Need: The Employee Retirement Income Security Act (ERISA) is a comprehensive statute designed to protect the interests of employees and their beneficiaries in employee benefit plans. It does this primarily by imposing, in section 404, a number of stringent duties on plan fiduciaries, including a duty of prudence. 29 U.S.C. 1104(a)(1)(B). This regulatory action is needed to relieve the regulatory burdens and litigation risk that impede American workers' retirement accounts from achieving the competitive returns and asset diversification necessary to secure a dignified, comfortable retirement. This regulatory action will clarify the duties that a fiduciary owes to plan participants under ERISA when deciding whether to make available to plan participants an asset allocation fund that includes investments in alternative assets, which rules, regulations, and guidance may include appropriately calibrated safe harbors. See Executive Order 14330 titled *Democratizing Access to Alternative Assets for 401(k) Investors.*

Summary of Legal Basis: Under development

Alternatives: Under development

Anticipated Cost and Benefits: By clarifying the steps fiduciaries may take to prudently balance potentially higher expenses against the objectives of seeking greater long-term net returns and broader diversification of investments when selecting investment opportunities to relevant plan participants, the proposed regulation will enable responsible plan fiduciaries to consider all prudent and appropriate investment vehicles when making menu selections in order to improve retirement savings outcomes for plan participants and beneficiaries. Estimates of the cost are still under development and will be reflected in the notice of proposed rulemaking.

Risks: Under development

Timetable:

Action	Date	FR Cite
NPRM	03/31/26	91 FR 16088
NPRM Comment Period End.	06/01/26	
Analyze Comments.	08/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Jeffrey J. Turner, Director, Office of Regulations and Interpretations, Department of Labor, Employee Benefits Security Administration, 200 Constitution Avenue NW, FP Building, Room N–5655, Washington, DC 20210

Phone: 202 693–8500

RIN: 1210–AC38

DOL—EBSA	Final Rule Stage

100. IMPROVING TRANSPARENCY INTO PHARMACY BENEFIT MANAGER FEE DISCLOSURE

Priority: Economically Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Regulatory

Unfunded Mandates: This action may affect the private sector under PL 104–4.

Legal Authority: 29 U.S.C. 1135; 29 U.S.C. 1108

Relevant Executive Orders: 14273

CFR Citation: 29 CFR 2550.408b–2

Legal Deadline: None

Abstract: This action will implement section 12 of Executive Order 14273 to improve employer health plan transparency into the direct and indirect compensation received by pharmacy benefit managers.

Statement of Need: This regulatory action would improve transparency into pharmacy benefit manager fee disclosure with respect to group health plans subject to the Employee Retirement Income Security Act (ERISA). These disclosures are needed so that fiduciaries can assess the reasonableness of the contracts or arrangements with these service providers, including the reasonableness of the service providers' compensation. These disclosure requirements would apply for purposes of ERISA's statutory prohibited transaction exemption for services arrangements. This proposal implements section 12 of President Trump's Executive Order 14273, *Lowering Drug Prices by Once Again Putting Americans First,* which instructs the Department to propose regulations to improve employer health plan transparency into the direct and indirect compensation received by pharmacy benefit managers.

Summary of Legal Basis: Under development

Alternatives: Under development

Anticipated Cost and Benefits: By addressing the influence of PBMs and promoting transparent pricing, President Trump's Executive Order aims to create a fairer and more competitive prescription drug market that lowers costs and ensures accountability across the health-care system by better enabling plan fiduciaries to better monitor the PBMs actions to ensure the service contract or arrangement is reasonable. Estimates of the cost are still under development and will be reflected in the notice of proposed rulemaking.

Risks: Under development

Timetable:

Action	Date	FR Cite
NPRM	01/30/26	91 FR 4348
NPRM Comment Period Extended.	03/02/26	
NPRM Comment Period End.	04/15/26	
Final Rule	09/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Elizabeth Schumacher, Acting Director, Office of Regulations and Interpretations, Department of Labor, Employee Benefits Security Administration, 200 Constitution Avenue NW, FP Building, Room N–5655, Washington, DC 20210

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RIN: 1210–AB37

DOL—EBSA	

101. TRANSPARENCY IN COVERAGE

Priority: Other Significant

Regulatory Accounting: Regulatory

Legal Authority: Pub. L. 111–148, E.O. 14221

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This proposed rule would amend the Transparency in Coverage final rule published November 12, 2020 (85 FR 82158) to improve the quality, accessibility, usability, and transparency of healthcare price data pursuant to Executive Order 14221.

Statement of Need: This regulatory action contains policy proposals to advance the goals of Executive Order 14221 Making America Healthy Again by Empowering Patients With Clear, Accurate, and Actionable Healthcare Pricing Information by amending the Transparency in Coverage 2020 final rules to improve the standardization, accuracy, and accessibility of public pricing disclosures and increase access to pricing information for participants, beneficiaries, and enrollees by requiring cost-sharing information to be provided over the phone, in addition to through an online self-service tool and in paper form.

Summary of Legal Basis: Being developed in jointly with HHS and Treasury.

Alternatives: Being developed in jointly with HHS and Treasury.

Anticipated Cost and Benefits: Being developed in jointly with HHS and Treasury.

Risks: Being developed in jointly with HHS and Treasury.

Timetable:

Action	Date	FR Cite
RFI	06/20/25	90 FR 23303
NPRM	12/23/25	90 FR 60432
NPRM Comment Period End.	02/23/26	
Final Rule	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Elizabeth Schumacher, Acting Director, Office of Health Plan Standards and Compliance Assistance, Department of Labor, Employee Benefits Security Administration, 200 Constitution Avenue NW, Suite N–5653, Washington, DC 20210

Phone: 202 693–8339

RIN: 1210–AC30

DOL—Mine Safety and Health Administration (MSHA)	Proposed Rule Stage

102. • RESPIRABLE CRYSTALLINE SILICA

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Regulatory

Legal Authority: 30 U.S.C. 811; ; 30 U.S.C. 813(h);; 30 U.S.C. 957

Relevant Executive Orders: 14154; 14219; 14261; 14267

CFR Citation: 30 CFR 56; 30 CFR 57; 30 CFR 60; 30 CFR 72

Legal Deadline: None

Abstract: MSHA proposes to amend the Agency's existing respirable crystalline silica standards and respiratory protection provisions established by the 2024 final rule titled Lowering Miners' Exposure to Respirable Crystalline Silica and Improving Respiratory Protection. The proposed rule would include clarification and updates to requirements in 30 CFR part 60 for exposure monitoring, methods of compliance, respiratory protection, and medical surveillance without reducing protections afforded to miners. The proposal would also include conforming amendments in 30 CFR parts 56, 57, 60, and 72.

Statement of Need: MSHA is preparing a notice of proposed rulemaking, titled *Respirable Crystalline Silica and Respiratory Protection,* to propose changes targeted towards resolving issues raised in litigation. MSHA's 2024 final rule titled *Lowering Miners' Exposure to Respirable Crystalline Silica and Improving Respiratory Protection* (2024 Silica Final Rule) is currently being challenged in the 8 th Circuit Court of Appeals, which issued a stay of enforcement pending resolution. Some petitioners (*e.g.,* National Stone, Sand, and Gravel Association and National Mining Association) have requested Agency clarification on aspects of the rule and indicated that the sampling and medical surveillance requirements impose excessive burdens without a corresponding increase in protection for miners.

The proposed rule clarifies and modifies provisions of the respirable crystalline silica and respiratory protection standards that were established in the 2024 Silica Final Rule. The proposed rule includes clarifications and updates to requirements for exposure monitoring, methods of compliance, respiratory protection, and medical surveillance without reducing protections afforded to miners. The proposals improve clarity of key provisions for the regulated community and support the Administration's goal of reducing unnecessary regulatory burdens without compromising miner health and safety. MSHA anticipates the rulemaking would be cost-neutral or have cost-savings for the regulated community.

Summary of Legal Basis: The statutory authority for this proposed rule is provided by the Federal Mine Safety and Health Act of 1977, as amended (Mine Act) under sections 101(a), 103(h), and 508. 30 U.S.C. 811(a), 813(h), and 957.

Section 101(a) of the Mine Act gives the Secretary the authority to develop, promulgate, and revise mandatory health standards to address toxic materials or harmful physical agents. Under Section 101(a), a standard must protect lives and prevent injuries in mines and be improved over any standard that it replaces or revises. 30 U.S.C. 811(a).

Section 103(h) of the Mine Act gives the Secretary the authority to promulgate standards involving recordkeeping and reporting. 30 U.S.C. 813(h). Additionally, section 103(h) requires that every mine operator establish and maintain records, make reports, and provide this information as required by the Secretary. *Id.*

Section 508 of the Mine Act gives the Secretary the authority to issue regulations to carry out any provision of the Mine Act. 30 U.S.C. 957.

Alternatives: MSHA will consider the existing standards as the alternative to the proposed changes.

Anticipated Cost and Benefits: This proposed rule includes changes to provisions for exposure monitoring, medical surveillance, and respiratory protection. MSHA expects the overall impact of this proposed rule to be cost-neutral or have net cost-savings for the regulated community.

Risks: The 2024 Silica Final Rule took effect on June 17, 2024. Compliance deadlines were set for April 14, 2025, for coal mine operators and April 8, 2026, for metal and nonmetal mine operators. However, on April 11, 2025, the United States Court of Appeals for the Eighth Circuit issued an order staying the 2024 Silica Final Rule's compliance deadlines until the Court completes a substantive review of the petition. As a result, MSHA has temporarily paused enforcement of the requirements in the 2024 Silica Final Rule for mine operators.

Additionally, proposed revisions face risk of legal challenge from other stakeholders (*e.g.,* miner advocacy groups and worker unions). In light of this likely additional litigation, any proposed revisions must be in careful compliance with the Mine Act, particularly section 101(a)(9). This section of the Mine Act prohibits MSHA from issuing rules that reduce the protection afforded to miners by existing mandatory health or safety standards. Miner welfare advocates and organized labor groups are likely to oppose perceived rollback of protections.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal, Local

Federalism: Undetermined

Agency Contact: Jessica Senk, Acting Director, Office of Standards, Regulations, and Variances, Department of Labor, Mine Safety and Health Administration, 200 Constitution Avenue NW, Washington, DC 20210

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RIN: 1219–AC22

DOL—Occupational Safety and Health Administration (OSHA)	Proposed Rule Stage

103. LOCK-OUT/TAG-OUT UPDATE

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 29 U.S.C. 655(b); 29 U.S.C. 651 et seq; 5 U.S.C. 553

Relevant Executive Orders: 14219

CFR Citation: 29 CFR 1910.147

Legal Deadline: None

Abstract: Recent technological advancements that employ computer-based controls of hazardous energy (*e.g.,* mechanical, electrical, pneumatic, chemical, and radiation) conflict with the Occupational Safety and Health Administration's (OSHA) existing lock-out/tag-out (LOTO) standard. The use of these computer-based controls has become more prevalent as equipment manufacturers modernize their designs to increase productivity. Additionally, National Consensus Standards have evolved, and international approaches to the use of computer-based controls are increasingly recognized. In light of these advancements, there is a need to modernize United States regulations to better align with current technologies, ensuring improved safety effectiveness and, indirectly, potential benefits such as increased operational efficiency. OSHA issued a Request for Information (RFI) in May 2019 to understand the strengths and limitations of this new technology, as well as potential impacts on worker safety.

Statement of Need: The Lockout/Tagout Standard currently requires that all hazardous energy from power sources and energy stored in the machine itself be controlled using energy isolating devises (EIDs) when an employee is performing servicing or maintenance of the machine or equipment. OSHA's definition of ''energy isolating device'' expressedly excludes push buttons, selector switches, and other control-circuit-type devices. OSHA recognizes that recent technological advances may have resulted in safety improvements to control-circuit-type devices. Modernizing the standard to better align with current technologies may improve safety effectiveness and, indirectly, potentially increase operation efficiency.

This rulemaking is consistent with the intent of Executive Order 14219 (Ensuring Lawful Governance and Implementing the President's ''Department of Government Efficiency'' Deregulatory Initiative) because the agency has good cause to believe that the existing regulation significantly and unjustifiably impedes technological innovation and economic development. By modernizing the exiting regulation, OSHA will allow new technologies that both increase productivity and reduce the regulatory burden on employers.

Summary of Legal Basis: Under development

Alternatives: Under Development

Anticipated Cost and Benefits: Under development

Risks: Under development

Timetable:

Action	Date	FR Cite
Request for Information (RFI).	05/20/19	84 FR 22756
RFI Comment Period End.	08/19/19	
NPRM	11/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

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RIN: 1218–AD00

BILLING CODE 4510–HL–P

Department of Transportation (DOT)

Introduction: Departmental Mission

The mission of the U.S. Department of Transportation (Department or DOT) is to deliver the world's leading transportation system, serving the American people and economy through the safe and efficient movement of people and goods.

The Department's Regulatory Philosophy, Initiatives, and Priorities

The safety of our transportation system is the Department's number one priority. As such, DOT issues regulations to make America's transportation system the safest in the world for the benefit of all who use it, including by leveraging proven interventions and modern technology. Towards this goal, DOT regulates safety in the aviation, motor carrier, railroad, motor vehicle, commercial space, transit, and pipeline transportation areas. The Department also writes the necessary implementing rules for programs involving highways, airports, mass transit, the maritime industry, railroads, motor transportation, and vehicle safety. In addition, DOT is responsible for developing policies that implement a wide range of regulations that govern programs such as acquisition and grants management, access for people with disabilities, information technology, worker safety and health, property asset management, seismic safety, security, emergency response, and the use of aircraft and vehicles.

During the first Trump Administration, the Department oversaw the Federal Government's largest deregulatory program. DOT intends to build upon this success in the second Trump Administration. Therefore, DOT is seeking to remove regulatory requirements that impose undue burdens or impede timely project delivery to encourage and to incentivize American ingenuity. Consolidating and updating transportation policies and regulations, while promoting and enforcing more efficient and effective requirements where necessary, will reduce barriers to project delivery and rapid development in technological advancements. DOT has initiated many efforts to improve the regulatory process by enhancing transparency; ensuring compliance with requirements applicable to DOT rulemakings; and implementing best practices for rulemaking, including economic analyses and appropriate outreach to interested parties. The Department produces its most effective work when it adheres to the best reading of the statute and is informed by robust public input, reliable data, and sound economics. These improvements to DOT's regulatory procedures increase opportunities to obtain those essential building blocks for good governance, thereby strengthening the overall quality and fairness of the Department's administrative actions.

Unleashing innovation is also a DOT priority. The development and adoption of transportation technology in recent decades has accelerated the transformation of every mode of transportation. DOT and its regulatory actions must adapt so that Americans can receive the full benefits of our global leadership in transportation innovation. The Regulatory Plan reflects this Administration's commitment to unleashing American ingenuity and enabling the commercial deployment of innovative transportation technologies while maintaining key safety standards. The Department will achieve this objective through strategies including, but not limited to, the development of an automated vehicle regulatory framework, as well as the removal of barriers for new entrants in aviation.

To improve America's transportation, DOT is rescinding burdensome and costly regulations; unleashing American innovation; and reaffirming DOT's priority to safety. This work is informed by various Executive Orders, such as Executive Order 14154, ''Unleashing American Energy,'' 90 FR 8353 (Jan. 29, 2025); Executive Order 14151, ''Ending Radical and Wasteful Government DEI Programs and Preferencing,'' 90 FR 8339 (Jan. 29, 2025); Executive Order 14148, ''Initial Rescissions of Harmful Executive Orders and Actions,'' 90 FR 8237 (Jan. 28, 2025); Executive Order 14192, ''Unleashing Prosperity Through Deregulation,'' (90 FR 9065 (Feb. 6, 2025); and Executive Order 14219, ''Ensuring Lawful Governance and Implementing the President's 'Department of Government Efficiency' Deregulatory Initiative,'' (90 FR 10583 (Feb. 19, 2025).

The Department carries out its responsibilities through the Office of the Secretary (OST) and the following operating administrations (OAs):

Federal Aviation Administration (FAA); Federal Highway Administration (FHWA); Federal Motor Carrier Safety Administration (FMCSA); Federal Railroad Administration (FRA); Federal Transit Administration (FTA); Great Lakes St. Lawrence Seaway Development Corporation (GLS); Maritime Administration (MARAD); National Highway Traffic Safety Administration (NHTSA); and Pipeline and Hazardous Materials Safety Administration (PHMSA). Since each OA has its own area of focus, we summarize the regulatory priorities of each below. More information about each of the rules discussed below can be found in the DOT Unified Agenda.

Office of the Secretary of Transportation

OST provides leadership in formulating and executing well-balanced national and international transportation objectives, policies, and programs, and oversees the regulatory processes for the Department. OST implements the Department's regulatory policies and procedures and is responsible for ensuring the involvement of senior officials in regulatory decision making. Through the Office of the General Counsel (OGC), OST is also responsible for ensuring that the Department complies with the Administrative Procedure Act; Executive Orders, including Executive Order 12866 and Executive Order 14192; DOT's regulatory policies and procedures; and other legal and policy requirements affecting the Department's rulemaking activities.

At the start of the Trump Administration, OST put in place DOT-wide policies and procedures to increase accountability, to ensure more robust public participation, and to strengthen the overall quality and fairness of DOT's administrative actions. These policies and procedures place DOT at the forefront of the Federal government's effort to eliminate unnecessary, excessively complex, and legally dubious Federal regulations that impose excessive costs that limit our Nation's economic growth and ability to build and to innovate in the marketplace, while at the same time ensuring the safest and most efficient transportation system in the world. Regulated entities and the public will benefit from these enhanced policies and procedures through improved agency deliberations, more opportunities to comment on rulemakings and guidance documents, and increased fairness in regulatory enforcement actions. OST provides guidance and training regarding compliance with regulatory requirements and processes for personnel throughout the Department. In addition, OST plays an instrumental role in the Department's efforts to improve our economic analyses; regulatory flexibility analyses; other related analyses; retrospective reviews of rules; and data quality, including peer reviews. OGC is the lead office that works with the Office of Information and Regulatory Affairs (OIRA), in the Office of Management and Budget (OMB), to comply with the requirements of Executive Orders, including Executive Order 12866, Executive Order 14192, and Executive Order 14219; to coordinate the Department's response to OMB's intergovernmental review of other agencies' significant rulemaking documents; and to implement other relevant Administration rulemaking directives. OGC also works closely with representatives of other agencies, the White House, and congressional staff to provide information on how various proposals would affect the ability of the Department to perform its safety, infrastructure, and other missions.

OST is engaged in a rulemaking to ensure that the Department operates its Disadvantaged Business Enterprise (DBE) and Airport Concession Disadvantaged Business Enterprise (ACDBE) Programs in a nondiscriminatory fashion, in line with the law and the Constitution. In addition, OST is taking steps to protect aviation consumers. OST is working on a rulemaking to enhance the safety of air travel for individuals with disabilities who use wheelchairs. This rulemaking is intended to restore commonsense governance while maintaining core accessibility protections for air travelers with disabilities.

Federal Aviation Administration

FAA is charged with operating and maintaining the most complex aviation system in the world safely and efficiently. FAA is conducting a rulemaking that would require all cockpit voice recorders within existing aircraft to increase the current two-hour recording duration requirement to 25 hours for covered aircraft. This rulemaking is being undertaken in response to a statutory mandate and a recommendation from the National Transportation Safety Board.

FAA is also proceeding with a rulemaking to support the integration of Unmanned Aircraft Systems (UAS) into the national airspace system by enabling the design and operation of UAS at low altitudes beyond visual line of sight and for third-party services that support these operations. This rulemaking is intended to provide a predictable and clear pathway for safe, routine, and scalable UAS operations in various sectors.

In addition, FAA will proceed with rulemakings to advance aerospace innovation through the regulation and development of supersonic flight. FAA will also proceed with rulemakings to support American innovation in new space-based industries, space exploration capabilities, and cutting-edge defense systems.

Federal Highway Administration

FHWA carries out the Federal highway program in partnership with State and local agencies to meet the Nation's transportation needs. FHWA's mission is to improve the quality and performance of our Nation's highway system and its intermodal connectors. FHWA is working on a "Buy America" rulemaking to encourage the use of American-manufactured products by adding a "Buy America" standard for electric vehicle (EV) chargers. The new standard would direct that EV chargers comply with the applicable requirements for manufactured products except that for projects obligated on or after the effective date of the rule, chargers would be manufactured in the United States and the cost of components of a charger that are mined, produced, or manufactured in the United States would be 100 percent of the total cost of all components of the charger. This proposal is designed to provide a strong incentive for manufacturers to shift more rapidly toward domestic manufacturing processes.

FHWA, in collaboration with FTA and FRA, is proceeding with a rulemaking to update the Department's approach to National Environmental Policy Act (NEPA) compliance. Those updates include streamlining the public involvement process, implementing new flexibilities under the Fiscal Responsibility Act, establishing new categorical exclusions, and making other updates to the Department's NEPA process to make it more streamlined and efficient.

Federal Motor Carrier Safety Administration

The mission of FMCSA is to reduce crashes, injuries, and fatalities involving commercial trucks and buses. FMCSA regulations establish minimum safety standards for motor carriers, commercial drivers, commercial motor vehicles, and State agencies receiving certain motor carrier safety grants and issuing commercial drivers' licenses.

FMCSA is committed to improving safety on our Nation's roads. As one means of accomplishing this goal, FMCSA promulgated a rulemaking to limit the authority for State Driver Licensing Agencies to issue non-domiciled Commercial Learner's Permits and Commercial Driver's Licenses to individuals domiciled in a foreign jurisdiction. This change strengthens the security of the Commercial Driver's License issuance process and enhances the safety of commercial motor vehicle operations.

In addition, FMCSA and NHTSA continue to work together on a rulemaking to require automatic emergency braking systems for certain heavy vehicles. This rulemaking responds to a statutory mandate and will improve roadway safety by reducing the number of crashes, and the fatalities and injuries resulting from those crashes, in which the heavy vehicle is the striking vehicle.

National Highway Traffic Safety Administration

The mission of NHTSA is to save lives, prevent injuries, and reduce economic costs due to roadway crashes. The statutory responsibilities of NHTSA relating to motor vehicles include reducing the number, and mitigating the effects of, motor vehicle crashes and related fatalities and injuries; providing safety performance information to aid prospective purchasers of vehicles, child restraints, and tires; and improving automotive fuel efficiency requirements. NHTSA pursues policies that enable safety technologies and encourages the development of non-regulatory approaches when feasible in meeting its statutory mandates. NHTSA issues new standards, regulations, and amendments to existing standards and regulations, when appropriate.

NHTSA has proposed revisions to existing Corporate Average Fuel Economy (CAFE) standards applicable to vehicles produced in model years 2022–2031 to bring the CAFE program into compliance with relevant statutory requirements, including the legal prohibition on considering dedicated alternative and dual-fuel vehicles and credit trading when setting CAFE standards. This review is being conducted in accordance with Secretary Sean Duffy's Memorandum, ''Fixing the CAFE Program'' (Jan. 28, 2025).

NHTSA is also committed to modernizing the Federal Motor Vehicle Safety Standards (FMVSS) to accommodate the safe deployment of automated driving system (ADS)-equipped vehicles, or automated vehicles (AVs). NHTSA's AV Framework, part of DOT's innovation agenda, has three principles: (1) to prioritize the safety of ongoing AV operations on public roads; (2) to unleash innovation by removing unnecessary regulatory barriers; and (3) to enable commercial deployment of AVs to enhance safety and mobility for the American public. NHTSA continues to advance rulemakings aimed at achieving these principles, including rulemakings to address the applicability of certain FMVSS to ADS-equipped vehicles that lack manual controls.

Federal Railroad Administration

FRA's mission is to enable the safe, reliable, and efficient movement of people and goods for a strong America, now and in the future. FRA exercises regulatory authority over all areas of railroad safety and, where feasible, incorporates flexible performance standards. FRA is reviewing its regulations to ensure that, as the railroad industry looks to deploy state-of-the-art technology to make a safe system even safer, FRA's regulations do not hinder safety advancements. FRA is also focused on removing or updating unnecessary, redundant, or outdated regulatory requirements.

FRA, in collaboration with FTA and FHWA, is also proceeding with a rulemaking to update the Department's approach to National Environmental Policy Act (NEPA) compliance. Those updates include streamlining the public involvement process, implementing new flexibilities under the Fiscal Responsibility Act, establishing new categorical exclusions, and making other updates to the Department's NEPA process to make it more streamlined and efficient.

Federal Transit Administration

The mission of FTA is to improve public transportation for America's communities. To further that end, FTA provides financial and technical assistance to local public transit systems, including buses, subways, light rail, commuter rail, trolleys, and ferries; oversees safety measures; and helps develop next-generation technology research. FTA's regulatory activities implement the laws that apply to recipients' uses of Federal funding and the terms and conditions of FTA grant awards.

FTA, in collaboration with FHWA and FRA, is also proceeding with a rulemaking to update the Department's approach to National Environmental Policy Act (NEPA) compliance. Those updates include streamlining the public involvement process, implementing new flexibilities under the Fiscal Responsibility Act, establishing new categorical exclusions, and making other updates to the Department's NEPA process to make it more streamlined and efficient.

Maritime Administration

MARAD administers Federal laws and programs to improve and strengthen the maritime transportation system to meet the economic and security needs of the Nation. To that end, MARAD's efforts are focused on ensuring a strong American presence in the domestic and international trades and expanding maritime opportunities for American businesses and workers.

MARAD's regulatory objectives and priorities reflect its responsibility to ensure the availability of water transportation services for American shippers and consumers and, in times of war or national emergency, for the U.S. armed forces.

MARAD is proceeding with a rulemaking to establish procedures for processing deepwater port applications. In doing so, MARAD will transfer certain responsibilities for processing deepwater port applications from the United States Coast Guard to the Maritime Administration. This rulemaking will effectuate more efficient processing of deepwater port applications.

Pipeline and Hazardous Materials Safety Administration

PHMSA has responsibility for rulemaking focused on hazardous materials transportation and pipeline safety. In addition, PHMSA administers programs under the Federal Water Pollution Control Act, as amended by the Oil Pollution Act of 1990.

PHMSA is proceeding with a rulemaking to address class location requirements for natural gas transmission pipelines, specifically as they pertain to actions operators are required to take following class location changes due to population growth near the pipeline. Operators have suggested that performing integrity management measures on pipelines where class locations have changed due to population increases would be an equally safe, but less costly, alternative to the current requirements of either reducing pressure, pressure testing, or replacing pipe.

In addition, PHMSA is committed to reducing unnecessary regulatory burden by proceeding with a rulemaking to amend the Hazardous Materials Regulations. In doing so, PHMSA will be reducing costs for hazardous materials transporters and eliminating unnecessary regulatory burdens on fuel transportation, all while maintaining or increasing the level of safety provided in the Hazardous Materials Regulations.

Great Lakes St. Lawrence Seaway Development Corporation

GLS's mission is to serve the U.S. intermodal and international transportation system by improving the operation and maintenance of a safe, reliable, and efficient deep-draft waterway, in cooperation with its Canadian counterpart. GLS also encourages the development of trade through the Great Lakes Seaway System, which contributes to the comprehensive economic development of the entire Great Lakes region.

GLS has two rulemakings executed annually pursuant to international agreement. One rulemaking reviews and revises GLS's joint regulations with the St. Lawrence Seaway Management Corporation of Canada (SLSMC). The other rulemaking, also executed in coordination with SLSMC, sets forth the levels of tolls assessed on all commodities and vessels transiting the facilities operated by GLS and SLSMC.

DOT—Federal Motor Carrier Safety Administration (FMCSA)	Proposed Rule Stage

1. • COMMERCIAL DRIVER'S LICENSE (CDL) STANDARDS [2126–AD03]

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Regulatory

Legal Authority: 49 U.S.C. 31308

Relevant Executive Orders: 14286

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The Federal Motor Carrier Safety Administration (FMCSA) is proposing to amend its regulations to enhance the security standards for the State-issued commercial driver's licenses (CDLs) and commercial learner's permits (CLPs). This action would strengthen the integrity of the CDL and CLP issuance process and reduce the risk of fraud. The proposed changes would update requirements for document verification and record retention, helping to ensure the identity of CDL and CLP holders and contributing to the safety and security of the nation's transportation system.

Statement of Need: TBD

Summary of Legal Basis: TBD

Alternatives: TBD

Anticipated Cost and Benefits: TBD

Risks: TBD

Timetable:

Action	Date	FR Cite
NPRM	06/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State

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RIN: 2126–AD03

BILLING CODE 4910–9X–P

DOT—Federal Motor Carrier Safety Administration (FMCSA)	Proposed Rule Stage

104. • COMMERCIAL DRIVER'S LICENSE (CDL) STANDARDS

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Regulatory

Legal Authority: 49 U.S.C. 31308

Relevant Executive Orders: 14286

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The Federal Motor Carrier Safety Administration (FMCSA) is proposing to amend its regulations to enhance the security standards for the State-issued commercial driver's licenses (CDLs) and commercial learner's permits (CLPs). This action would strengthen the integrity of the CDL and CLP issuance process and reduce the risk of fraud. The proposed changes would update requirements for document verification and record retention, helping to ensure the identity of CDL and CLP holders and contributing to the safety and security of the nation's transportation system.

Statement of Need: TBD

Summary of Legal Basis: TBD

Alternatives: TBD

Anticipated Cost and Benefits: TBD

Risks: TBD

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State

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DEPARTMENT OF THE TREASURY

Statement of Regulatory Priorities

The primary mission of the Department of the Treasury is to maintain a strong economy and create economic and job opportunities by promoting the conditions that enable economic growth and stability at home and abroad, strengthen national security by combatting threats and protecting the integrity of the financial system, and manage the U.S. Government's finances and resources effectively.

Consistent with this mission, regulations of the Department and its constituent bureaus are promulgated to interpret and implement the laws as enacted by Congress and signed by the President. It is the policy of the Department to comply with applicable requirements to issue a Notice of Proposed Rulemaking and carefully consider public comments before adopting a final rule. Also, the Department invites interested parties to submit views on rulemaking projects while a proposed rule is being developed.

To the extent permitted by law, it is the policy of the Department to adhere to the regulatory philosophy and principles set forth in Executive Orders 12866, 13563, 14192 and 14219 to develop regulations that maximize aggregate net benefits to society while minimizing the economic and paperwork burdens imposed on persons and businesses subject to those regulations.

Alcohol and Tobacco Tax and Trade Bureau

The Alcohol and Tobacco Tax and Trade Bureau (TTB) issues regulations to implement and enforce Federal laws relating to alcohol, tobacco, firearms, and ammunition excise taxes and certain non-tax laws relating to alcohol. TTB's mission and regulations are designed to:

(1) Collect the taxes on alcohol, tobacco products, firearms, and ammunition;

(2) Protect the consumer by ensuring the integrity of alcohol products;

(3) Ensure only qualified businesses enter the alcohol and tobacco industries; and

(4) Prevent unfair and unlawful market activity for alcohol and tobacco products.

In FY 2026, TTB will continue its ongoing effort to make regulatory changes that reduce burdens, streamline and simplify requirements, reduce potential barriers to entry to new regulated businesses, and improve service and responsiveness to those regulated businesses.

The projects TTB plans to prioritize in FY 2026 are described below:

• *Streamlining and Modernizing the Permit Application Process (RINs: 1513–AC46, 1513–AC47, and 1513–AC48, Modernization of Permit and Registration Application Requirements for Distilled Spirits Plants, Permit Applications for Wineries, and Qualification Requirements for Brewers, respectively).*

Between FY 2022 and FY 2025, TTB proposed regulatory changes to its regulations to substantially reduce industry burdens associated with applying for, or otherwise qualifying for, authorization to engage in regulated alcohol businesses. Three notices of proposed rulemaking solicited comment on proposed changes that would be integrated into a new online permitting system to be deployed in FY 2027. The changes are expected to reduce the amount of information industry members must submit to TTB in connection with permit and similar applications, reduce the types of operational activities that require prior approval, and reduce the overall regulatory burden on both new and existing businesses. The changes, along with the new online permitting system, are expected to greatly improve the applicant experience.

• *Removing Limitations on Use of Certain Class and Type Designations on Labels of Malt Beverages with Less Than 0.5% Alcohol by Volume (RIN: 1513–AC74).*

TTB is proposing amendments to the TTB regulations issued under the Federal Alcohol Administration Act to remove limitations on the use of class and type designations, such as ale, porter, and stout, in the labeling of malt beverage with less than 0.5% alcohol by volume. The proposed changes regarding the use of those terms are intended to provide greater flexibility to industry members in the marketing of their products, while also ensuring sufficient information to prevent consumer confusion regarding the product.

• *Streamlining of Tax Return and Report Requirements (RIN: 1513–AC68)*

TTB is currently engaging in work to simplify and streamline the reporting that regulated businesses are required to do for Federal excise tax purposes under the Internal Revenue Code. As part of this effort, TTB is piloting new forms that consolidate the tax return with operational reporting, significantly reducing the overall amount of information submitted by the regulated businesses. Subsequently, TTB intends to obtain public comment on amending the regulations to consolidate and streamline tax return and operational reporting, to ensure that the amendments meet TTB's streamlining and process simplification goals.

• *Amendments to Standards of Use for Certain Authorized Wine Treating Materials to Reflect "Good Manufacturing Practice" (RIN: 1513–AC75)*

In response to a petition from an industry association, TTB is proposing amendments to the TTB regulations that authorize wine treating materials, to replace numerical limitations on the use of certain wine treating materials with a limitation of "good manufacturing practice" where the treating material does not pose health concerns. The proposed amendments will also address any new authorizations of wine treating materials and processes that have been administratively approved in response to industry member requests but not yet incorporated into the regulations. Adding wine treating materials and processes to the TTB regulations may increase the acceptability in export markets of wine produced using these materials and processes.

• *Removal of Prohibition on Labeling of Wine to Indicate Added Distilled Spirits (RIN: 1513–AC29)*

TTB intends to finalize rulemaking that amends its wine labeling and advertising regulations to remove a specific prohibition against statements which indicate that a wine contains distilled spirits. This proposed deregulatory action, in response to a petition from an industry association, will allow wine makers to provide additional information to consumers about certain wines, while still providing consumers with adequate and non-misleading information as to the identity and quality of the products they purchase.

OFFICE OF THE COMPTROLLER OF THE CURRENCY

The Office of the Comptroller of the Currency (OCC) charters, regulates, and supervises all national banks and Federal savings associations (FSAs). The agency also supervises the Federal branches and agencies of foreign banks. The OCC's mission is to ensure that national banks and FSAs operate in a safe and sound manner, provide fair access to financial services, treat customers fairly, and comply with applicable laws and regulations.

Regulatory priorities for fiscal year 2026 are described below.

• Regulation on Implementing GENIUS Act for Entities Subject to OCC Jurisdiction

The OCC issued a notice of proposed rulemaking to implement the GENIUS Act, 12 U.S.C. 5901 *et seq.,* with respect to entities for which the OCC is authorized to issue regulations or exercise its enforcement authority under the Act.

• Regulation to Define Unsafe or Unsound Practices, Matters Requiring Attention

The proposed regulation would define the term "unsafe or unsound practice" for purposes of section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818) and revise the supervisory framework for the issuance of matters requiring attention and other supervisory Communications.

FINANCIAL CRIMES ENFORCEMENT NETWORK

As administrator of the Bank Secrecy Act (BSA), the Financial Crimes Enforcement Network (FinCEN) is responsible for developing and implementing regulations that are the core of the Department's anti-money laundering (AML) and countering the financing of terrorism (CFT) efforts. In fulfilling its responsibilities, FinCEN seeks to enhance U.S. national security by making the financial system increasingly resistant to abuse by money launderers, terrorists and their financial supporters, and other perpetrators of crime, and to provide highly useful information to law enforcement to use in the fight against crime.

The Secretary of the Treasury, through FinCEN, is authorized by the BSA to issue regulations requiring financial institutions to file reports and keep records that are highly useful in criminal, tax, or regulatory investigations, risk assessments, or proceedings, or intelligence or counter-intelligence activities, including analysis, to protect against terrorism. The BSA also authorizes FinCEN to require that certain financial institutions establish AML/CFT programs and compliance procedures. More recent legislation has given FinCEN the authority and responsibility to develop a system under which certain legal entities in the United States report their beneficial owners. To implement and realize its mission, FinCEN has established regulatory objectives and priorities to safeguard the financial system from the abuses of financial crime, including terrorist financing, proliferation financing, money laundering, and other illicit activity.

These objectives and priorities include: (1) issuing, interpreting, and enforcing compliance with regulations implementing the BSA; (2) supporting, working with, and as appropriate overseeing compliance examination functions delegated by FinCEN to other Federal regulators; (3) managing the collection, processing, storage, and dissemination of data related to the BSA and beneficial ownership; (4) maintaining government-wide access services to that same data for authorized users with a range of interests; (5) conducting analysis in support of policymakers, law enforcement, regulatory and intelligence agencies, and (for compliance purposes) the financial sector; and (6) coordinating with and collaborating on AML/CFT initiatives with domestic law enforcement and intelligence agencies, as well as foreign financial intelligence units. As applicable, FinCEN will describe how relevant rulemakings promote principles of fiscal responsibility and program integrity in one or all of the following three categories: (1) enhancing oversight; (2) strengthening eligibility standards; and (3) streamlining implementation.

FinCEN's regulatory priorities for fiscal year 2026 include:

- Revisions to Beneficial Ownership Information Reporting Requirements

In accordance with the Secretary of the Treasury's commitment to reducing burden on businesses, FinCEN adopted an interim final rule (IFR) on March 26, 2025 that removed the requirement for domestic reporting companies and U.S. persons to report their beneficial ownership information to FinCEN. The IFR otherwise retained the requirement for foreign reporting companies to report beneficial ownership information (BOI) about their beneficial owners (excluding U.S. persons) to FinCEN, while extending the deadline for those companies to file initial BOI reports, or update or correct previously filed BOI reports, to 30 days after the date of the publication of the IFR (April 25, 2025) or 30 days after their registration to do business in the United States, whichever comes later. The IFR provided the public with a 60-day comment period which ended on May 27, 2025, and FinCEN intends to issue a final rule taking into account the public comments on the IFR.

- Delaying the Effective Date of the AML/CFT Program and Suspicious Activity Report Filing Requirements for Registered Investment Advisers and Exempt Reporting Advisers

FinCEN amended the AML/CFT program and suspicious activity report (SAR) filing requirements for registered investment advisers (RIAs) and exempt reporting advisers (ERAs) (IA AML Rule) to delay the effective date by two years. The final rule amended the effective date to January 1, 2028.

- Anti-Money Laundering and Countering the Financing of Terrorism Programs.

Pursuant to the Department of the Treasury and FinCEN's efforts to modernize the Bank Secrecy Act and to implement provisions of the Anti-Money Laundering Act of 2020, FinCEN is proposing a new rule to revise the requirements for financial institutions' anti-money laundering and countering the financing of terrorism (AML/CFT) programs. This forthcoming NPRM will supersede the proposed rule on AML/CFT programs that FinCEN issued in July 2024, which FinCEN does not intend to finalize.

Section 6314. Updating Whistleblower Incentives and Protection.

FinCEN issued a notice of proposed rulemaking (NPRM) on April 1, 2026, to establish a whistleblower award program for eligible individuals who provide information regarding certain violations of the BSA and certain national security laws, including U.S. economic sanctions laws. The proposed regulations would implement section 6314 of the Anti-Money Laundering Act of 2020 (the AML Act), which amends the whistleblower provisions of the BSA found at 31 U.S.C. 5323, as well as the Anti-Money Laundering Whistleblower Improvement Act, which further amended 31 U.S.C. 5323 by establishing a revolving fund (the Financial Integrity Fund) from which awards can be paid without the need for further appropriations. Public comments on the NPRM are due by June 1, 2026.

- Customer Identification Programs for Registered Investment Advisers and Exempt Reporting Advisers

FinCEN intends to reissue a joint NPRM with the Securities and Exchange Commission, implementing Section 326 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act) with regard to customer identification program (CIP) requirements for certain investment advisers. This proposal would replace the previous IA CIP NPRM that FinCEN published on May 21, 2024. Specifically, as in the originally proposed rule, FinCEN would require an RIA and an ERA to establish a CIP as part of an AML/CFT program. RIAs and ERAs would be required to implement reasonable procedures to identify and verify the identity of their customers, among other requirements, in order to form a reasonable belief that RIAs and ERAs know the true identity of their customers. FinCEN anticipates, however, that in the reissued proposed rule these requirements would be more effectively tailored to the diverse business models and risk profiles of types of firms within the investment adviser sector than in the originally proposed rule.

- Imposition of Special Measure Regarding Transactions Involving Ten Mexican Gambling Establishments as a Class of Transactions of Primary Money Laundering Concern

FinCEN intends to issue a final rule, pursuant to section 311 of the USA PATRIOT Act, that finds transactions involving ten identified Mexico-based gambling establishments to be a class of transactions of primary money laundering concern, and imposes a special measure to: (1) prohibit U.S. financial institutions from opening or maintaining a correspondent account for any foreign banking institution if such account is used to process transactions involving any of the gambling establishments, and (2) require U.S. financial institutions to apply special due diligence to their correspondent accounts that is reasonably designed to guard against the use of such accounts to process transactions involving any of the gambling establishments.

- Revisions to Customer Due Diligence Requirements for Financial Institutions.

FinCEN intends to issue an NPRM titled ''Revisions to Customer Due Diligence Requirements for Financial Institutions,'' relating to Section 6403(d) of the Corporate Transparency Act (CTA). Section 6403(d) of the CTA requires FinCEN to revise its customer due diligence requirements for financial institutions to account for the changes created by the beneficial ownership information reporting and access requirements set out in the CTA.

- Amendments to the Regulations on Reports of Foreign Bank and Financial Accounts

FinCEN intends to issue an NPRM to amend the regulations implementing the BSA regarding reports of foreign bank and financial accounts (FBAR). The proposed rule will relieve burden on certain individuals from FBAR filing requirements. Among other deregulatory objectives, the proposed rule would codify into regulation temporary exceptive relief provided to individuals with signature authority over, but no financial interest in, certain types of reportable accounts.

- Other Requirements.

FinCEN also will continue to issue rulemaking actions pursuant to section 311 of the USA PATRIOT Act, as appropriate. Finally, FinCEN expects that it may propose or finalize various technical and other regulatory amendments in conjunction with ongoing efforts to implement beneficial ownership information reporting requirements and modernize BSA reporting thresholds and processes required by sections 6204 and 6205 of the AML Act, including the comprehensive review of existing regulations to enhance regulatory efficiency required by section 6216 of the AML Act.

BUREAU OF THE FISCAL SERVICE

The Bureau of the Fiscal Service (Fiscal Service) administers regulations pertaining to the Government's financial activities, including: (1) implementing Treasury's borrowing authority, including regulating the sale and issue of Treasury securities; (2) administering Government revenue and debt collection; (3) administering government-wide accounting programs; (4) managing certain Federal investments; (5) disbursing the majority of Government electronic and check payments; (6) assisting Federal agencies in reducing the number of improper payments; and (7) providing administrative and operational support to Federal agencies through franchise shared services.

During fiscal year 2026, Fiscal Service will accord priority to the following regulatory projects:

• Public Dissemination of the Identity of a Delinquent Debtor

Fiscal Service is proposing to amend 31 CFR part 285 to establish minimum required procedures for Federal agencies to follow prior to publicly disseminating information regarding the identity of delinquent debtors and the standards for determining when use of this debt collection tool is appropriate.

• Re-Write of DCIA Offset Regulations in 31 CFR part 285 Subpart A

Fiscal Service is proposing to amend 31 CFR part 285 Subpart A. These regulations govern how Fiscal Service administers the offset of federal and state payments to collect federal and state debt through the Treasury Offset Program. Fiscal Service proposes to revise the existing TOP regulations for several reasons, including to: (1) restore statutory flexibility that was unnecessarily restricted; (2) implement new authorities; (3) eliminate repetitive and unnecessary language; (4) reword certain provisions for clarity, consistent with the requirements of the Plain Writing Act of 2010 and Executive Order 12866 (Sept. 1993); and (5) better organize the regulations for easier comprehension.

• Revision of the Federal Claims Collection Standards

Fiscal Service is proposing to amend the Federal Claims Collections Standards (FCCS), codified in 31 CFR parts 900–904, which is jointly administered by Treasury and the Department of Justice. The FCCS set standards for administrative collection, compromise, and suspension or termination of collection activity for federal nontax debts. They also set standards for referring federal nontax debts to DOJ for litigation. The proposed amendments, which have been jointly prepared by Treasury and DOJ, include revisions to conform to developments since the last publication of the regulations in 2000.

• Amendment to Electronic Payment Regulation

Fiscal Service intends to propose to amend 31 CFR part 208, Management of Federal Agency Disbursements, to implement Executive Order 14247 ('Modernizing Payments To and From America's Bank Account''). Among other things, Fiscal Service intends to propose to revise the waivers that are available to individual federal payment recipients and federal entities for the purpose of further limiting the circumstances under which paper checks may be authorized and to advance the United States's policy, as stated in the E.O., to defend against financial fraud and improper payments, increase efficiency, reduce costs, and enhance the security of Federal payments.

INTERNAL REVENUE SERVICE

The Internal Revenue Service (IRS), working with Treasury's Office of Tax Policy, promulgates regulations that interpret and implement the Internal Revenue Code (Code), and other internal revenue laws of the United States. The purpose of these regulations is to carry out the tax policy determined by Congress in a fair, impartial, and reasonable manner, taking into account the intent of Congress, the realities of relevant transactions, the need for the Government to administer the rules and monitor compliance, and the overall integrity of the Federal tax system. The goal is to make the regulations practical and as clear and simple as possible, which reduces the burdens on taxpayers and the IRS.

During fiscal year 2026, a priority of the IRS and the Office of Tax Policy is to provide guidance, including proposed and final rules in certain cases, regarding implementation of Public Law 119–21, known as the One, Big, Beautiful Bill Act. A number of provisions in Public Law 119–21 are effective immediately or effective at the beginning of 2025, such as ''No Tax on Tips'' and ''No Tax on Car Loan Interest,'' so timely implementing guidance is necessary for taxpayers and for the IRS. The IRS and Office of Tax Policy also have identified deregulatory actions in response to Executive Order 14219 and are working diligently to undertake these actions. Finally, the IRS and Office of Tax Policy will focus on other key areas, including guidance addressing section 501(c)(3) issues, Tribal tax issues, digital assets, and the SECURE 2.0 Act of 2022 (SECURE 2.0 Act), enacted as Division T of the Consolidated Appropriations Act, 2023, Public Law 117–328.

Every year, Treasury and the IRS identify guidance projects that are priorities for allocation of resources during the year in the Priority Guidance Plan (PGP) (available on *irs.gov* and *regulations.gov*). The plan represents projects that Treasury and the IRS intend to actively work on during the plan year. See, for example, the 2026–26 Priority Guidance Plan (Sept. 30, 2025). To facilitate and encourage suggestions, Treasury and the IRS have developed an annual process for soliciting public input for guidance projects. The annual solicitation is done through the issuance of a notice inviting recommendations from the public for items to be included on the PGP for the upcoming plan year. See, for example, Notice 2025–19 (April 4, 2025). We also invite the public to provide us with their comments and suggestions for guidance projects throughout the year.

DEPARTMENTAL OFFICES

The Guiding and Establishing National Innovation for U.S. Stablecoins (GENIUS) Act (Pub. L. 119–27) tasks Treasury (and various other federal agencies) with issuing regulations that encourage innovation in payment stablecoins while also providing an appropriately tailored regime to protect consumers, mitigate potential illicit finance risks, and address financial stability risks. Implementation of the GENIUS Act is a key priority of Treasury Departmental Offices in Fiscal Year 2026. On September 19, 2025, Treasury issued an Advance Notice of Proposed Rulemaking (90 FR 45159) to seek public comment on potential regulations that may be promulgated by Treasury, including regarding regulatory clarity, prohibitions on certain issuances and marketing, Bank Secrecy Act (BSA) anti-money laundering (AML) and sanctions obligations, the balance of state-level oversight with federal oversight, comparable foreign regulatory and supervisory regimes, and tax issues, among other things. Treasury generally expects to invite further public comment on proposed regulations before adopting any final regulations.

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DEPARTMENT OF VETERANS AFFAIRS

Statement of Regulatory Priorities for Fiscal Year 2026

The Department of Veterans Affairs (VA) administers services and benefits that recognize the important Federal obligations to those who served this nation. VA's regulatory responsibility is to faithfully execute the mandates of the laws enacted by Congress relating to programs for Veterans and their families. VA's major regulatory objective is to implement these laws with fairness, justice, efficiency, and fiscal responsibility.

Most of the regulations issued by VA relate to functions of the Veterans Benefits Administration (VBA), the Veterans Health Administration (VHA), and the National Cemetery Administration (NCA). The primary mission of VBA is to provide high-quality and timely non-medical benefits to eligible Veterans and their dependents. The primary mission of VHA is to provide timely, high-quality health care to eligible Veterans through its system of medical centers, nursing homes, domiciliaries, outpatient medical and dental facilities, and through a vast network of community providers. The primary mission of NCA is to honor and bury eligible Veterans and their dependents in VA National Cemeteries, maintaining these cemeteries as national shrines in perpetuity and commemorating their service and sacrifice to our nation.

In addition to the primary missions for each VA component listed above, VA's FY26 regulatory agenda emphasizes fiscal responsibility, aligning with the deregulatory priorities in Executive Order (E.O.) 14219, and modernizing regulations to enhance VA's efficiency and transparency. This agenda will prudently allocate resources while appropriately providing benefits and services for our nation's Veterans, spouses, survivors, dependents, and caregivers. Key policy focuses include:

- Fiscal Responsibility: Ensuring regulatory activities and initiatives are cost-effective, provide the best value for Veterans and taxpayers, and reduce the financial burden on Veterans.
- Deregulation and E.O. 14219 Compliance: Reducing regulatory burdens and eliminating unnecessary regulations to foster innovation and streamline processes.
- Program Integrity and Efficiency: Removing outdated or duplicative regulations to improve efficiency, ensure optimal adherence to statutory authority, and clarify VA's legal and administrative processes.
- Modernizing Regulations: Updating and refining VA's regulations to reflect current best practices, enhance health care services, advance technological integration, and meet the evolving needs of Veterans.

In pursuit of the aforementioned goals, VA highlights the following regulatory accomplishments during FY25:

- *Extension of Program of Comprehensive Assistance for Family Caregivers Eligibility for Legacy Participants and Legacy Applicants (2900–AR28).* VA extended through September 2028 the transition period for participants, applicants, and Family Caregivers known as the ''legacy cohort.'' This action prevented termination of this cohorts' eligibility to ensure that they continue to receive the services, stipends, and other benefits that they have come to rely on.
- *Health Care Professionals Practicing Telehealth (2900–AQ59).* VA implemented the authorities of the VA MISSION Act of 2018 and the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 to maximize health care resource utilization and provide safe and convenient national health care to Veterans using telehealth. The finalization of this national telehealth authority also strengthens VA's role in supporting national and State responses to war, terrorism, national emergencies, and natural disasters.
- *Reproductive Health Services (2900–AS31).* VA proposed to reverse an unnecessary and unwise 2022 revision to the medical benefits package and reinstate the full exclusion of abortions and abortion counseling, restoring VA's medical benefits package to where it had been working effectively since it was first established in 1999. This rule was finalized in FY26.

Priority Regulatory Actions

VA is committed to maintaining a regulatory framework that ensures Veterans and their families timely receive all benefits, health care, and burial services guaranteed to them under law. To achieve this, VA continually reviews and updates its regulations, removing outdated rules and enhancing the clarity and efficiency of existing programs. This ongoing effort aligns with E.O. 14192, which guides agencies to fine-tune their regulatory agendas to address contemporary needs, ensure equity, and honor statutory and operational mandates. Among the key directives of Executive Order 14192 is the call for agencies to enact deregulatory measures where feasible, particularly focusing on removing outdated, redundant, or unnecessarily onerous regulations.

In FY25, VA conducted a comprehensive review of its pending rulemaking actions. Upon completing this review, VA identified a total of 118 regulatory and deregulatory actions for inclusion in its FY26 agenda, an increase of 45 actions from the Spring 2025 agenda. The FY26 agenda includes pending actions from the FY25 agenda, previously removed actions, and newly created measures, all aligned with the current Administration's priorities, recent legislative changes, and program-level needs. These actions span all stages, including proposed rules, final rules, and long-term actions based on several criteria such as whether notice and comment is required prioritization of those with significant impacts on benefits delivery, deregulation, and those with statutory or legal deadlines.

VBA. VBA is advancing several deregulatory initiatives designed to streamline internal processes, eliminate obsolete programs, and clarify existing policies. Efforts include removing outdated adjudication regulations, eliminating redundant eligibility procedures, and refining claims processing guidelines. Such initiatives, which are not all listed in the priority regulations below, reflect the Administration's commitment to regulatory efficiency and responsiveness by improving benefits and insurance programs; enhancing access to legal, financial, and education services; and updating disability claims regulations. Concurrently, VBA is focused on targeted regulatory actions designed to overcome ongoing obstacles to accessing benefits, to make program requirements clearer, and to ensure that VBA policies are consistent with legislative directives. These actions draw on operational insights, feedback from stakeholders, and best practices learned over time.

VHA. VHA is committed to maintaining a regulatory framework that supports the delivery of high-quality, accessible, and equitable health care to Veterans and is advancing several deregulatory actions that streamline internal processes, rescind obsolete programs, and clarify existing authorities. These include actions such as rescinding regulations for discontinued grant programs, removing outdated provisions from legacy programs, and clarifying VA's authority to collect from third-party insurers. Such initiatives, which are not all listed in the priority regulations below, reflect the Department's broader commitment to regulatory efficiency and responsiveness. At the same time, VHA continues to pursue targeted regulatory actions that address persistent barriers to health care, to clarify program requirements, and to align VHA policy with statutory authority. These actions are informed by operational experience, stakeholder input, and current practice.

VA's regulatory priority plan consists of eight priority regulations—five from VBA, two from VHA, and one from VA's Office of Acquisition, Logistics and Construction (OALC).

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HHS—FDA	

105. REMOVING BARRIERS TO SERVICE CONNECTION BY UPDATING HYPERTENSION NOTES

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Regulatory

Legal Authority: 38 U.S.C. 1116; 2 U.S.C. 1532

CFR Citation: 38 CFR 4.104

Legal Deadline: None

Abstract: The Department of Veterans Affairs (VA) proposes to remove Note (1) under diagnostic code (DC) 7101 pertaining to hypertensive vascular disease (hypertension and isolated systolic hypertension). This proposed revision would ensure that VA's Schedule for Rating Disabilities (VASRD) aligns with current medical understanding of hypertension and remove an unintended barrier to service connection, facilitating appropriate awards of service connection for our nation's veterans.

Statement of Need: Similar to 2900–AQ72, 2900–AQ73, and 2900–AQ82, this proposed rule will update the VASRD to incorporate medical advancements that have occurred since the last revision, update current medical terminology, and provide clear evaluation criteria for hypertensive vascular disease (hypertension and isolated systolic hypertension).

Summary of Legal Basis: 38 U.S.C. 1155. VA will revise 38 CFR 4.104 and Diagnostic Code (DC) 7101, which sets forth the criteria for hypertension.

Alternatives: VA cannot update the VASRD through non-regulatory action. VA could choose to leave the VASRD criteria as is, but failure to update the notes under DC 7101 would leave outdated medical standards for hypertension in place. One of VA's main objectives for the VASRD is to ensure it accurately reflects medical advancements and improved technology. Since VA cannot accomplish this goal through non-regulatory action, failure to pursue a regulatory update does not align to VA's objectives. VA also considered replacing the definition of hypertension in DC 7101 with the currently accepted definition from the American Heart Association (AHA). While this approach would satisfy VA's goal of ensuring the criteria aligns to current medical standards, it would require VA to continuously update DC 7101 following any updates to AHA's definition of hypertension, which could lead to confusion. Since there is no regulatory need for VA to maintain a hypertension definition within the VASRD, complete removal is the most effective approach to ensure accurate claims processing.

Anticipated Cost and Benefits: The total budgetary impact is estimated to be $348.8 million over five years and $357.5 million over 10 years.

Risks: By processing claims for compensation benefits using outdated criteria, VA risks overcompensating or undercompensating Veterans for these service-connected conditions.

Timetable:

Action	Date	FR Cite
NPRM	08/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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VA	

106. • EXPANDING OPTIONS FOR VETERANS TO AVOID HOME FORECLOSURES

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 38 U.S.C. 3720; 38 U.S.C. 3732; 38 U.S.C. 3737

CFR Citation: 38 CFR part 36

Legal Deadline: None

Abstract: The Department of Veterans Affairs (VA) proposes to amend its regulations to ensure servicers provide veterans with appropriate options, including a partial claim, in an effort to avoid foreclosure of a VA-guaranteed loan. This proposed rule implements the Veterans Home Loan Program Reform Act (the Act), including prescribing a mandatory sequence of loss mitigation options for servicers and establishing a temporary, five-year partial claim program.

Statement of Need: With this rulemaking, VA will propose its implementation of the provisions of the VA Home Loan Program Reform Act (Pub. L. 119–31), which mandates action in cases of home loan defaults under the VA Home Loan Program. The proposed rule would provide the Secretary with the authority to avert foreclosures and introduce a partial claim program, thereby supporting Veterans in maintaining home ownership and financial stability.

Summary of Legal Basis: 38 U.S.C. 3720, 3732. VA would add new regulations to 38 CFR part 36.

Alternatives: VA considered several alternatives, including maintaining the status quo or enhancing current loan modification programs without introducing partial claims. However, the partial claim program was selected as the best approach because it provides a more flexible and effective method to reducing the burden on Veterans facing imminent default on their home loan.

Anticipated Cost and Benefits: Costs are still being determined. This rulemaking will bring the VA Home Loan Program into alignment with the requirements of Public Law 119–31.

Risks: This proposed rule would establish regulations to ensure that the Secretary can implement loss mitigation procedures, including partial claims, to prevent foreclosures. Establishing a partial claims process would preserve freedom of choice and allow Veterans to access tailored financial assistance to avoid foreclosure, thus reducing long-term risks and costs associated with defaults.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

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VA	

107. SCHEDULE FOR RATING DISABILITIES: EAR, NOSE, THROAT, AND AUDIOLOGY DISABILITIES; SPECIAL PROVISIONS REGARDING EVALUATION OF RESPIRATORY CONDITIONS; SCHEDULE FOR RATING DISABILITIES: RESPIRATORY SYSTEM

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Fully or Partially Exempt

Legal Authority: 38 U.S.C. 501(a); 38 U.S.C. 1155

CFR Citation: 38 CFR 4.85; 38 CFR 4.87; 38 CFR 4.96; 38 CFR 4.97

Legal Deadline: None

Abstract: The Department of Veterans Affairs (VA) amends its regulations to revise the sections that address the ear, nose, throat, audiology, and respiratory systems and adds a diagnostic code for constrictive bronchiolitis (or obliterative bronchiolitis) to the regulations that govern the respiratory system. The purpose of these changes is to update medical terminology, incorporate medical advances that have occurred since the last review, and provide well-defined criteria in accordance with actual clinical practice.

Statement of Need: The VA Schedule for Rating Disabilities (VASRD) has not undergone a complete revision since 1945 and contains certain outdated, inaccurate, or obsolete medical, scientific, and/or economic information. With this final rule, VA will incorporate medical advancements that have occurred since the last revision, update current medical terminology, and provide clear evaluation criteria for disabilities of the ear, nose, and throat (ENT), audiology, and respiratory systems.

Summary of Legal Basis: 38 U.S.C. 1155. VA will revise the regulations in 38 CFR parts 3 and 4 that address ENT, audiology, and respiratory systems.

Alternatives: VA cannot update the VASRD through non-regulatory action. VA could choose to leave the VASRD criteria as is, but failure to update the criteria would result in continued application of outdated medical, scientific, and economic data in the evaluation of disabilities. Applying outdated criteria could render disability evaluations inadequate, inaccurate, and, in some cases, in conflict with current medical and economic understanding of disability. This would result in inadequate assessment of disabilities and lead to reduced efficiency in claims processing and delivery of benefits, as VA could not rely on modern medical records (when available) to quickly assess impairment.

Anticipated Cost and Benefits: The total budgetary impact is estimated to be a savings of $6.6 billion over five years and $25.5 billion over 10 years. This final rule will allow for more accurate and adequate disability evaluations.

Risks: By processing claims for disability compensation benefits using outdated criteria, VA risks overcompensating or undercompensating Veterans for these service-connected conditions.

Timetable:

Action	Date	FR Cite
NPRM	02/15/22	87 FR 8474
NPRM Comment Period End.	04/18/22	
Supplemental NPRM.	09/12/24	89 FR 74162
Supplemental NPRM Comment Period End.	10/15/24	
Final Action	04/00/27	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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VA	

108. SCHEDULE FOR RATING DISABILITIES: NEUROLOGICAL CONDITIONS AND CONVULSIVE DISORDERS

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Fully or Partially Exempt

Legal Authority: 38 U.S.C. 501(a); 38 U.S.C. 1155

CFR Citation: 38 CFR 4.120; 38 CFR 4.123; 38 CFR 4.124

Legal Deadline: None

Abstract: The Department of Veterans Affairs (VA) amends the portion of the VA Schedule for Rating Disabilities that addresses neurological conditions and convulsive disorders. These amendments will incorporate medical advancements that have occurred since the last revision, update current medical terminology, and provide clear evaluation criteria.

Statement of Need: Similar to 2900–AQ72, this final rule will update the VASRD to incorporate medical advancements that have occurred since the last revision, update current medical terminology, and provide clear evaluation criteria for neurological conditions and convulsive disorders.

Summary of Legal Basis: 38 U.S.C. 1155. VA will revise 38 CFR 4.120 through 4.124a that address neurological conditions and convulsive disorders.

Alternatives: VA cannot update the VASRD through non-regulatory action. VA could choose to leave the VASRD criteria as is, but failure to update the criteria would result in continued application of outdated medical, scientific, and economic data in the evaluation of disabilities. Applying outdated criteria could render disability evaluations inadequate, inaccurate, and, in some cases, in conflict with current medical and economic understanding of disability. This would result in inadequate assessment of disabilities and lead to reduced efficiency in claims processing and delivery of benefits, as VA could not rely on modern medical records (when available) to quickly assess impairment due to a neurological condition or convulsive disorder. Alternatively, VA could only update the portions of the neurological rating criteria that are most out of date, but this piecemeal approach could lead to the same problems as outlined above for the criteria that would not be updated. This approach would fail to maximize efficiency in claims processing and delivery of benefits.

Anticipated Cost and Benefits: The total budgetary impact is estimated to be a savings of $838 million over five years and $3.3 billion over 10 years.

Risks: By processing claims for compensation benefits using outdated criteria, VA risks overcompensating or undercompensating Veterans for these service-connected conditions.

Timetable:

Action	Date	FR Cite
NPRM	11/12/24	89 FR 88917
NPRM Comment Period End.	01/13/25	
Final Action	04/00/27	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 2900–AQ73

VA	

109. SCHEDULE FOR RATING DISABILITIES: MENTAL DISORDERS

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Regulatory

Legal Authority: 38 U.S.C. 501(a); 38 U.S.C. 1155

CFR Citation: 38 CFR 4.130

Legal Deadline: None

Abstract: The Department of Veterans Affairs (VA) amends the portion of the rating schedule pertaining to mental disorders, including revising the General Rating Formula for Mental Disorders and removing the separate General Rating Formula for Eating Disorders in the VA Schedule for Rating Disabilities. This final rule reflects changes made by the American Psychological Association's Diagnostic and Statistical Manual of Mental Disorders 5 (DSM–5) advances in medical knowledge, and recommendations from VA's Mental Disorders Work Group.

Statement of Need: Similar to 2900–AQ72 and 2900–AQ73, this final rule will update the VASRD to incorporate medical advancements that have occurred since the last revision, update current medical terminology, and provide clear evaluation criteria for mental disorders.

Summary of Legal Basis: 38 U.S.C. 1155. VA will revise 38 CFR 4.126 and 4.130, which pertain to mental disorders.

Alternatives: VA cannot update the VASRD through non-regulatory action.

VA could choose to leave the VASRD criteria as is, but failure to update the criteria would result in continued application of outdated medical, scientific, and economic data in the evaluation of disabilities. The current criteria for mental disorders was adopted in 1996 based on the fourth edition of the Diagnostic and Statistical Manual (DSM–IV), but the DSM–5 was published in 2013 and updated evaluation criteria. Continuing to evaluate mental disorders using criteria based on the now outdated DSM–IV could be inadequate and in conflict with current scientific knowledge, medical practice, and the economic understanding of disability. By implementing new evaluation criteria that more accurately reflect functional impairment caused by mental disorders, VA will conform with current medical standards and provide more adequate compensation for the earnings losses experienced by Veterans with service-connected mental disorders.

Anticipated Cost and Benefits: The total budgetary impact is estimated to be $24.5 billion over five years and $62.1 billion over 10 years.

Risks: By processing claims for compensation benefits using outdated criteria, VA risks overcompensating or undercompensating Veterans for these service-connected conditions.

Timetable:

Action	Date	FR Cite
NPRM	02/15/22	87 FR 8498
NPRM Comment Period End.	04/18/22	
Final Action	08/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 2900–AQ82

VA	

110. AMENDMENTS TO THE PROGRAM OF COMPREHENSIVE ASSISTANCE FOR FAMILY CAREGIVERS

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Regulatory

Legal Authority: 38 U.S.C. 1720G

CFR Citation: 38 CFR part 17

Legal Deadline: None

Abstract: The Department of Veterans Affairs (VA) adopts as final, with revisions, proposed regulations governing VA's Program of Comprehensive Assistance for Family Caregivers (PCAFC). Among other efficiencies and improvements, these revisions will enhance program administration, enable more consistent benefits delivery, and broaden eligibility requirements.

Statement of Need: This final rule will respond to comments and make changes to the Program of Comprehensive Assistance for Family Caregivers (PCAFC) and Program of General Caregiver Support Services (PGCSS) to improve program operations, update eligibility criteria, and ensure appropriate access to the programs for eligible Veterans, servicemembers, and their caregivers. These changes will further align PCAFC regulations with the decision of the U.S. Court of Appeals for the Federal Circuit in *Veteran Warriors, Inc.* v. *Sec'y of Veterans Affairs,* 29 F.4th 1320 (Fed. Cir. 2022), which set aside VA's definition of need for supervision, protection, and instruction.

Summary of Legal Basis: 38 U.S.C. 1720G. VA will update its regulations in 38 CFR part 71, which governs PCAFC.

Alternatives: VA determined that there are no acceptable policy alternatives to implement the desired changes, particularly in light of the Court's determination in *Veteran Warriors*.

Anticipated Cost and Benefits: Costs are still being determined and will need to consider any changes made based on considerable comments received on the proposed rule.

Risks: Delayed access to PCAFC benefits for eligible Veterans and their Family Caregivers, and decisions that do not align with legal mandates.

Timetable:

Action	Date	FR Cite
NPRM	12/06/24	89 FR 97404
NPRM Comment Period End.	02/04/25	
Final Action	11/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 2900–AR96

VA	

111. TELEHEALTH GRANT PROGRAM

Priority: Other Significant

Regulatory Accounting: Not subject to, not significant

Legal Authority: 38 U.S.C. 2011; 42 U.S.C. 254b(b)(3)

CFR Citation: 38 CFR 17.108; 38 CFR 62.2; 38 CFR 79.5

Legal Deadline: None

Abstract: The Department of Veterans Affairs (VA) is amending its regulations to implement a statutory authority establishing a telehealth grant program. Under this authority, VA will enter into new agreements, and expand existing ones, to enhance telehealth capabilities and provide telehealth services through the establishment of telehealth access points in rural, highly rural, or medically underserved areas. This rule also amends the copayment regulation by expanding the copayment exemption for certain telehealth encounters to include all telehealth encounters. These changes will increase veteran access to health care particularly in rural and medically underserved areas.

Statement of Need: Veterans in rural and underserved areas face persistent barriers to care, including limited broadband, long travel distances, and health care provider shortages. This final rule will establish a grant program pursuant to Section 701 of the Commander John Scott Hannon Veterans Mental Health Care Improvement Act of 2019 to fund telehealth access points.

Summary of Legal Basis: 38 U.S.C. 501, 1710, 1720, 1722B; Pub. L. 116–171. This final rule will add regulations governing the grant program in new 38 CFR part 84.

Alternatives: VA considered expanding mobile clinics or increasing travel reimbursements, but these options were less scalable and more costly.

Anticipated Cost and Benefits: Estimated cost is $43.4 million over five years, including $4.6 million in administrative costs and $38.8 million in transfers. Benefits include improved access, reduced travel costs, and enhanced Veteran satisfaction. VA anticipates $779,000 in travel savings and a loss of $7.9 million in copayment revenue, which would be offset by broader system efficiencies.

Risks: The main risk is underutilization of telehealth access points, which will be mitigated by targeting high-need areas and integrating oversight through VA's Office of Connected Care. Increases on demand are expected to be minimal and manageable.

Timetable:

Action	Date	FR Cite
NPRM	11/13/24	89 FR 89519
NPRM Comment Period End.	01/13/25	
Final Action	07/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 2900–AS20

VA	

112. IMPLEMENTING REGULATION FOR NATIONAL ENVIRONMENTAL POLICY ACT (NEPA): ENVIRONMENTAL EFFECTS OF THE DEPARTMENT OF VETERANS AFFAIRS ACTIONS

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 42 U.S.C. 4332(B)

Relevant Executive Orders: 14154; 14219

CFR Citation: 38 CFR part 26

Legal Deadline: None

Abstract: The Department of Veterans Affairs (VA) is amending its regulations for implementing the requirements of the National Environmental Policy Act (NEPA). Since VA last updated its NEPA regulations in 1989, the Council on Environmental Quality removed its NEPA regulations that applied to all agencies, the Fiscal Responsibility Act of 2023 revised the NEPA statute, and significant changes have occurred within the Department. The revisions to VA's NEPA regulations provide a new, comprehensive approach aligning the NEPA process with decision-making across VA by more clearly focusing the NEPA process and analyses on the planning stages of VA actions, improving consistency in NEPA implementation throughout VA, improving the efficiency and quality of VA's NEPA process, updating the VA categorical exclusion list to reflect current VA activities, and ensuring compliance with the NEPA statute.

Statement of Need: With this interim final rule, VA will amend its regulations that implement the requirements of the National Environmental Policy Act (NEPA), as mandated by E.O. 15154.

Summary of Legal Basis: E.O. 15154; 24 U.S.C. 401, *et seq.* ; 38 U.S.C. 501. VA will revise 38 CFR part 26, which provides guidance on the application of the NEPA process to VA activities.

Alternatives: No alternatives were considered as this action is mandated by E.O. 15154 and the changes must be codified in regulation.

Anticipated Cost and Benefits: VA expects minor cost savings that cannot be quantified. VA does not have specific data to assess the economic impact of this interim final rule because such data do not exist and would be difficult to develop. This rulemaking will bring VA into alignment with the requirements of E.O. 15154.

Risks: Failure to comply with the requirements of E.O. 15154.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/15/26	91 FR 36044
Interim Final Rule Effective.	06/15/26	
Interim Final Rule Comment Period End.	07/15/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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BILLING CODE 8320–01–P

Environmental Protection Agency

Statement of Priorities

Overview

The U.S. Environmental Protection Agency (EPA) administers the laws enacted by Congress and signed by the President to protect human health and the environment. Under the leadership of President Donald J. Trump and Administrator Lee Zeldin, the EPA is implementing its statutory mandates and simultaneously Powering the Great American Comeback. The Powering the Great American Comeback initiative balances environmental protection with economic growth to energize the American economy while protecting all Americans from risks to human health and the environment where they live, learn and work. Administrator Zeldin has identified and established five pillars to achieve this initiative, and EPA's 2026 Agenda of Regulatory and Deregulatory Actions focuses on carrying out these five pillars.

Pillar 1: Clean Air, Land, and Water for Every American

Every American should have access to clean air, land, and water. EPA will continue to fulfill its mission to protect human health and the environment by building upon the progress made in President Trump's first administration when EPA advanced conservation, reduced toxic emissions in the air and water, and cleaned up hazardous land sites while fostering economic growth for families nationwide.

Pillar 2: Restore American Energy Dominance

Pursuing energy independence and dominance is paramount to ceasing our nation's reliance on energy sources from adversaries. Importantly, energy independence lowers fuel costs for hardworking American families, farmers, and small businesses while producing and developing the cleanest energy on the planet. To further this goal, the EPA Administrator has already announced targeted efforts to bolster American energy dominance and provide affordable energy to American families. Throughout 2026, EPA will expand on these efforts to continue to meet the nation's growing electric demand.

Pillar 3: Permitting Reform, Cooperative Federalism, and Cross-Agency Partnership

Building upon successes in the President Trump's previous term, EPA will strengthen relationships with its partners at State and Federal levels to ensure critical infrastructure, mineral, manufacturing, pharmaceutical, and energy projects are quickly approved. Streamlining permitting processes while partnering with businesses to follow the necessary statutory requirements is essential to boosting industrial competitiveness. Through the actions in this regulatory agenda, EPA will continue to cooperate with our State, Tribal, and local counterparts to promote cooperative federalism, protect ecosystem diversity and economic productivity.

Pillar 4: Make the United States the Artificial Intelligence (AI) Capital of the World

The United States continues to advance as an AI leader. EPA will bolster this advancement by ensuring data centers and related facilities necessary for the AI revolution can be powered and operated with American-made energy by removing barriers to energy development, production, and delivery. EPA plans to further support AI development by encouraging responsible, streamlined permitting for these critical projects that are essential to our nation's security.

Pillar 5: Protecting and Bringing Back American Auto Jobs

EPA is adding to efforts to bring back American auto jobs and invest in domestic manufacturing to revitalize the American auto industry. EPA is developing smart, durable regulations that will support the American auto industry while providing protection to our air, water, and land. In the coming year, the EPA will use statutory authorities delegated to it by Congress to deliver smart and effective regulations that will allow for American workers to lead a great comeback of the auto industry.

Highlights of EPA'S 2026 Regulatory Plan

EPA's nearly fifty-five years of protecting human health and the environment demonstrates our nation's commitment to reducing pollution that can threaten the air we breathe, the water we use, and the communities we live in. This Regulatory Plan contains information on some of EPA's most important upcoming regulatory and deregulatory actions, including the actions aimed at unleashing American energy dominance, lowering the cost of living for American families, and advancing cooperative federalism. As always, the EPA's Agenda of Regulatory and Deregulatory Actions contains information on a broader spectrum of the EPA's upcoming actions, but we highlight priority actions here that are consistent with the EPA's primary statutory requirements.

Improving Air Quality

As part of its mission to protect human health and the environment, the EPA is dedicated to improving the quality of the nation's air. EPA's work to control emissions of air pollutants is critical to continued progress in reducing public health risks and improving the quality of the environment. The Agency will continue to deploy existing regulatory tools where statutorily mandated, appropriate, and warranted. Using the Clean Air Act (CAA), the EPA will work with States and tribes to accurately measure air quality and ensure that more Americans are living and working in areas that meet air quality standards. The EPA will continue to develop standards, as directed by the CAA, for both mobile and stationary sources, to reduce emissions of sulfur dioxide, particulate matter, nitrogen oxides, toxics, and other pollutants.

Reconsideration of Criteria Pollutant Standards for Light-Duty and Medium-Duty Vehicles

Consistent with Administrator Zeldin's March 12, 2025, announcement of 31 deregulatory actions to Power the Great American Comeback, the EPA will initiate a rulemaking to reconsider the criteria pollutants standards established in the April 2024 multi-pollutant standards rule for Model Years 2027 and later for light-duty and medium-duty vehicles.

Amendments to the Model Year 2027 and Later Heavy-Duty Highway Engine Criteria Pollutant Program

EPA also will initiate a rulemaking to reevaluate the criteria pollutant standards established in the January 2023 final rule titled Control of Air Pollution from New Motor Vehicles: Heavy-Duty Engine and Vehicle Standards.

Carbon Pollution Standards Repeal

In April 2024, the EPA issued the Carbon Pollution Standards (CPS), which limited greenhouse gas emissions from new and existing fossil fuel-fired power plants, under Clean Air Act section 111. The CPS directed states to set standards of performance for existing fossil fuel-fired steam generating power plants and further tightened New Source Performance Standards that were first issued in 2015. Consistent with Executive Order 14154, ''Unleashing American Energy''; Executive Order 14241, ''Ensuring Lawful Governance and Implementing the President's 'Department of Government Efficiency' Deregulatory Initiative''; and Executive Order 14261, ''Reinvigorating America's Beautiful Clean Coal Industry and Amending Executive Order 14241,'' the EPA is revisiting these standards. On June 11, 2025, the EPA proposed to repeal greenhouse gas emissions standards for fossil fuel-fired power plants promulgated under Clean Air Act section 111.

Revision to ''Begin Actual Construction'' in the New Source Review Preconstruction Permitting Program

The EPA is proposing revisions to its New Source Review (NSR) preconstruction permitting regulations to clarify which on-site construction activities an owner or operator may lawfully undertake before obtaining an NSR preconstruction air permit. These changes aim to provide greater flexibility and clarity on which construction activities owners and operators can engage in prior to obtaining an NSR permit, while still protecting public health and welfare through the NSR preconstruction permitting requirements. The revisions will be applicable to new major stationary sources and major modifications at existing major stationary sources of air pollution subject to the Prevention of Significant Deterioration (PSD) program or the Nonattainment New Source Review (NNSR) program.

Greenhouse Gas Reporting Rule Reconsideration

The Greenhouse Gas Reporting Program (GHGRP) requires reporting of greenhouse gas (GHG) data and other relevant information from certain large GHG emission sources, fuel and industrial gas suppliers, and CO2 injection sites in the U.S. A total of 47 industrial sectors are required to report under the GHGRP, including more than 8,000 facilities. On September 12, 2025, the EPA proposed a rule to remove the obligations of the GHGRP for most source categories, including the distribution segment of the petroleum and natural gas systems source category (Subpart W). The EPA also proposed to suspend reporting obligations for the remaining subpart W segments until 2034.

Providing Clean and Safe Water for Every American

The Nation's water resources are the lifeblood of our communities, supporting our health, economy, and way of life. Clean and safe water is a vital resource that is essential to the protection of human health. The EPA is committed to ensuring clean and safe water for all. Since the enactment of the Clean Water Act (CWA) and the Safe Drinking Water Act (SDWA), the EPA and its State, local and Tribal partners have made significant progress toward improving the quality of our waters and ensuring a safe drinking water supply. Along with the full set of water actions listed in the regulatory agenda, the regulatory initiatives highlighted below will help ensure that this important progress continues.

Updated Definition of ''Waters of the United States''

The EPA and the Department of the Army are undertaking a rulemaking to revise key topics of the ''waters of the United States'' definition following the Supreme Court's decision in *Sackett* v. *Environmental Protection Agency,* 598 U.S. 651 (2023), including ''continuous surface connection,'' ''relatively permanent,'' and jurisdictional versus non-jurisdictional ditches. These revisions focus on clarity, simplicity, and improvements that will stand the test of time. This action will streamline implementation of Clean Water Act programs by aligning the definition of waters of the United States with Sackett, which significantly narrowed the definition under the Clean Water Act.

Steam Electric Effluent Limitations Guideline Reconsideration Rule

To avert unwarranted power plant retirement decisions and maintain abundant and affordable electricity supply in a time of rising demand, the EPA is also considering revising some of the existing requirements in the effluent limitation guidelines and standards for the Steam Electric Generating Point Source Category promulgated in 2024. The EPA intends that this rulemaking would potentially revise the limitations in the subcategory for discharges of unmanaged combustion residual leachate. The rulemaking may also seek to revise the technology basis for the 2024 rule's zero-discharge limitations and standards, as well as re-evaluate existing compliance pathways. This rule will streamline implementation by setting a national-level best available technology economically achievable, ensuring fair and transparent competition across the country.

Clean Water Act Effluent Limitations Guidelines and Standards for PFAS Manufacturers Under the Organic Chemicals, Plastics and Synthetic Fibers Point Source Category

As announced in the Effluent Guidelines Program Plan 15, the EPA is revising the existing Organic Chemicals, Plastics, and Synthetic Fibers Effluent Limitations Guidelines and Standards to address per- and polyfluoroalkyl substances discharges from facilities manufacturing PFAS. This rule will streamline implementation by setting a national-level best available technology economically achievable, ensuring fair and transparent competition across the country.

Clean Water Act Section 401 Water Quality Certification Improvement Rule

The EPA is undertaking a rulemaking to clarify implementation challenges and regulatory uncertainty associated with the 2023 Rule, including the scope of certification. This action will streamline implementation of Section 401 by increasing transparency, efficiency, and predictability for co-regulators and the regulated community.

Rescission of Regulatory Determinations and Removal of Related Provisions for Four PFAS Substances (PFHxS, PFNA, HFPO–DA (GenX), and the Mixture of These Three PFAS Plus PFBS)

The EPA intends to propose to rescind its regulatory determinations to regulate four per- and polyfluoroalkyl substances (PFAS) perfluorohexane sulfonic acid (PFHxS), perfluorononanoic acid (PFNA), hexafluoropropylene oxide dimer acid and its ammonium salt (HFPO–DA, commonly known as GenX), and the mixture of these three PFAS plus perfluorobutane sulfonic acid (PFBS) under the SDWA. The EPA also intends to propose to rescind all associated regulatory provisions associated with the Final PFAS NPDWR currently codified in 40 CFR part 141 and 142 exclusive to these PFAS that were promulgated pursuant to the regulatory determinations that the EPA is now proposing to rescind. If finalized, this action would streamline the 2024 PFAS National Primary Drinking Water Regulation by removing implementation complexity and would ensure that the determinations and any resulting drinking water regulation correctly follow the legal process laid out in the SDWA.

Revitalizing Land and Preventing Contamination for Every American

The EPA works to improve the health and livelihood of all Americans by cleaning up and returning land to productive use, preventing contamination, and responding to emergencies. The EPA collaborates with other Federal agencies, industry, States, Tribes, and local communities to enhance the livability and economic vitality of neighborhoods. The EPA recognizes the progress made in cleaning up and returning land to productive use, preventing contamination, and responding to emergencies, and works to incorporate new technologies and approaches that allow EPA to more efficiently and effectively provide for an environmentally sustainable future.

Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act: Common Sense Approach to Chemical Accident Prevention

EPA is undertaking a rulemaking to amend the existing Risk Management Program (RMP) regulations by making several proposed changes to the 2024 Safer Communities by Chemical Accident Prevention (SCCAP) rule. The proposed amendments seek to improve chemical process safety by avoiding duplicative requirements, realigning RMP requirements with Occupational Safety and Health Administration (OSHA) Process Safety Management (PSM) requirements, and eliminating unnecessary burdens placed on facilities where there is not specific data available to show that the current RMP standards would reduce or have reduced the number of accidental releases. The EPA is proposing to revise the current RMP regulations to address the administrations priorities in Executive Order 14154 ''Unleashing American Energy'' and Executive Order 14148 ''Initial Recission of Harmful Executive Orders and Actions'' by streamlining implementation and focusing on avoiding duplicative requirements, reducing unnecessary burden, and establishing regulatory consistency.

Hazardous and Solid Waste Management System: Disposal of Coal Combustion Residuals from Electric Utilities: Legacy/CCRMU Amendments

EPA is proposing revisions to requirements finalized under the 2024 Legacy Coal Combustion Residual (CCR) Surface Impoundments and CCR Management Units Rule, which impacted active CCR facilities and inactive CCR facilities with legacy CCR surface impoundments. This proposed rule is seeking to address needed corrections in the 2024 Rule and is considering additional methods of closure, alternative groundwater monitoring compliance points, and other responsible changes to the Federal CCR rules.

Ensuring Safety of Chemicals for People and the Environment

EPA is responsible for ensuring the safety of chemicals and pesticides to protect human health and the environment. EPA gathers and assesses information about the risks associated with chemicals and pesticides and acts to appropriately address risks consistent with statutory obligations under the Toxic Substances Control Act (TSCA), Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), the Federal Food, Drug and Cosmetic Act (FFDCA).

Among its duties under these statutes, EPA works to address the unreasonable risk of existing chemical substances under TSCA. Upon determining that an existing chemical presents unreasonable risks of injury to health or the environment under its conditions of use, the Agency must initiate an action to apply, by rule, requirements under TSCA to the extent necessary to eliminate the unreasonable risks. EPA may consider a range of risk management options under TSCA, including labeling, recordkeeping or notice requirements, actions to reduce human exposures or environmental releases, or a ban of the chemical or of certain uses of the chemical.

Updating Procedures for Evaluating the Risks Existing Chemical Substances Under TSCA To Increase Efficiency and Follow the Law

EPA promulgated changes to the procedures for chemical risk evaluations under section 6(b) of TSCA in May 2024. The Agency recently completed a review of the 2024 final rule and related public comments and concerns, including those from other Federal agencies, and initiated further rulemaking to reexamine multiple aspects of this rule for consistency with the law and Administration policy. On September 23, 2025, EPA published a proposed rule, Procedures for Chemical Risk Evaluation Under TSCA, to reflect its proposed path forward to ensure a timely review of chemicals while bolstering its commitment to safeguard public health and the environment. This path forward must ensure the Agency can efficiently and effectively protect human health and the environment and follow the law while, among other things, preserving the Agency's discretion under TSCA to determine: the conditions of use and exposure routes and pathways to be considered in a risk evaluation; how it will take occupational exposure controls into account when conducting risk evaluations and making risk determinations; and, the basis upon which it will issue risk determinations.

Addressing the Unreasonable Risks of Existing Chemical Substances Under TSCA

EPA plans to promulgate several final risk management regulations and to seek public comment on proposed rules to address the unreasonable risks of formaldehyde and the legacy uses and associated disposal of Asbestos. In addition, EPA has initiated rulemaking efforts to address implementation concerns arising after the promulgation of final rules under TSCA section 6(a) concerning trichlorethylene (TCE), perchloroethylene (PCE) and carbon tetrachloride (CTC).

Improving Data Collection Efforts to Inform EPA's Understanding of Environmental and Human Health Impacts of Per- and Polyfluoroalkyl Substances (PFAS) and Combat PFAS Contamination

The Agency is reconsidering PFAS data collection efforts under TSCA section 8(a)(7) to collect necessary information, as Congress envisioned and consistent with TSCA, without overburdening small businesses and article importers. The Agency has identified several aspects of the TSCA section 8(a)(7) PFAS reporting regulation published October 11, 2023, for potential revision to conform to the mandates of TSCA section 8(a)(5).

Compliance With Executive Order 14192

Section 3 of Executive Order 14192, Unleashing Prosperity Through Deregulation, requires that for every promulgated new regulation, agencies ''shall identify at least 10 existing regulations to be repealed'' and ''to ensure that the total incremental cost of all new regulations. . .being finalized this year shall be significantly less than zero. . . .'' Each action in the EPA's Fall 2025 Regulatory Plan and Semiannual Regulatory Agenda contains information about whether an action is anticipated to be ''regulatory'' or ''deregulatory'' in fulfilling this executive order EPA will continue to evaluate all its activities to ensure adherence to statutory requirements while balancing the need to comply with Executive Orders, such as 14192.

Rules Expected To Affect Small Entities

By better coordinating small business activities, the EPA aims to improve its technical assistance and outreach efforts, minimize burdens to small businesses in its regulations, and simplify small businesses' participation in its voluntary programs. Actions that may affect small entities can be tracked on the EPA's Regulatory Flexibility website (*https://www.epa.gov/reg-flex*) at any time.

EPA—Office of Air and Radiation (OAR)	Proposed Rule Stage

113. AMENDMENTS TO THE MODEL YEAR 2027 AND LATER HEAVY-DUTY HIGHWAY ENGINE CRITERIA POLLUTANT PROGRAM

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Deregulatory

Legal Authority: 42 U.S.C. 7414, 7521, 7542, 7545, and 7601(a).; 42 U.S.C. 7401 *et seq.;* 42 U.S.C. 7401–7671q.; 49 U.S.C. 32901–23919q, Pub. L. 109–58.; 5 U.S.C. 552, 552a, 553; 28 U.S.C. 509, 510, 534; 31 U.S.C. 3717.; 42 U.S.C. 7414 and 7511b(e).; 42 U.S.C. 7414, 7521, 7522–7525, 7541, 7542, 7543, 7545, 7547, 7550, and 7601.; 33 U.S.C. 1901–1912.

Relevant Executive Orders: 14154; 14219

CFR Citation: 40 CFR part 86; 40 CFR part 1037; 40 CFR part 1036; 40 CFR part 1065; 40 CFR part 1068

Legal Deadline: None

Abstract: Consistent with Administrator Zeldin's March 12, 2025, announcement, the EPA will initiate a rulemaking to reconsider the criteria pollutant standards program established in the January 2023 final rule titled Control of Air Pollution from New Motor Vehicles: Heavy-Duty Engine and Vehicle Standards (88 FR 4296; January 24, 2023).

Statement of Need: In light of updated information provide by industry about the costs of the program EPA is reconsidering the existing program requirements.

Summary of Legal Basis: Clean Air Act Sections 202, 206, and 207.

Alternatives: The EPA is still evaluating potential alternatives that may be considered for the proposal.

Anticipated Cost and Benefits: The EPA is still evaluating the associated costs and benefits associated with the forthcoming proposed rule.

Risks: The EPA is still evaluating the scope and risks associated with the forthcoming proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	
Final Rule	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Sectors Affected: 811198 All Other Automotive Repair and Maintenance; 336120 Heavy Duty Truck Manufacturing; 336310 Motor Vehicle Gasoline Engine and Engine Parts Manufacturing; 333618 Other Engine Equipment Manufacturing

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Related RIN: Related to 2060–AU41

RIN: 2060–AW83

EPA—OAR	

114. REVISION TO ''BEGIN ACTUAL CONSTRUCTION'' IN THE NEW SOURCE REVIEW PRECONSTRUCTION PERMITTING PROGRAM

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 42 U.S.C. 7401, *et seq.* Clean Air Act

Relevant Executive Orders: 14154; 14219; 14318

CFR Citation: 40 CFR 51; 40 CFR 52

Legal Deadline: None

Abstract: The EPA is proposing to revise the New Source Review (NSR) preconstruction permitting program's definition of begin actual construction. The EPAs proposed definition will address which physical on-site construction activities an owner or operator may, prior to obtaining an NSR permit, lawfully undertake that would not constitute construction activities on a stationary source. This action is intended to provide additional flexibility and clarity for owners or operators to engage in construction on non-emitting structures and equipment before an NSR permit is issued.

Statement of Need: The EPA is proposing revisions to its New Source Review air permitting regulations to clarify which on-site construction activities an owner or operator may lawfully undertake before obtaining an NSR preconstruction permit. This deregulatory permitting reform aligns with the Administration's goals of addressing America's energy needs and promoting the development of data centers critical to making the U.S. the Artificial Intelligence (AI) capital of the world, all while taking the necessary steps to protect human health and safeguard our environment.

Summary of Legal Basis: Clean Air Act section 110(a)(2)(c) provides the framework that requires state implementation plans contain a program to provide for regulation of the modification and construction of any stationary source as necessary to assure that NAAQS are achieved. Furthermore, for major sources located in attainment areas, one of the Prevention of Significant Deterioration provisions in CAA section 165(a) prohibits construction of a major emitting facility unless a permit has been issued for such proposed facility. For major sources in nonattainment areas, the Nonattainment New Source Review provision in Clean Air Act section 172(c)(5) includes similar language that applicable implementation plans shall require permits for the construction and operation of new and modified major stationary sources anywhere in the nonattainment area.

Alternatives: The EPA is soliciting comment on alternative regulatory revisions to the begin actual construction definition as well as other related applicable definitions.

Anticipated Cost and Benefits: The EPA is still evaluating costs and benefits associated with the forthcoming proposed regulatory revisions.

Risks: The EPA is still evaluating the scope and risks associated with the forthcoming proposed regulatory revisions.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	
NPRM	07/00/26	
Final Rule	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, Local, State, Tribal

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RIN: 2060–AW84

EPA—OAR	

115. • REVISION OF TIER 4 PHASE–IN SCHEDULE FOR LIGHT–DUTY AND MEDIUM–DUTY VEHICLES

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Deregulatory

Legal Authority: 42 U.S.C. 7401–7671q.

Relevant Executive Orders: 14154; 14156; 14219

CFR Citation: 40 CFR part 86

Legal Deadline: None

Abstract: Consistent with Administrator Zeldin's March 12, 2025, announcement, the EPA will initiate a rulemaking to reconsider the phase-in of the criteria pollutant standards established in the April 2024 multi-pollutant standards rule for Model Years 2027 and later for light-duty and medium-duty vehicles (89 FR 27842; April 18, 2024).

Statement of Need: This action is needed in light of the significant changes in future vehicle product plans which have occurred in the past year which impact automotive manufacturers compliance plans.

Summary of Legal Basis: Clean Air Act Section 202.

Alternatives: The EPA is still evaluating potential alternatives that may be considered for the proposal.

Anticipated Cost and Benefits: The EPA is still evaluating the associated costs and benefits associated with the forthcoming proposed rule.

Risks: The EPA is still evaluating the scope and risks associated with the forthcoming proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	
Final Rule	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

International Impacts: This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

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RIN: 2060–AW96

EPA—Office of Chemical Safety and Pollution Prevention (OCSPP)	Proposed Rule Stage

116. FORMALDEHYDE; REGULATION UNDER THE TOXIC SUBSTANCES CONTROL ACT (TSCA)

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Regulatory
Unfunded Mandates: Undetermined
Legal Authority: 15 U.S.C. 2605 Toxic Substances Control Act
CFR Citation: 40 CFR 751
Legal Deadline: NPRM, Statutory, January 3, 2026, Statutory: TSCA section 6(c). Final, Statutory, January 3, 2027, Statutory: TSCA section 6(c).

Abstract: This rulemaking will address the unreasonable risk of injury to health from formaldehyde. Section 6(a) of the Toxic Substances Control Act (TSCA) requires that EPA, when it determines in a TSCA risk evaluation that a chemical substance presents unreasonable risk of injury to health or the environment, apply one or more requirements under TSCA section 6(a) by rule to the extent necessary so the chemical substance no longer presents unreasonable risk. EPA's final risk evaluation for formaldehyde, describing formaldehyde's conditions of use and presenting EPA's determination of unreasonable risk is in docket EPA–HQ–OPPT–2018–0438, with additional information including the draft risk evaluation and public comments received in docket EPA–HQ–OPPT–2023–0613.

Statement of Need: This rulemaking is needed to address the unreasonable risk of formaldehyde that was identified in a risk evaluation completed under TSCA section 6(b). EPA reviewed the exposures and hazards of formaldehyde, the magnitude of risk, exposed populations, severity of the hazard, uncertainties, and other factors. EPA sought input from the public and peer reviewers as required by TSCA and associated regulations.

Summary of Legal Basis: In accordance with TSCA section 6(a), if EPA determines in a final risk evaluation completed under TSCA section 6(b) that the manufacture, processing, distribution in commerce, use, or disposal of a chemical substance or mixture, or that any combination of such activities, presents an unreasonable risk of injury to health or the environment, the Agency must issue regulations requiring one or more of the following actions to the extent necessary so that the chemical substance no longer presents an unreasonable risk: (1) Prohibit or otherwise restrict manufacture, processing, or distribution in commerce of the substance, or limit the amount of the substance which may be manufactured, processed, or distributed in commerce; (2) Prohibit or otherwise restrict manufacture, processing, or distribution in commerce of the substance for a particular use or for a particular use above a set concentration, or limit the amount of the substance which may be manufactured, processed, or distributed in commerce for a particular use or for a particular use above a set concentration; (3) Require minimum warnings and instructions with respect to use, distribution in commerce, or disposal; (4) Require recordkeeping or testing by manufacturers or processors; (5) Prohibit or regulate any manner or method of commercial use; (6) Prohibit or regulate any manner or method of disposal for commercial purposes; and/or (7) Direct manufacturers or processors to give notice of the unreasonable risk to distributors, other persons and the public and replace or repurchase the substance.

Alternatives: TSCA section 6(a) requires EPA to address by rule chemical substances that the Agency determines present unreasonable risk upon completion of a final risk evaluation. As required under TSCA section 6(c), EPA will consider one or more primary alternative regulatory actions as part of the development of a proposed rule.

Anticipated Cost and Benefits: EPA will prepare a regulatory impact analysis as the Agency develops the proposed rule.

Risks: As EPA determined in the TSCA section 6(b) risk evaluation, formaldehyde presents an unreasonable risk to human health. EPA must issue risk management requirements so that this chemical substance no longer presents an unreasonable risk. For more information, visit: *https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-management-existing-chemicals-under-TSCA.*

Timetable:

Action	Date	FR Cite
NPRM	08/00/26	
Final Rule	08/00/27	

Regulatory Flexibility Analysis Required: Undetermined
Government Levels Affected: Federal
Federalism: This action may have federalism implications as defined in E.O. 13132.
International Impacts: This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.
Sectors Affected: 325 Chemical Manufacturing
URL For More Information: *https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-evaluation-formaldehyde*
Agency Contact: Jeffrey Putt, Environmental Protection Agency, Office of Chemical Safety and Pollution Prevention, 1200 Pennsylvania Avenue NW, Mail Code 7404M, Washington, DC 20460
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RIN: 2070–AL22

EPA—OCSPP	

117. • PERCHLOROETHYLENE (PCE); AMENDMENTS TO REGULATION UNDER THE TOXIC SUBSTANCES CONTROL ACT (TSCA)

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.
Regulatory Accounting: Other
Unfunded Mandates: Undetermined
Legal Authority: 15 U.S.C. 2605 Toxic Substances Control Act
Relevant Executive Orders: 14219
CFR Citation: 40 CFR 751
Legal Deadline: None

Abstract: EPA is considering amendments to certain aspects of the December 2024 Toxic Substances Control Act (TSCA) section 6(a) rule addressing the unreasonable risk presented by perchloroethylene (PCE). Section 6 of TSCA requires EPA to address any unreasonable risk that the Administrator has determined is presented by a chemical substance under the conditions of use. Following a risk evaluation carried out under the authority of TSCA section 6(b), EPA determined that PCE presents an unreasonable risk of injury to health. EPA is initiating a rulemaking to amend previously promulgated provisions to address this unreasonable risk as appropriate. EPA will solicit public comment on potential amendments through a notice of proposed rulemaking. EPA's risk evaluation, describing the conditions of use and presenting EPA's determinations of unreasonable risk, is in docket EPA–HQ–OPPT–2019–0502, with the 2022 revised risk determination and additional information in docket EPA–HQ–OPPT–2016–0732. EPAs final rule, Perchloroethylene (PCE); Regulation Under the Toxic Substances Control Act (TSCA), published on December 18, 2024, and is in docket EPA–HQ–OPPT–2020–0720.

Statement of Need: As promulgated in December 2024, the TSCA risk management action addressed the unreasonable risk of injury to health presented by perchloroethylene under its conditions of use by requiring various workplace exposure controls, prohibiting certain industrial and commercial uses, and preventing consumer access to the chemical, among other provisions. Several legal challenges to the rule were initiated in 2025. EPA determined that the December 2024 risk management rule should be reconsidered and is initiating rulemaking efforts to seek further public comment.

Summary of Legal Basis: Under TSCA section 6(a) (15 U.S.C. 2605(a)), if EPA determines through a TSCA section 6(b) risk evaluation that a chemical substance presents an unreasonable risk of injury to health or the environment under its conditions of use, EPA must by rule apply one or more requirements listed in TSCA section 6(a) to the extent necessary so that the chemical substance or mixture no longer presents such risk. 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. 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).

Alternatives: In accordance with TSCA section 6(c), EPA published a proposed rule in 2023 to address the unreasonable risk of injury to health presented by PCE under its conditions of use that presented a statement based on reasonably available information with respect to the reasonably ascertainable economic consequences of the rule, including consideration of the costs and benefits and the cost effectiveness of the proposed regulatory action and one or more primary alternative regulatory actions considered by the Agency. EPA identified two primary alternative regulatory actions in the proposed rule. The alternative regulatory actions addressed prohibitions and related compliance timeframes; workplace chemical protection program (WCPP) requirements to address risks from inhalation and dermal exposures, and related compliance timeframes; prescriptive controls, including workplace requirements for laboratory use; paperwork requirements; and exemptions. EPA's reconsideration of the December 2024 final rule will include, but may not be limited to, such considerations.

Anticipated Cost and Benefits: EPA will prepare an analysis of the incremental costs and benefits of potential regulatory changes during the rulemaking process.

Risks: As EPA determined in the TSCA section 6(b) risk evaluation, perchloroethylene presents an unreasonable risk of injury to human health under its conditions of use. EPA must issue risk management requirements so that this chemical substance no longer presents an unreasonable risk. For more information, visit: *https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-management-existing-chemicals-under-tsca.*

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	
Final Rule	07/00/27	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal, State

Federalism: This action may have federalism implications as defined in E.O. 13132.

International Impacts: This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

Additional Information: Docket #: EPA–HQ–OPPT–2020–0720.

Sectors Affected: 325 Chemical Manufacturing

URL For More Information: *https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-management-perchloroethylene-pce*

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RIN: 2070–AL39

EPA—OCSPP	

118. • TRICHLOROETHYLENE (TCE); AMENDMENTS TO REGULATION UNDER THE TOXIC SUBSTANCES CONTROL ACT (TSCA)

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Other

Unfunded Mandates: Undetermined

Legal Authority: 15 U.S.C. 2605 Toxic Substances Control Act

Relevant Executive Orders: 14219

CFR Citation: 40 CFR 751

Legal Deadline: None

Abstract: EPA is considering amendments to certain aspects of the December 2024 Toxic Substances Control Act (TSCA) section 6(a) rule addressing the unreasonable risk presented by trichloroethylene (TCE). Section 6 of TSCA requires EPA to address any unreasonable risk that the Administrator has determined is presented by a chemical substance under the conditions of use. Following a risk evaluation carried out under the authority of TSCA section 6(b), EPA has determined that TCE presents an unreasonable risk of injury to health. EPA is initiating a rulemaking to amend previously promulgated provisions to address this unreasonable risk as appropriate. EPA will solicit public comment on potential amendments through a notice of proposed rulemaking. EPA's risk evaluation, describing the conditions of use and presenting EPA's determinations of unreasonable risk, is in docket EPA–HQ–OPPT–2019–0500, with additional information in docket EPA–HQ–OPPT–2016–0737. EPA's final rule, Trichloroethylene (TCE); Regulation Under the Toxic Substances Control Act (TSCA), published on December 17, 2024, and is in docket EPA–HQ–OPPT–2020–0642.

Statement of Need: As promulgated in December 2024, the TSCA risk management action addressed the unreasonable risk of injury to health presented by trichloroethylene under its conditions of use by requiring various workplace exposure controls for most conditions of use, prohibiting certain industrial and commercial uses, and establishing other requirements. Several legal challenges to the rule were initiated in 2025. EPA determined that the December 2024 risk management rule should be reconsidered and is initiating rulemaking efforts to seek further public comment.

Summary of Legal Basis: Under TSCA section 6(a) (15 U.S.C. 2605(a)), if EPA determines through a TSCA section 6(b) risk evaluation that a chemical substance presents an unreasonable risk of injury to health or the environment under its conditions of use, EPA must by rule apply one or more requirements listed in TSCA section 6(a) to the extent necessary so that the chemical substance or mixture no longer presents such risk. 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. 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).

Alternatives: The primary alternative regulatory action considered by EPA combines prohibitions and requirements for a workplace chemical protection program (WCPP). While in some ways it is similar to the proposed regulatory action, the primary alternative regulatory action differed from the proposed regulatory action by providing longer timeframes for prohibitions, and by describing an existing chemical exposure limit (ECEL) based on a different health endpoint (*i.e.,* immunotoxicity instead of developmental toxicity), as part of the WCPP that would be required for the conditions of use of TCE that would be permitted to continue for longer than one year after publication of the final rule until the prohibition compliance dates. EPA requested comment on the primary alternative regulatory action and whether any elements of this primary alternative regulatory action described in this unit should be considered as EPA developed the final regulatory action. EPA also requested comment on the practicability of the timeframes outlined in primary alternative regulatory action compared to the timeframes identified for the proposed regulatory action. For the primary alternative regulatory action, EPA also analyzed the need for additional exemptions for essential uses of open-top and closed-loop batch vapor degreasing for aerospace use (including for rayon fabric scouring for rocket booster nozzle production) as well as narrow tubing used in medical devices. EPA's reconsideration of the December 2024 final rule will include, but may not be limited to, such considerations.

Anticipated Cost and Benefits: EPA will prepare an analysis of the incremental costs and benefits of potential regulatory changes during the rulemaking process.

Risks: As EPA determined in the TSCA section 6(b) risk evaluation, trichloroethylene presents an unreasonable risk of injury to human health under its conditions of use. EPA must issue risk management requirements so that this chemical substance no longer presents an unreasonable risk. For more information, visit: *https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-management-existing-chemicals-under-tsca.*

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	
Final Rule	07/00/27	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal, State

Federalism: This action may have federalism implications as defined in E.O. 13132.

International Impacts: This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

Sectors Affected: 325 Chemical Manufacturing

URL For More Information: *https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-management-trichloroethylene-tce*

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RIN: 2070–AL41

EPA—OCSPP	

119. • CARBON TETRACHLORIDE (CTC); AMENDMENTS TO REGULATION UNDER THE TOXIC SUBSTANCES CONTROL ACT (TSCA)

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Other

Unfunded Mandates: Undetermined

Legal Authority: 15 U.S.C. 2605 Toxic Substances Control Act

Relevant Executive Orders: 14219

CFR Citation: 40 CFR 751

Legal Deadline: None

Abstract: EPA is considering amendments to certain aspects of the December 2024 Toxic Substances Control Act (TSCA) section 6(a) rule addressing the unreasonable risk presented by carbon tetrachloride (CTC). EPA is initiating a rulemaking to amend previously promulgated provisions to address this unreasonable risk. EPA will solicit public comment on potential amendments through a notice of proposed rulemaking. Section 6 of TSCA requires EPA to address any unreasonable risk that the Administrator has determined is presented by a chemical substance under the conditions of use. Following a risk evaluation carried out under the authority of TSCA section 6(b), EPA determined that CTC presents an unreasonable risk of injury to health. EPA's risk evaluation, describing the conditions of use and presenting EPAs determinations of unreasonable risk, is in docket EPA–HQ–OPPT–2019–0499, with the 2022 revised risk determination and additional information in docket EPA–HQ–OPPT–2016–0733. EPA's final rule, Carbon Tetrachloride (CTC); Regulation Under the Toxic Substances Control Act (TSCA), published on December 18, 2024, and is in docket EPA–HQ–OPPT–2020–0592.

Statement of Need: As promulgated in December 2024, the TSCA risk management action addressed the unreasonable risk of injury to health presented by carbon tetrachloride under its conditions of use by requiring various workplace exposure controls for most conditions of use, prohibiting certain industrial and commercial uses, and establishing other requirements. Several legal challenges to the rule were initiated in 2025. EPA determined that the December 2024 risk management rule should be reconsidered and is initiating rulemaking efforts to seek further public comment.

Summary of Legal Basis: Under TSCA section 6(a) (15 U.S.C. 2605(a)), if EPA determines through a TSCA section 6(b) risk evaluation that a chemical substance presents an unreasonable risk of injury to health or the environment under its conditions of use, EPA must by rule apply one or more requirements listed in TSCA section 6(a) to the extent necessary so that the chemical substance or mixture no longer presents such risk. 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. 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).

Alternatives: The primary alternative regulatory action to the December 2024 final rule included prescriptive workplace controls, specifically respirators and dermal PPE, for the conditions of use for which EPA had proposed a workplace chemical protection program (WCPP). The primary alternative action also included a WCPP for processing, industrial, and commercial uses of CTC that EPA had proposed to prohibit. At the time of proposal, EPA did not have reasonably available information indicating that any of the uses proposed for prohibition were ongoing. EPA requested comment on whether any of the uses the Agency proposed to prohibit are ongoing and if EPA should consider a WCPP for those conditions of use of CTC. For the industrial and commercial use of CTC as a laboratory chemical, the primary alternative regulatory action considered by EPA included the implementation of only the requirements of Direct Dermal Contact Controls of the WCPP in combination with the use of fume hoods in workplace laboratory settings and advanced engineering controls specifically for DoD's use of CTC as a laboratory chemical in chemical weapons destruction. The compliance timeframes for the controls as part of the primary alternative regulatory action were the same as the timeframes proposed. EPA's reconsideration of the December 2024 final rule will include, but may not be limited to, such considerations.

Anticipated Cost and Benefits: EPA will prepare an analysis of the incremental costs and benefits of potential regulatory changes during the rulemaking process.

Risks: As EPA determined in the TSCA section 6(b) risk evaluation, carbon tetrachloride presents an unreasonable risk of injury to human health under its conditions of use. EPA must issue risk management requirements so that this chemical substance no longer presents an unreasonable risk. For more information, visit: *https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-management-existing-chemicals-under-tsca.*

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	
Final Rule	09/00/27	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal

Federalism: This action may have federalism implications as defined in E.O. 13132.

International Impacts: This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

Additional Information: Docket #: EPA–HQ–OPPT–2020–0592

Sectors Affected: 325199 All Other Basic Organic Chemical Manufacturing; 325998 All Other Miscellaneous Chemical Product and Preparation Manufacturing; 327310 Cement Manufacturing; 325 Chemical Manufacturing; 325194 Cyclic Crude, Intermediate, and Gum and Wood Chemical Manufacturing; 327992 Ground or Treated Mineral and Earth Manufacturing; 562211 Hazardous Waste Treatment and Disposal; 325120 Industrial Gas Manufacturing; 331410 Nonferrous Metal (except Aluminum) Smelting and Refining; 327 Nonmetallic Mineral Product Manufacturing; 325180 Other Basic Inorganic Chemical Manufacturing; 325320 Pesticide and Other Agricultural Chemical Manufacturing; 325110 Petrochemical Manufacturing; 325211 Plastics Material and Resin Manufacturing; 331 Primary Metal Manufacturing; 562213 Solid Waste Combustors and Incinerators; 562 Waste Management and Remediation Services

URL For More Information: *https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-management-carbon-tetrachloride*

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RIN: 2070–AL42

EPA—Office of Land and Emergency Management (OLEM)	Proposed Rule Stage

120. ACCIDENTAL RELEASE PREVENTION REQUIREMENTS: RISK MANAGEMENT PROGRAMS UNDER THE CLEAN AIR ACT; COMMON SENSE APPROACH TO CHEMICAL ACCIDENT PREVENTION

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Deregulatory

Legal Authority: 42 U.S.C. 7412(r); 7601(a)(1)

CFR Citation: 40 CFR 68

Legal Deadline: None

Abstract: The EPA is undertaking a rulemaking to amend its Risk Management Program (RMP) regulations by making several proposed changes to the 2024 Safer Communities by Chemical Accident Prevention rule. The proposed amendments will seek to improve chemical process safety by avoiding duplicative requirements, realigning RMP requirements with Occupational Safety and Health Administration (OSHA) Process Safety Management requirements, and eliminating unnecessary burdens placed on facilities where there is not specific data available to show that the current RMP standards would reduce or have reduced the number of accidental releases.

Statement of Need: On January 13, 2017, the EPA published a final RMP rule (2017 Amendments). The 2017 Amendments were a result of Executive Order 13650, Improving Chemical Facility Safety and Security. The 2017 Amendments rule contained various new provisions applicable to RMP-regulated facilities addressing prevention program elements, emergency coordination with local responders, and information availability to the public. EPA received three petitions for reconsideration of the 2017 Amendments rule under CAA section 307(d)(7)(B). On December 19, 2019, EPA promulgated a final RMP rule (2019 Revisions) that acts on the reconsideration. The 2019 Revisions rule repealed several major provisions of the 2017 Amendments and retained other provisions with modifications. On January 20, 2021, Executive Order 13990, Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis (E.O. 13990), directed federal agencies to review existing regulations and take action to address priorities established by the Administration at the time, which included bolstering regulations in response to the impacts of climate change and prioritizing environmental justice. This resulted in the 2024 Safer Communities by Chemical Accident Prevention (SCCAP) final rule, published on March 11, 2024. On January 20, 2025, Executive Order 13990 was revoked through Executive Order 14148, Initial Recissions of Harmful Executive Orders and Actions. On the same date, Executive Order 14154, Unleashing American Energy, directed federal agencies to review agency actions that potentially burden the development of domestic energy resources. The EPA is proposing to revise the current RMP regulations in this proposed action, which will address the administration's priorities by streamlining implementation and focusing on avoiding duplicative requirements, reducing unnecessary burden, and establishing regulatory consistency.

Summary of Legal Basis: The CAA section 112(r)(7)(A) authorizes the EPA Administrator to promulgate accidental release prevention, detection, and correction requirements, which may include monitoring, record keeping, reporting, training, vapor recovery, secondary containment, and other design, equipment, work practice, and operational requirements. The CAA section 112(r)(7)(B) authorizes the Administrator to promulgate reasonable regulations and appropriate guidance to provide, to the greatest extent practicable, for the prevention and detection of accidental releases of regulated substances and for response to such releases by the owners or operators of the sources of such releases.

Alternatives: The EPA estimates that this action will result in cost savings for regulated entities by removing redundant or unnecessary regulatory requirements. Benefits will result from providing regulatory clarity and realigning the Risk Management Program with OSHAs PSM standard. If finalized, this proposed rule would ensure long-term information access to the public to promote community response planning and preparedness while balancing site security concerns.

Anticipated Cost and Benefits: The EPA estimates annualized cost savings of $234.7–240.3 million at a 3% discount rate and $236.2–241.9 million at a 7% discount rate. In this proposed action, the EPA is seeking to provide clarity, remove redundant or unnecessary regulatory requirements, and realign the Risk Management Program with OSHAs PSM standard. If finalized, this proposed rule would ensure long-term information access to the public to promote community response planning and preparedness while balancing site security concerns. The proposed action would also refocus requirements for regulated facility owners and operators on addressing areas that pose the greatest risk to a process.

Risks: The proposed action would address the risks associated with accidental releases of listed regulated toxic and flammable substances to the air from stationary sources. Substances regulated under the RMP program include highly toxic and flammable substances that can cause deaths, injuries, property and environmental damage, and other on- and off-site consequences if accidentally released. The proposed action would reduce these risks by refocusing requirements for regulated facility owners and operators on addressing areas that pose the greatest risk to a process. The proposed action would not address the risks of non-accidental chemical releases, accidental releases of non-regulated substances, chemicals released to other media, and air releases from mobile sources.

Timetable:

Action	Date	FR Cite
NPRM	02/24/26	91 FR 8970
NPRM Comment Period End.	04/10/26	
Final Rule	09/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal, Local, State, Tribal

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Related RIN: Related to 2050–AH22

RIN: 2050–AH37

EPA—OLEM	

121. HAZARDOUS AND SOLID WASTE MANAGEMENT SYSTEM: DISPOSAL OF COAL COMBUSTION RESIDUALS FROM ELECTRIC UTILITIES; LEGACY/CCRMU AMENDMENTS

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Deregulatory

Legal Authority: 42 U.S.C. 6912(a); 42 U.S.C. 6907(a); 42 U.S.C. 6944; 42 U.S.C. 6945(a)(d)

Relevant Executive Orders: 14154; 14156; 14262; 14261; 14153; 14213; 14219

CFR Citation: 40 CFR 257

Legal Deadline: None

Abstract: On May 8, 2024, EPA published the Legacy CCR Surface Impoundments rule (Legacy Rule). The final rule went into effect November 8, 2024. The Legacy Rule established requirements for the safe disposal of CCR in a new type of regulated CCR unit—legacy surface impoundments (SIs). It also established requirements for CCR management units (CCRMU) to address the risks from previously unregulated solid waste management of CCR that involves the direct placement of CCR on the land at CCR facilities. This new rule will address needed corrections and consider additional methods of closure, alternative points of compliance, and other possible changes to the federal CCR rules. In addition, this action will address the definition of CCR beneficial use, taking into consideration public comments received on the 2019 CCR beneficial use proposal and the 2020 Notice of Data Availability on CCR beneficial use.

Statement of Need: This proposed rule is needed to increase regulatory flexibility by proposing additional methods of closure, alternative groundwater monitoring compliance points, and other possible changes to the federal CCR rules. In addition, this action will address the definition of CCR beneficial use, taking into consideration public comments received on the 2019 CCR beneficial use proposal and the 2020 Notice of Data Availability on CCR beneficial use. These changes would address the administration's priorities by streamlining implementation and reducing unnecessary burden while remaining protective of human health and the environment.

Summary of Legal Basis: The legal authority for this rulemaking can be found in 42 U.S.C. 6912(a), 42 U.S.C. 6907(a), 42 U.S.C. 6944, and 42 U.S.C. 6945(a)(d).

Alternatives: The Agency must provide public notice and opportunity for comment on these issues and will solicit comment on regulatory alternatives.

Anticipated Cost and Benefits: The RIA estimates that the annualized cost savings of this action will be approximately:

$174–$194 million per year when discounting at 3%; and

$232–$262 million per year when discounting at 7%.

The RIA estimates that the annualized change in benefits of this action will be approximately:

A $5 million decrease per year when discounting at 3%; and

A $4–$2 million decrease when discounting at 7%.

Overall, the RIA estimates that the net annualized cost savings and benefits, net of benefits, of this action will be $169–$189 million per year when discounting at 3% and $229–$260 million when discounting at 7%.

Risks: This rule creates an alternate pathway to compliance that allows permit authorities the ability to approve technical standards for the owner or operator to comply with to attain the RCRA standard of no reasonable probability of adverse impacts.

Timetable:

Action	Date	FR Cite
NPRM	04/13/26	91 FR 18968
NPRM Comment Period End.	06/12/26	
Final Rule	09/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal, Local, State, Tribal

Sectors Affected: 221112 Fossil Fuel Electric Power Generation

URL For More Information: *https://www.epa.gov/coalash*

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Related RIN: Related to 2050–AH14

RIN: 2050–AH39

EPA—Office of Water (OW)	Proposed Rule Stage

122. CLEAN WATER ACT EFFLUENT LIMITATIONS GUIDELINES AND STANDARDS FOR PFAS MANUFACTURERS UNDER THE ORGANIC CHEMICALS, PLASTICS AND SYNTHETIC FIBERS POINT SOURCE CATEGORY

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Regulatory

Legal Authority: 33 U.S.C. secs.1311, 1314, 1316, 1317, 1318, 1361

Relevant Executive Orders: 14313; 14303

CFR Citation: 40 CFR 414

Legal Deadline: None

Abstract: As announced in the Effluent Guidelines Program Plan 15, the EPA is revising the existing Organic Chemicals, Plastics, and Synthetic Fibers Effluent Limitations Guidelines and Standards (40 CFR part 414) to address per- and polyfluoroalkyl substances discharges from facilities manufacturing PFAS.

Statement of Need: PFAS are a class of chemicals that are difficult to destroy and extremely persistent in the environment. Due to their mobility, they are detected in humans, animals, water, air, and soil across the globe. Exposure to certain PFAS is documented to result in harmful health effects in people and animals. PFAS manufacturer wastewater discharges contain measurable levels of PFAS and there currently are no national limitations on wastewater discharges of PFAS from these facilities. This rulemaking looks to limit the amount of PFAS discharged from PFAS manufacturing facilities, both directly into surface water and indirectly via Publicly Owned Treatment Works.

Summary of Legal Basis: The Clean Water Act (33 U.S.C. 33 U.S.C. 1311, 1314, 1316, 1317, 1318, 1342, and 1361).

Alternatives: The EPA is evaluating alternatives for this action.

Anticipated Cost and Benefits: The EPA is evaluating the anticipated costs and benefits of this action.

Risks: The EPA is evaluating the risks associated with this action.

Timetable:

Action	Date	FR Cite
ANPRM	03/17/21	86 FR 14560
NPRM	07/00/26	
Final Rule	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, Local, State

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RIN: 2040–AG10

EPA—OW	

123. STEAM ELECTRIC EFFLUENT LIMITATIONS GUIDELINE RECONSIDERATION RULE

Priority: Other Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Deregulatory

Unfunded Mandates: Undetermined

Legal Authority: secs. 301, 304(b), (c), (e), (g), and (i)(A) and (B), 306(b) and (c), 307(c), 308, 402, 501, Federal Water Pollution Control Act, as amended; 33 U.S.C. 1311, 1314(b), (c), (e), (g), and (i)(A) and (B), 1316(b) and (c), 1317(c), 1318, 1342, and 1361.

Relevant Executive Orders: 14219; 14154; 14156; 14261; 14241

CFR Citation: 40 CFR 423

Legal Deadline: None

Abstract: To stave off unwarranted power plant retirement decisions and maintain abundant and affordable electricity supply in a time of rising demand, the EPA is considering revising some of the existing requirements in the effluent limitations guidelines and standards for the Steam Electric Generating Point Source Category promulgated in 2024. The EPA intends that this rulemaking would potentially revise the limitations in the subcategory for discharges of unmanaged combustion residual leachate. The rulemaking may also seek to revise the technology bases for the 2024 rules zero-discharge limitations and standards, as well as re-evaluate existing compliance pathways.

Statement of Need: Deadline extensions for industry-wide installation of zero-discharge limitations are needed to account for longer-than-expected timelines and delays in procuring necessary technology and completing installation. Deadline extensions are also warranted to ensure plants can continue operating to support grid reliability.

Summary of Legal Basis: Secs. 301, 304(b), (c), (e), (g), and (i)(A) and (B), 306(b) and (c), 307(c), 308, 402, 501, Federal Water Pollution Control Act, as amended 33 U.S.C. 1311, 1314(b), (c), (e), (g), and (i)(A) and (B), 1316(b) and (c), 1317(c), 1318, 1342, and 1361.

Alternatives: The EPA is evaluating alternatives for this action.

Anticipated Cost and Benefits: The EPA is evaluating the anticipated costs and benefits of this action.

Risks: The EPA is evaluating the risks associated with this action.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	
Final Rule	03/00/27	

Regulatory Flexibility Analysis Required: No
Small Entities Affected: No
Government Levels Affected: Federal, Local, State
Federalism: Undetermined
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Related RIN: Related to 2040–AG23,
RIN: 2040–AG41

EPA—OW	

124. RESCISSION OF REGULATORY DETERMINATIONS AND REMOVAL OF RELATED PROVISIONS FOR FOUR PFAS SUBSTANCES (PFHXS, PFNA, HFPO–DA (GENX), AND THE MIXTURE OF THESE THREE PFAS PLUS PFBS)

Priority: Other Significant
Regulatory Accounting: Deregulatory
Legal Authority: 42 U.S.C. 300f et seq Safe Drinking Water Act
Relevant Executive Orders: 14212; 14313; 14219
CFR Citation: 40 CFR part 469 Subpart C
Legal Deadline: None
Abstract: The EPA intends to propose to rescind its regulatory determinations to regulate four per- and polyfluoroalkyl substances (PFAS) perfluorohexane sulfonic acid (PFHxS), perfluorononanoic acid (PFNA), hexafluoropropylene oxide dimer acid and its ammonium salt (HFPO–DA, commonly known as GenX), and the mixture of these three PFAS plus perfluorobutane sulfonic acid (PFBS) under the Safe Drinking Water Act. The EPA also intends to propose to rescind all associated regulatory provisions associated with the Final PFAS NPDWR (89 FR 32532) currently codified in 40 CFR part 141 and 142 exclusive to these PFAS that were promulgated pursuant to the regulatory determinations that EPA is now proposing to rescind.

Statement of Need: The agency is committed to addressing Per- and Polyfluoroalkyl substances (PFAS) in drinking water while following the law and ensuring that regulatory compliance is achievable for drinking water systems.

Summary of Legal Basis: This rulemaking will ensure that the determinations and any resulting drinking water regulation follow the legal process laid out in the Safe Drinking Water Act.

Alternatives: This deregulatory action is focused on ensuring that the determinations and any resulting drinking water regulation follow the legal process laid out in the Safe Drinking Water Act.

Anticipated Cost and Benefits: The EPA is currently examining costs and benefits which will be included in the proposed rule for public comment.

Risks: The EPA is still evaluating the scope and risks associated with the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	
Final Rule	09/00/26	

Regulatory Flexibility Analysis Required: No
Small Entities Affected: No
Government Levels Affected: Federal, Local, State, Tribal
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RIN: 2040–AG53

EPA—Office of Air and Radiation (OAR)	Final Rule Stage

125. CARBON POLLUTION STANDARDS REPEAL

Priority: Economically Significant. Major under 5 U.S.C. 801.
Regulatory Accounting: Deregulatory
Legal Authority: 42 U.S.C. 7401 et seq, CAA
Relevant Executive Orders: 14154; 14156; 14318; 14219; 14261
CFR Citation: 40 CFR 60
Legal Deadline: None
Abstract: In April 2024, the EPA issued the Carbon Pollution Standards (CPS), which limited greenhouse gas emissions from new and existing fossil fuel-fired power plants. The CPS directed states to set standards of performance for existing fossil fuel-fired steam generating power plants and further tightened New Source Performance Standards first issued in 2015. In June of 2025, the EPA proposed to repeal all GHG emissions standards for fossil fuel-fired power plants. With that action, EPA proposed to make a finding that GHG emissions from fossil fuel-fired power plants do not contribute significantly to dangerous air pollution. The EPA also proposed, as an alternative, to repeal a narrower set of requirements that includes the emission guidelines for existing fossil fuel-fired steam generating units, the carbon capture and sequestration/storage (CCS)-based standards for coal-fired steam generating units undertaking a large modification, and the CCS-based standards for new base load stationary combustion turbines.

Statement of Need: In April 2024, EPA issued the Carbon Pollution Standards (CPS), which limited greenhouse gas emissions from new and existing fossil fuel-fired power plants. The CPS directed States to set standards of performance for existing fossil fuel-fired steam generating power plants, and further tightened new source performance standards first issued in 2015. Consistent with Executive Order 14154, Unleashing American Energy, Executive Order 14241, Ensuring Lawful Governance and Implementing the President's 'Department of Government Efficiency' Deregulatory Initiative, and Executive Order 14261, Reinvigorating America's Beautiful Clean Coal Industry and Amending Executive Order 14241, the EPA is revisiting these standards. On June 11, 2025, the EPA proposed to repeal greenhouse gas emissions standards for fossil fuel-fired power plants promulgated under Section 111 of the Clean Air Act.

Summary of Legal Basis: Clean Air Act section 111.

Alternatives: The EPA also proposed, as an alternative, to repeal a narrower set of requirements that includes the emission guidelines for existing fossil fuel-fired steam generating units, the carbon capture and sequestration/storage (CCS)-based standards for coal-fired steam generating units undertaking a large modification, and the CCS-based standards for new base load stationary combustion turbines.

Anticipated Cost and Benefits: EPA is still evaluating the scope and associated costs and benefits for the final rule.

Risks: EPA is still evaluating the scope and risks with a prospective rule.

Timetable:

Action	Date	FR Cite
NPRM	06/17/25	90 FR 25752
Final Rule	07/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Tribal

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Related RIN: Related to 2060–AV09

RIN: 2060–AW55

EPA—OAR	

126. RECONSIDERATION OF THE GREENHOUSE GAS REPORTING PROGRAM

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Deregulatory

Legal Authority: 42 U.S.C. 7401 to 7671q.

Relevant Executive Orders: 14154; 14156; 14219

CFR Citation: 40 CFR part 98

Legal Deadline: None

Abstract: The Greenhouse Gas Reporting Program (GHGRP, 40 CFR part 98) requires reporting of greenhouse gas (GHG) data and other relevant information from certain large GHG emission sources, fuel and industrial gas suppliers, and CO2 injection sites in the U.S. A total of 47 industrial sectors are required to report under the GHGRP, including more than 8,000 facilities. On September 12, 2025, the EPA proposed a rule to remove the obligations of the GHGRP for most source categories, including the distribution segment of the petroleum and natural gas systems source category (Subpart W). The EPA also proposed to suspend reporting obligations for the remaining subpart W segments until 2034. This action will finalize the EPA's reconsideration of the GHGRP.

Statement of Need: The EPA is reconsidering the Greenhouse Gas Reporting Program (GHGRP) in response to Executive Order (E.O.) 14154 Unleashing American Energy, and E.O. 14192 Unleashing Prosperity Through Deregulation. Reconsideration of the GHGRP was part of the Administrator's historic deregulatory effort announced on March 12, 2025.

Summary of Legal Basis: The legal basis for this action is Clean Air Action section 114 and 136.

Alternatives: As discussed in the preamble to the proposed rule, EPA considered the alternative of transitioning the GHGRP from mandatory to voluntary reporting, but EPA determined that maintaining continuous or intermittent reporting under any of these source categories, including voluntary reporting, is inconsistent with CAA section 114 or appropriately could be addressed through collection from other sources.

Anticipated Cost and Benefits: The EPA estimated that the proposed rule would save $303 million per year from 2025 to 2033. The EPA is still evaluating the scope and associated costs and benefits associated with the forthcoming final rule.

Risks: The EPA did not identify risks in developing the proposed rule. The EPA is still evaluating any risks associated with the forthcoming final rule.

Timetable:

Action	Date	FR Cite
NPRM	09/16/25	90 FR 44591
Final Rule	07/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Sectors Affected: 327910 Abrasive Product Manufacturing; 325199 All Other Basic Organic Chemical Manufacturing; 331313 Alumina Refining and Primary Aluminum Production; 212112 Bituminous Coal Underground Mining; 327310 Cement Manufacturing; 325 Chemical Manufacturing; 334113 Computer Terminal Manufacturing; 211111 Crude Petroleum and Natural Gas Extraction; 221121 Electric Bulk Power Transmission and Control; 22111 Electric Power Generation; 423610 Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers; 33531 Electrical Equipment Manufacturing; 334111 Electronic Computer Manufacturing; 33361 Engine, Turbine, and Power Transmission Equipment Manufacturing; 327211 Flat Glass Manufacturing; 221112 Fossil Fuel Electric Power Generation; 327213 Glass Container Manufacturing; 423620 Household Appliances, Electric Housewares, and Consumer Electronics Merchant Wholesalers; 325120 Industrial Gas Manufacturing; 331110 Iron and Steel Mills and Ferroalloy Manufacturing; 327410 Lime Manufacturing; 221210 Natural Gas Distribution; 325311 Nitrogenous Fertilizer Manufacturing; 331410 Nonferrous Metal (except Aluminum) Smelting and Refining; 211 Oil and Gas Extraction; 325180 Other Basic Inorganic Chemical Manufacturing; 334119 Other Computer Peripheral Equipment Manufacturing; 327212 Other Pressed and Blown Glass and Glassware Manufacturing; 322 Paper Manufacturing; 32212 Paper Mills; 322130 Paperboard Mills; 324110 Petroleum Refineries; 325312 Phosphatic Fertilizer Manufacturing; 486210 Pipeline Transportation of Natural Gas; 327110 Pottery, Ceramics, and Plumbing Fixture Manufacturing; 331 Primary Metal Manufacturing; 322110 Pulp Mills; 221320 Sewage Treatment Facilities; 562212 Solid Waste Landfill; 335313 Switchgear and Switchboard Apparatus Manufacturing; 326150 Urethane and Other Foam Product (except Polystyrene) Manufacturing; 221310 Water Supply and Irrigation Systems; 321 Wood Product Manufacturing

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RIN: 2060–AW76

EPA—Office of Chemical Safety and Pollution Prevention (OCSPP)	Final Rule Stage

127. PROCEDURES FOR CHEMICAL RISK EVALUATION UNDER THE TOXIC SUBSTANCES CONTROL ACT (TSCA)

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 15 U.S.C. 2605

Relevant Executive Orders: 14219; 14303

CFR Citation: 40 CFR 702

Legal Deadline: None

Abstract: On September 23, 2025, EPA proposed to amend the procedural framework rule for conducting existing chemical risk evaluations under the Toxic Substances Control Act (TSCA). When conducting an existing chemical risk evaluation under TSCA, EPA must determine whether a chemical substance presents an unreasonable risk of injury to health or the environment, without consideration of costs or non-risk factors, including unreasonable risk to a potentially exposed or susceptible subpopulation identified as relevant to the risk evaluation, under the conditions of use. In this action, EPA proposed to rescind or revise certain 2024 amendments to the procedural framework rule to effectuate the best reading of the statute and ensure that the procedural framework rule does not impede the timely completion of risk evaluations or impair the effective and efficient protection of health and the environment. After considering public comments, EPA intends to promulgate a final rule in 2026.

Statement of Need: EPA reviewed the May 3, 2024, final rule entitled Procedures for Chemical Risk Evaluation Under the Toxic Substances Control Act (''2024 final rule''), which amended the July 20, 2017, final rule entitled Procedures for Chemical Risk Evaluation Under the Amended Toxic Substances Control Act (''2017 final rule'') that established procedures and requirements for chemical risk evaluation under TSCA, in consideration of: the statutory text and structure and congressional intent;

Executive Order 14219, ''Ensuring Lawful Governance and Implementing the President's 'Department of Government Efficiency' Deregulatory Initiative,'' which directs agencies to initiate a process to review existing rules for consistency with law and Administration policy and to identify certain regulations for potential rescission or modification (90 FR 10583, February 19, 2025); and Executive Order 14303, ''Restoring Gold Standard Science'' (90 FR 22601, May 23, 2025). As a result of this review, the Agency proposed targeted amendments to the 2024 final rule and associated regulatory text.

Summary of Legal Basis: TSCA section 6(b)(4) directed EPA to establish the process for conducting risk evaluations on chemical substances under TSCA to identify any unreasonable risk of injury to health or the environment. Unless provided otherwise by law, agencies may reconsider, revise, or rescind prior rules by acknowledging the change, offering a reasonable basis for the change, and taking any significant reliance interests into account. See FDA v. Wages & White Lion Invs., L.L.C., 145 S. Ct. 898, 917 (2025); FCC v. Fox Television Stations, Inc., 556 U.S. 502, 515 (2009); Motor Vehicle Mfrs. Ass'n v. State Farm Mut. Auto. Ins. Co., 463 U.S. 29, 42 (1983). EPA is proposed to rescind or revise many of the changes made through the 2024 amendments to effectuate the best reading of the statute and address serious concerns arising from Agency and stakeholder experience in application of the amended procedural framework rule. EPA is not currently aware of any significant reliance interests in the 2024 amendments to the procedural framework rule at issue in this proposal, which remain fairly recent and apply almost exclusively to internal Agency process.

Alternatives: Alternatives will not be developed as part of the rulemaking.

Anticipated Cost and Benefits: The incremental impacts of the proposed rule are associated with revisions to procedural requirements that apply to manufacturers when manufacturers (including importers) voluntarily request that EPA perform a risk evaluation on a particular chemical substance. The total estimated annual burden is 166 hours and $91,831 (per year), which is based on an estimated per request burden of 166 hours. Because this proposed action focuses on the activities that a manufacturer must perform in voluntarily requesting a risk evaluation, the estimated incremental costs to the public are expected to be negligible. However, there are Paperwork Reduction Act (PRA) related burden and costs if industry chooses to submit a manufacturer requested risk evaluation to the Agency. This rulemaking is expected to reduce the regulatory burden associated with these submissions resulting in an estimated PRA activity cost savings of $23,880 per year (assuming one submission per year) as compared to the 2024 final rule.

Risks: This is a procedural rule related to risk evaluations and is not intended to directly address any particular risk. However, the rule would establish procedures by which EPA will evaluate whether a chemical substance presents an unreasonable risk of injury to health or the environment under its conditions of use, including unreasonable risks to potentially exposed or susceptible subpopulation. Rigorous procedures that support accurate identification of unreasonable risks are necessary to inform subsequent risk management action.

Timetable:

Action	Date	FR Cite
NPRM	09/23/25	90 FR 45690
Final Rule	07/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Docket #: EPA–HQ–OPPT–2025–0260.

Sectors Affected: 326199 All Other Plastics Product Manufacturing; 326299 All Other Rubber Product Manufacturing; 327310 Cement Manufacturing; 325 Chemical Manufacturing; 327120 Clay Building Material and Refractories Manufacturing; 327331 Concrete Block and Brick Manufacturing; 327332 Concrete Pipe Manufacturing; 327211 Flat Glass Manufacturing; 327213 Glass Container Manufacturing; 327215 Glass Product Manufacturing Made of Purchased Glass; 326130 Laminated Plastics Plate, Sheet (except Packaging), and Shape Manufacturing; 327390 Other Concrete Product Manufacturing; 327212 Other Pressed and Blown Glass and Glassware Manufacturing; 324110 Petroleum Refineries; 326160 Plastics Bottle Manufacturing; 326122 Plastics Pipe and Pipe Fitting Manufacturing; 326191 Plastics Plumbing Fixture Manufacturing; 326140 Polystyrene Foam Product Manufacturing; 327110 Pottery, Ceramics, and Plumbing Fixture Manufacturing; 327320 Ready-Mix Concrete Manufacturing; 326291 Rubber Product Manufacturing for Mechanical Use; 326220 Rubber and Plastics Hoses and Belting Manufacturing; 326211 Tire Manufacturing (except Retreading); 326212 Tire Retreading; 326113 Unlaminated Plastics Film and Sheet (except Packaging) Manufacturing; 326121 Unlaminated Plastics Profile Shape Manufacturing; 326150 Urethane and Other Foam Product (except Polystyrene) Manufacturing

URL For More Information: *https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-evaluations-existing-chemicals-under-tsca*

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Related RIN: Related to 2070–AK90

RIN: 2070–AL27

EPA—OCSPP	

128. PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES (PFAS) DATA REPORTING AND RECORDKEEPING UNDER THE TOXIC SUBSTANCES CONTROL ACT (TSCA); REVISION TO REGULATION

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Deregulatory

Legal Authority: 15 U.S.C. 2607

Relevant Executive Orders: 14219

CFR Citation: 40 CFR 705

Legal Deadline: None

Abstract: The EPA is considering a proposed rule to amendments to the Toxic Substances Control Act (TSCA) regulation for reporting and recordkeeping requirements for perfluoroalkyl and polyfluoroalkyl substances (PFAS). As promulgated in October 2023, the regulation requires manufacturers (including importers) of PFAS in any year between 2011–2022 to report certain data to EPA related to exposure and environmental and health effects. EPA plans to propose the incorporation of certain exemptions and other modifications to the scope of the reporting rule.

Statement of Need: This rulemaking is needed to address the data gaps related to PFAS exposure and environmental effects. The Agency would request information from manufacturers between the years 2011–2022 for information on PFAS.

Summary of Legal Basis: EPA is proposing this rule pursuant to its authority in TSCA section 8(a)(7) (15 U.S.C. 2607(a)(7)). The National Defense Authorization Act for Fiscal Year 2020 (NDAA) (Pub. L. 116–92, section 7351) amended TSCA section 8(a) in December 2019, adding TSCA section 8(a)(7), titled ''PFAS Data.'' TSCA section 8(a)(7) requires EPA to promulgate a rule ''requiring each person who has manufactured a chemical substance that is a [PFAS] in any year since January 1, 2011'' to report information described in TSCA section 8(a)(2)(A) through (G). TSCA section 8(a)(2)(A) through (G) includes a broad range of information, such as information related to chemical identity and structure, production, use, byproducts, exposure, disposal, and health and environmental effects.

Alternatives: EPA is proposing an alternative approach to the data collection rule it finalized on October 11, 2023 (88 FR 70516 (FRL–7902–02–OCSPP). EPA is proposing to amend the one-time PFAS reporting and recordkeeping regulation) to incorporate the following exemptions to the scope of reportable manufacturing activities: a de minimis exemption of 0.1%; imported articles; byproducts; impurities; research and development (R&D); and non-isolated intermediates. These exemptions would maintain important reporting on PFAS, consistent with statutory requirements, while exempting reporting on activities about which manufacturers are least likely to know or reasonably ascertain.

Anticipated Cost and Benefits: Under the proposed rule, EPA estimates a total industry burden reduction of 10–11 million fewer total hours, or a cost savings of $786–843 million compared to the October 11, 2023, TSCA section 8(a)(7) final rule (88 FR 70516) (FRL–7902–02–OCSPP) requirements. Affected small businesses are expected to be relieved of 9.3–9.9 million total hours, or $703–761 million in costs. The Agency is not expected to incur incremental costs. The total incremental social cost savings of the proposed rule compared to the October 11, 2023, TSCA section 8(a)(7) final rule (88 FR 70516) (FRL–7902–02–OCSPP) is therefore estimated to be approximately $786–843 million.

Risks: This is a data collection rule and the EPA will use the information collected on PFAS to determine future risk management efforts. In the future, EPA may issue risk management requirements so that this chemical substance no longer presents an unreasonable risk. For more information, visit: *https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-management-existing-chemicals-under-tsca.*

Timetable:

Action	Date	FR Cite
NPRM	11/13/25	90 FR 50923
Final Rule	07/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Docket #: EPA–HQ–OPPT–2020–0549.

Sectors Affected: 23 Construction; 31–33 Manufacturing; 44–45 Retail Trade; 42 Wholesale Trade

URL For More Information: *https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/tsca-section-8a7-reporting-and-recordkeeping*

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Related RIN: Related to 2070–AK67

RIN: 2070–AL29

EPA—Office of Water (OW)	Final Rule Stage

129. UPDATED DEFINITION OF ''WATERS OF THE UNITED STATES''

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Legal Authority: 33 U.S.C. 1251 *et seq.*

Relevant Executive Orders: 14219; 14318; 14154; 14303

CFR Citation: 40 CFR 120.2

Legal Deadline: None

Abstract: The EPA and the Department of the Army are undertaking a rulemaking to revise key topics of the waters of the United States definition considering the Supreme Court's decision in Sackett v. Environmental Protection Agency, 598 U.S. 651 (2023), including continuous surface connection, relatively permanent, and jurisdictional versus non-jurisdictional ditches. These revisions focus on clarity, simplicity, and improvements that will stand the test of time.

Statement of Need: The Environmental Protection Agency and the Department of the Army are undertaking a rulemaking to revise key topics of the waters of the United States definition considering the Supreme Courts decision in Sackett v. Environmental Protection Agency, 598 U.S. 651 (2023), including continuous surface connection, relatively permanent, and jurisdictional versus non-jurisdictional ditches. These revisions focus on clarity, simplicity, and improvements that will stand the test of time. This action will streamline implementation of Clean Water Act programs by aligning the definition of waters of the United States with Sackett, which significantly narrowed the definition under the Clean Water Act.

Summary of Legal Basis: The Clean Water Act (33 U.S.C. 1251 *et seq.*).

Alternatives: The EPA is evaluating alternatives for this action.

Anticipated Cost and Benefits: The EPA is evaluating the anticipated costs and benefits of this action.

Risks: The EPA is evaluating the risks associated with this action.

Timetable:

Action	Date	FR Cite
NPRM	11/20/25	90 FR 52498
Final Rule	07/00/26	

Regulatory Flexibility Analysis Required: No
Small Entities Affected: No
Government Levels Affected: Federal, Local, State, Tribal
Federalism: Undetermined
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Related RIN: Related to 2040–AG32
RIN: 2040–AG44

EPA—OW	

130. UPDATING THE WATER QUALITY CERTIFICATION RULE

Priority: Other Significant
Regulatory Accounting: Deregulatory
Legal Authority: 33 U.S.C. 1251 *et seq.*
Relevant Executive Orders: 14219; 14318; 14154
CFR Citation: 40 CFR 121
Legal Deadline: None
Abstract: Under Clean Water Act section 401, a federal agency may not issue a license or permit to conduct any activity that may result in a discharge into a water of the United States unless a section 401 water quality certification is issued, or certification is waived by a state or authorized Tribe. The EPA last promulgated regulations on CWA section 401 in 2023, including regulatory text addressing the scope of certification. This action will address implementation challenges and clarify regulatory uncertainty associated with the 2023 Rule, including the scope of certification. This action will increase transparency, efficiency, and predictability for co-regulators and the regulated community.
Statement of Need: The EPA is proposing revisions to the 2023 Rule to reflect the best reading of the CWA's statutory text and the legislative history regarding section 401, to support an efficient and transparent certification process, and to address stakeholder feedback gathered in its preliminary engagement and outreach.
Summary of Legal Basis: The Clean Water Act (33 U.S.C. 1251 *et seq.*).
Alternatives: The EPA is evaluating alternatives for this action.
Anticipated Cost and Benefits: The EPA is evaluating the anticipated costs and benefits of this action.
Risks: The EPA is evaluating the risks associated with this action.
Timetable:

Action	Date	FR Cite
NPRM	01/15/26	91 FR 2008
NPRM Comment Period End.	02/17/26	
Final Rule	07/00/26	

Regulatory Flexibility Analysis Required: No
Government Levels Affected: Federal, State, Tribal
Federalism: This action may have federalism implications as defined in E.O. 13132.
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Related RIN: Related to 2040–AG12
RIN: 2040–AG47
BILLING CODE 6560–50–P

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)

Statement of Regulatory and Deregulatory Priorities

The U.S. Equal Employment Opportunity Commission (EEOC, Commission, or Agency) is responsible for enforcing federal laws that make it illegal to commit employment discrimination under: title VII of the Civil Rights Act of 1964, as amended (prohibits employment discrimination on the bases of race, color, religion, sex (including pregnancy, childbirth or related conditions, transgender status, and sexual orientation), and national origin); the Equal Pay Act of 1963, as amended (makes it illegal to pay unequal wages to persons of different sexes performing substantially equal work under similar working conditions at the same establishment); the Age Discrimination in Employment Act of 1967, as amended (prohibits employment discrimination based on age of 40 or older); titles I and V of the Americans with Disabilities Act, as amended, and sections 501 and 505 of the Rehabilitation Act, as amended (prohibits employment discrimination based on disability); title II of the Genetic Information Nondiscrimination Act (prohibits employment discrimination based on genetic information and limits acquisition and disclosure of genetic information); section 304 of the Government Employee Rights Act of 1991 (protects certain previously exempt state and local government employees from employment discrimination on the bases of race, color, religion, sex, national origin, age, or disability); and the Pregnant Workers Fairness Act of 2022 (requires covered entities to provide reasonable accommodation to qualified workers' known limitations related to, affected by, or arising out of pregnancy, childbirth or related conditions, unless doing so would cause an undue hardship).

The EEOC has authority to issue legislative regulations under the Age Discrimination in Employment Act (ADEA), title I of the Americans with Disabilities Act (ADA), title II of the Genetic Information Nondiscrimination Act (GINA), and the Pregnant Workers Fairness Act (PWFA). Under title VII of the Civil Rights Act of 1964, the EEOC's authority to issue legislative regulations is limited to procedural, recordkeeping, and reporting matters.

Ten pending items are identified in the EEOC's 2026 Regulatory Agenda –four at the proposed rule stage and six at the final rule stage. Of those items, one ''economically significant'' item is singled out as a key priority in this Regulatory Plan: the proposed rulemaking to rescind EEO data reporting requirements.

Rescission of EEO–1 Reporting Requirements

The EEOC requires in its regulations under Title VII, the ADA, GINA and the PWFA that covered entities file, as applicable, an ''Employer Information Report (EEO–1),'' ''Apprenticeship Information Report (EEO–2),'' ''Local Union Equal Employment Opportunity Report (EEO–3),'' ''State and Local Government Information Report (EEO–4),'' ''Elementary and Secondary Staff Information Report (EEO–5),'' or ''Higher Education Staff Information Report (EEO–6)'' depending on the category of covered entity. Since 1966, the EEOC has mandated that employers with at least 100 employees submit workforce demographic data via an EEO–1 form on an annual basis, pursuant to its authority to gather information under Title VII, as amended. The other collections were instituted at different, later points in EEOC's history.

These EEO data collections were not mandated by statute; they were an agency-created requirement, which imposed a significant financial and administrative burden on the EEOC with limited practical utility for enforcing antidiscrimination laws. It additionally imposed unjustified costs on America's employers, including thousands of small businesses; apprenticeship program providers; unions; state and local employers;

public elementary and secondary school systems; and higher education institutions.

The Commission will issue a Notice of Proposed Rulemaking to rescind the regulations at 29 CFR 1602 that impose these data-collection requirements.

EEOC	Proposed Rule Stage

1. • RESCISSION OF EEO–1, EEO–2, EEO–3, EEO–4. EEO–5, AND EEO–6 REPORTING REQUIREMENT UNDER TITLE VII, THE ADA, GINA, AND THE PWFA [3046–AB37]

Priority: Economically Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Unfunded Mandates: Undetermined

Legal Authority: 42 U.S.C. 2000e–8, 2000e–12; 44 U.S.C. 3501 *et seq.;* 42 U.S.C. 12117; 42 U.S.C. 2000ff–6; 42 U.S.C. 2000gg–2.

CFR Citation: 29 CFR 1602. 7–1602.9

Legal Deadline: None

Abstract: The EEOC intends to issue a NPRM to rescind all portions of 29 CFR 1602 which require covered entities to file an Employer Information Report EEO–1,'' Apprenticeship Information Report EEO–2,'' Local Union Equal Employment Opportunity Report EEO–3,'' State and Local Government Recordkeeping ReportEEO–4,'' Elementary-Secondary Staff Information Report EEO–5,'' or Higher Education Staff Information Report EEO–6,'' depending on the category of covered entity. Neither the EEO–2 nor EEO–6 reports have been collected by the EEOC for decades, and their rescission is simply a matter of conforming the regulation to this reality. The remaining reports impose significant financial and administrative burdens on the agency and those reporting. For example, in the EEO–1, since 1966, the EEOC has required employers with at least 100 employees to submit workforce demographic data on an annual basis, pursuant to its authority to gather information under Title VII of the Civil Rights Act of 1964, as amended. This agency-created requirement imposes a significant financial and administrative burden on America's employers, including thousands of small businesses. For example, in its most recent Paperwork Reduction Act (PRA) Notice published in the **Federal Register** on May 2, 2023, the EEOC estimated a total of 5,238,467 reporting hours per year by employers to comply with the agency's EEO–1 regulation. The EEOC further estimated these reporting hours cost the nation's employers a total of $273,137,678.30 per year.

Statement of Need:

Statement of Regulatory and Deregulatory Priorities

The U.S. Equal Employment Opportunity Commission (EEOC, Commission, or Agency) is responsible for enforcing federal laws that make it illegal to commit employment discrimination under: title VII of the Civil Rights Act of 1964, as amended (prohibits employment discrimination on the bases of race, color, religion, sex (including pregnancy, childbirth or related conditions, transgender status, and sexual orientation), and national origin); the Equal Pay Act of 1963, as amended (makes it illegal to pay unequal wages to persons of different sexes performing substantially equal work under similar working conditions at the same establishment); the Age Discrimination in Employment Act of 1967, as amended (prohibits employment discrimination based on age of 40 or older); titles I and V of the Americans with Disabilities Act, as amended, and sections 501 and 505 of the Rehabilitation Act, as amended (prohibits employment discrimination based on disability); title II of the Genetic Information Nondiscrimination Act (prohibits employment discrimination based on genetic information and limits acquisition and disclosure of genetic information); section 304 of the Government Employee Rights Act of 1991 (protects certain previously exempt state and local government employees from employment discrimination on the bases of race, color, religion, sex, national origin, age, or disability); and the Pregnant Workers Fairness Act of 2022 (requires covered entities to provide reasonable accommodation to qualified workers' known limitations related to, affected by, or arising out of pregnancy, childbirth or related conditions, unless doing so would cause an undue hardship).

The EEOC has authority to issue legislative regulations under the Age Discrimination in Employment Act (ADEA), title I of the Americans with Disabilities Act (ADA), title II of the Genetic Information Nondiscrimination Act (GINA), and the Pregnant Workers Fairness Act (PWFA). Under title VII of the Civil Rights Act of 1964, the EEOC's authority to issue legislative regulations is limited to procedural, recordkeeping, and reporting matters.

Ten pending items are identified in the EEOC's 2026 Regulatory Agenda four at the proposed rule stage and six at the final rule stage. Two of those items are singled out as key priorities in this Regulatory Plan: the proposed rulemaking to revise the regulations implementing the PWFA and the proposed rulemaking to rescind EEO data reporting requirements. There is one completed item.

Rescission of Reporting Requirements

The EEOC requires in its regulations under Title VII, the ADA, GINA and the PWFA that covered entities file, as applicable, an Employer Information Report (EEO–1), Apprenticeship Information Report (EEO–2), Local Union Equal Employment Opportunity Report (EEO–3), State and Local Government Information Report (EEO–4), Elementary-Secondary Staff Information Report (EEO–5), or Higher Education Staff Information Report (EEO–6), depending on the category of covered entity. Title VII gave the EEOC authority to make regulations for the collection of data, but it does not require its collection. These specific data collections were agency-created requirements and not statutory mandates. Additionally, these requirements impose significant financial and administrative burdens on the EEOC, as well as the nation's employers, including thousands of small businesses. They impose similar costs on state and local governments, labor organizations, educational institutions, and entities that administer apprenticeship programs.

The Commission will issue a Notice of Proposed Rulemaking to rescind its regulations at 29 CFR 1602, which impose these data-collection requirements.

Summary of Legal Basis: This EEO data collection was not mandated by statute, but was an agency-created requirement, which imposed a significant financial and administrative burden on the EEOC with limited practical utility for enforcing antidiscrimination laws. It additionally imposed unjustified costs on America's employers, including thousands of small businesses; apprenticeship program providers; unions; state and local employers; public elementary and secondary school systems; and higher education institutions.

The Commission will issue a Notice of Proposed Rulemaking to rescind its regulations at 29 CFR 1602, which impose these data-collection requirements. With its rescission, the EEOC no longer has authority to collect contractor data on behalf of DOL.

BILLING CODE 6570–01–P

EEOC	Proposed Rule Stage

131. • RESCISSION OF EEO–1, EEO–2, EEO–3, EEO–4. EEO–5, AND REPORTING REQUIREMENT UNDER TITLE VII, THE ADA, GINA, AND THE PWFA

Priority: Economically Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Unfunded Mandates: Undetermined

Legal Authority: 42 U.S.C. 2000e–8, 2000e–12; 44 U.S.C. 3501 *et seq.;* 42 U.S.C. 12117; 42 U.S.C. 2000ff–6; 42 U.S.C. 2000gg–2.

CFR Citation: 29 CFR 1602. 7–1602.9

Legal Deadline: None

Abstract: The EEOC intends to issue a NPRM to rescind all portions of 29 CFR 1602 which require covered entities to file an Employer Information Report EEO–1,'' Apprenticeship Information Report EEO–2,'' Local Union Equal Employment Opportunity Report EEO–3,'' State and Local Government Recordkeeping ReportEEO–4,'' Elementary-Secondary Staff Information Report EEO–5,'' or Higher Education Staff Information Report EEO–6,'' depending on the category of covered entity. Neither the EEO–2 nor EEO–6 reports have been collected by the EEOC for decades, and their rescission is simply a matter of conforming the regulation to this reality. The remaining reports impose financial and administrative burdens on those reporting. For example, in the EEO–1, since 1966, the EEOC has required employers with at least 100 employees to submit workforce demographic data on an annual basis, pursuant to its authority to gather information under Title VII of the Civil Rights Act of 1964, as amended. This agency-created requirement imposes a significant financial and administrative burden on America's employers, including thousands of small businesses. For example, in its most recent Paperwork Reduction Act (PRA) Notice published in the **Federal Register** on May 2, 2023, the EEOC estimated a total of 5,238,467 reporting hours per year by employers to comply with the agency's EEO–1 regulation. The EEOC further estimated these reporting hours cost the nation's employers a total of $273,137,678.30 per year.

As part of the EEO–1 collection, the EEOC also has long gathered information on government contractors with at least 50 employees on behalf of the Office of Federal Contract Compliance Programs at the Department of Labor (DOL), and then shared the contractor data with DOL. The collection of contractor data was made pursuant to DOL's authority under the now-rescinded Executive Order 11246. With its rescission, the EEOC no longer has authority to collect this data on behalf of DOL.

Statement of Need:

Statement of Regulatory and Deregulatory Priorities

The U.S. Equal Employment Opportunity Commission (EEOC, Commission, or Agency) is responsible for enforcing federal laws that make it illegal to commit employment discrimination under: title VII of the Civil Rights Act of 1964, as amended (prohibits employment discrimination on the bases of race, color, religion, sex (including pregnancy, childbirth or related conditions, transgender status, and sexual orientation), and national origin); the Equal Pay Act of 1963, as amended (makes it illegal to pay unequal wages to persons of different sexes performing substantially equal work under similar working conditions at the same establishment); the Age Discrimination in Employment Act of 1967, as amended (prohibits employment discrimination based on age of 40 or older); titles I and V of the Americans with Disabilities Act, as amended, and sections 501 and 505 of the Rehabilitation Act, as amended (prohibit employment discrimination based on disability); title II of the Genetic Information Nondiscrimination Act (prohibits employment discrimination based on genetic information and limits acquisition and disclosure of genetic information); section 304 of the Government Employee Rights Act of 1991 (protects certain previously exempt state and local government employees from employment discrimination on the bases of race, color, religion, sex, national origin, age, or disability); and the Pregnant Workers Fairness Act of 2022 (requires covered entities to provide reasonable accommodation to qualified workers' known limitations related to, affected by, or arising out of pregnancy, childbirth or related conditions, unless doing so would cause an undue hardship).

The EEOC has authority to issue legislative regulations under the Age Discrimination in Employment Act (ADEA), title I of the Americans with Disabilities Act (ADA), title II of the Genetic Information Nondiscrimination Act (GINA), and the Pregnant Workers Fairness Act (PWFA). Under title VII of the Civil Rights Act of 1964, the EEOC's authority to issue legislative regulations is limited to procedural, recordkeeping, and reporting matters.

Ten pending items are identified in the EEOC's Fall 2025 Regulatory Agenda four at the proposed rule stage and six at the final rule stage. Two of those items are singled out as key priorities in this Regulatory Plan: the proposed rulemaking to revise the regulations implementing the PWFA and the proposed rulemaking to rescind EEO data reporting requirements. There is one completed item.

Rescission of Reporting Requirements

The EEOC requires in its regulations under Title VII, the ADA, GINA and the PWFA that covered entities file either an Employer Information Report (EEO–1), Apprenticeship Information Report (EEO–2), Local Union Equal Employment Opportunity Report (EEO–3), State and Local Government Information Report (EEO–4), or Elementary-Secondary Staff Information Report (EEO–5), depending on the category of covered entity. Title VII gave the EEOC authority to make regulations for the collection of data, but it does not require its collection. These specific data collections were agency-created requirements and not statutory mandates. Additionally, these requirements impose significant financial and administrative burdens on the nation's employers, including thousands of small businesses. They impose similar costs on state and local governments, labor organizations, and entities that administer apprenticeship programs.

The Commission will issue a Notice of Proposed Rulemaking to rescind its regulations at 29 CFR 1602, which impose these data-collection requirements.

Summary of Legal Basis: This EEO data collection was not mandated by statute, but was an agency-created requirement, which imposed a significant financial and administrative burden on America's employers, including thousands of small businesses. Likewise, the EEO–2, EEO–3, EEO–4, and EEO–5 imposed similar significant financial and administrative burdens respectively on apprenticeship programs; unions; state and local employers; and public elementary and secondary school systems and district employers.

The Commission will issue a Notice of Proposed Rulemaking to rescind its regulations at 29 CFR 1602, which impose these data-collection requirements. With its rescission, the EEOC no longer has authority to collect contractor data on behalf of DOL.

Alternatives: None

Anticipated Cost and Benefits: Undetermined

Risks: Undetermined

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	
NPRM Comment Period End.	09/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, Local, State

Federalism: Undetermined

Agency Contact: Kimberly Essary, Associate Legal Counsel, Equal Employment Opportunity Commission, 131 M St. NE, Washington, DC 20507

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RIN: 3046–AB37

BILLING CODE 6570–01–P

Appraisal Subcommittee of the Federal Financial Institutions Examination Council Statement of Regulatory Priorities

Introduction

The Appraisal Subcommittee of the Federal Financial Institutions Examination Council (Appraisal Subcommittee)[8] has several key statutory responsibilities under Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, among other responsibilities.[9] The Appraisal Subcommittee monitors the appraisal regulations adopted by the Federal financial institutions regulatory agencies, ensuring appraisals for federally related transactions follow the Uniform Standards of Professional Appraisal Practice (USPAP), established by the Appraisal Standards Board of the Appraisal Foundation (the Foundation).[10]

The Appraisal Subcommittee monitors and reviews the practices, procedures, activities, and organizational structure of the Foundation.[11] The Appraisal Subcommittee also monitors the requirements established by each State for the certification and licensing of individuals who are qualified to perform appraisals in connection with federally related transactions, including a code of professional responsibility.[12] Since 2010, the Appraisal Subcommittee has also been responsible for monitoring the requirements established by each State for the registration and supervision of the operations and activities of an appraisal management company (AMC).[13] The Appraisal Subcommittee is authorized to take action against a State for non-compliance.[14]

Additionally, the Appraisal Subcommittee maintains a national registry of State certified and licensed real estate appraisers eligible to perform appraisals for federally related transactions,[15] as well as a separate national registry of AMCs that are either registered with and subject to supervision of a State appraiser certifying and licensing agency or operating subsidiaries of federally regulated financial institutions.[16]

Finally, the Appraisal Subcommittee operates a national hotline to address complaints related to non-compliance with appraisal independence standards and USPAP, which are referred by the Appraisal Subcommittee to other appropriate governmental authorities for investigation.[17]

Regulatory Priorities

Executive Order 14219 (Ensuring Lawful Governance and Implementing the President's ''Department of Government Efficiency'' Deregulatory Initiative) was issued on February 19, 2025.[18] This Executive Order directed Federal agencies to review their regulations in order to identify those that do not comply with the law or align with the Administration's policy. This Executive Order also mandates the repeal of any regulations deemed unlawful or that impose undue burdens, among other considerations.

In accordance with Executive Order 14219, the Appraisal Subcommittee conducted a review of its appraiser regulations found in part 1102 of title 12 of the Code of Federal Regulations (CFR). Although this regulatory review did not identify any of the classes of regulations specified in Executive Order 14219, the Appraisal Subcommittee has identified the opportunity to streamline its existing regulations in support of this deregulatory initiative by reducing administrative burdens, eliminating unnecessary paperwork, removing outdated or obsolete requirements, and ensuring compliance with applicable laws and policies, such as the FOIA Improvement Act of 2016. The revisions to these existing regulations aim to streamline implementation by enhancing the efficiency and effectiveness of the agency's practices, ensuring the regulations are simple and easy to understand, promoting transparency for accountability, and decreasing the overall number of requirements. As part of this effort, the Appraisal Subcommittee plans to reduce the overall word count of its appraiser regulations found in part 1102 of title 12 of the CFR.

The following five Regulatory Identifier Numbers (RINs) have been identified as associated with the review:

RIN	Title
3139–AA02	Definitions for Appraiser Regulation
3139–AA03	Temporary Waiver Requests
3139–AA04	Appraisal Subcommittee's Rules of Practice for Proceedings
3139–AA05	Appraisal Subcommittee's Privacy Act and Freedom of Information Act (FOIA) Regulations
3139–AA06	Appraisal Subcommittee's Appraisal Management Company Registry Fee Rule

Specifically, the Appraisal Subcommittee is considering the following regulatory actions listed in the above chart: (1) consolidating all defined terms into a new centralized definitions section, (2) streamlining the regulations governing the practice and procedures of temporary waiver proceedings, (3) revising its rules of practice for proceedings to lessen administrative burdens, eliminate unnecessary paperwork, and streamline

[8] The Appraisal Subcommittee is composed of seven members, each designated by the head of a Federal agency (the Board of Governors of the Federal Reserve System (FRB), the Consumer Financial Protection Bureau (CFPB), the Federal Deposit Insurance Corporation (FDIC), the Office of the Comptroller of the Currency (OCC), the National Credit Union Administration (NCUA), the Department of Housing and Urban Development (HUD), and the Federal Housing Finance Agency (FHFA)). *See* 12 U.S.C. 3310 and 12 U.S.C. 1708(g)(2).

[9] 12 U.S.C. Chapter 34A.

[10] 12 U.S.C. 3332(a)(2).

[11] 12 U.S.C. 3332(b).

[12] 12 U.S.C. 3332(a)(1)(A).

[13] 12 U.S.C. 3332(a)(1)(B).

[14] 12 U.S.C. 3347.

[15] 12 U.S.C. 3332(a)(3).

[16] 12 U.S.C. 3332(a)(6).

[17] 12 U.S.C. 3351(i).

[18] 90 FR 10583 (Feb. 19, 2025).

the efficiency and effectiveness of the agency's practices, (4) ensuring the agency's regulations implementing the Privacy Act and the Freedom of Information Act are current and consistent with applicable laws and policies, and (5) proposing to clarify the calculation of the national registry fee for AMCs that have not been in operation for over a year as set forth in 12 U.S.C. 3338(a)(4)(B)(ii).

Additionally, the Office of Management and Budget (OMB) is currently leading an effort to update title 2 of the CFR, which includes a proposal to incorporate OMB guidance regarding Federal awards into regulation. As part of this government-wide initiative, OMB has proposed a new chapter for the Appraisal Subcommittee to adopt 2 CFR 200 in subtitle B of title 2 of the CFR.

Significant Regulatory Priorities

The Appraisal Subcommittee is not planning to pursue any regulatory actions within the next 12 months, which would constitute a ''significant regulatory action'' under the definition of that term in Executive Order 12866.[19]

Repeal of Sub-Regulatory Guidance

On March 25, 2025, the Appraisal Subcommittee rescinded 43 outdated sub-regulatory guidance documents from its website in accordance with Executive Order 14219.[20]

BILLING CODE 6700–01

General Services Administration (GSA)—Regulatory Plan—October 2025

The U.S. General Services Administration (GSA) delivers value and savings in real estate, acquisition, technology, and other mission-support services across the Federal Government. GSA's acquisition solutions supply Federal purchasers with cost-effective, high-quality products and services from commercial vendors. GSA provides workplaces for Federal employees and oversees the preservation of historic Federal properties. GSA helps keep the nation safe and efficient by providing tools, equipment, and non-tactical vehicles to the U.S. military and by providing State and local governments with law enforcement equipment, firefighting and rescue equipment, and disaster recovery products and services.

As GSA is developing its regulations, it seeks to increase participation and engagement of members of the public affected by its regulations, including in the development of its regulatory priorities. In its Regulatory Plan, it details engagement efforts that have helped to inform its priorities to date, as well as future engagement it has planned. GSA serves the public by delivering products and services directly to its Federal customers through the Office of Governmentwide Policy (OGP), the Federal Acquisition Service (FAS), and the Public Buildings Service (PBS). GSA has a continuing commitment to its Federal customers and the U.S. taxpayers by providing those products and services in the most cost-effective manner possible.

Office of Government-Wide Policy

OGP sets Governmentwide policy in the areas of personal and real property, mail, travel, aviation, motor vehicles, relocation, transportation, information technology, regulatory information, and the management and operation of Federal advisory committees. OGP also helps direct how all Federal supplies and services are acquired, as well as GSA's own acquisition programs. Pursuant to Executive Orders 12866, ''Regulatory Planning and Review'' (September 30, 1993), 13563, ''Improving Regulation and Regulatory Review'' (January 18, 2011), 14192, ''Unleashing Prosperity Through Deregulation'' (January 31, 2025) and 14219, ''Ensuring Lawful Governance and Implementing the President's ''Department of Government Efficiency'' Deregulatory Initiative'' (February 25, 2025), the Regulatory Plan and Unified Agenda provides notice regarding OGP's regulatory and deregulatory actions within the Executive Branch.

Office of Acquisition Policy

GSA's rules and practices on how it buys goods and services from its business partners are covered by the General Services Administration Acquisition Regulation (GSAR), which implements and supplements the Federal Acquisition Regulation (FAR). The GSAR establishes agency acquisition regulations that affect GSA's business partners (*e.g.,* prospective offerors and contractors) and acquisition of leasehold interests in real property. The latter are established under the authority of 40 U.S.C. 121(c) and 585. The GSAR implements contract clauses, solicitation provisions, and standard forms that control the relationship between GSA and its contractors and prospective contractors.

GSA has begun reviewing its agency supplement and is preparing necessary changes in support of Executive Order (E.O.) 14275, *Restoring Common Sense to Federal Procurement,* and Office of Management and Budget (OMB) memorandum M–25–26, *Overhauling the Federal Acquisition Regulation.* Executive Order 14275 mandates the first comprehensive, end-to-end overhaul of the Federal Acquisition Regulation (FAR) and its agency supplements in 40 years. The core goal of this Executive order is to stop the inefficient use of taxpayer dollars by eliminating excessive acquisition regulations. OMB memo M–25–26 directs agencies to streamline their FAR supplements by minimizing regulations that are not explicitly required by statute or the Executive Order, and by aligning with the FAR Council's deviation guidance.

GSA plans on making concurrent changes to the GSAR to adopt language moved from the FAR in Federal Supply Schedules contracting and utilities. GSA plans to wait to make conforming changes to other GSAR parts after finalization of FAR rulemaking.

Office of Asset and Transportation Management

The Office of Asset and Transportation Management (MA) delivers evidence-based government-wide policies, guidance, and innovative solutions to promote performance improvement, efficient asset management and responsible spending to drive government-wide improvement and efficiency. All nine (9) policy areas managed by MA are established and governed by 163 United States Codes, Statutes, Presidential Directives, Executive Orders, Office of Management & Budget Circulars and Management Policy Memorandums.

The FTR enumerates the travel and relocation policy for all title 5 Executive Agency civilian employees. The Code of Federal Regulations (CFR) is available at *https://ecfr.federalregister.gov.* The FTR is contained in chapters 300 through 304 of title 41 of the CFR, which implements statutory requirements and Executive branch policies for travel by Federal civilian employees and others authorized to travel at Government expense. The FMR is contained in chapter 102 of title 41 of the CFR, and establishes policy for Federal aircraft management, mail management, transportation management, personal property management, real property management, motor vehicle management, and committee management.

Executive Order 14192, ''Unleashing Prosperity Through Deregulation'' (January 31, 2025) and Executive Order 14219, ''Ensuring Lawful Governance and Implementing the President's ''Department of Government Efficiency'' Deregulatory Initiative'' (February 25, 2025), are both deregulatory initiatives

[19] 58 FR 51735 (Oct. 4, 1993).

[20] See, supra note 11.

set by the current Administration focused on the legal justification for regulations and setting goals for reducing regulation.

In response to these directives, the Office of Asset and Transportation Management conducted a review of the Federal Management Regulation (FMR) and Federal Transportation Regulation (FTR) Part for consistency with law and Administration policy. As Executive Order 14192 states, agencies must work to alleviate the burden on those impacted by regulations, and to that end, GSA has streamlined and simplified regulations with an underlying statutory requirement.

The review focused on minimizing non-statutory regulations. The rescinded regulations were either not legally required, were duplicative of other agencies' rules, or were not essential for the Administrator's functions under Subtitle I of Title 40, United States Code.

Federal Acquisition Service

FAS is the lead organization for procurement of products and services (other than real property) for the Federal Government. The FAS organization leverages the buying power of the Government by consolidating Federal agencies' requirements for common goods and services. FAS provides a range of high-quality and flexible acquisition services to increase overall Government effectiveness and efficiency by aligning resources around key functions. For these acquisitions, FAS follows the regulations established by the Office of Government-wide Policy.

Public Buildings Service

PBS is the largest public real estate organization in the United States. As the landlord for the civilian Federal Government, PBS acquires space on behalf of the Federal Government through new construction and leasing and acts as a manager for Federal properties across the country. PBS is responsible for over 370 million rentable square feet of workspace for Federal employees; has jurisdiction, custody, and control over more than 1,600 federally owned assets totaling over 180 million rentable square feet; and contracts for more than 7,000 leased assets, totaling over 180 million rentable square feet. For these acquisitions, PBS follows the regulations established by the Office of Government-wide Policy.

Dated:

Name: Larry Allen

Associate Administrator, Office of Government-wide Policy.

BILLING CODE 6820–14

BILLING CODE 6820–34–P

National Aeronautics and Space Administration (NASA)

Statement of Regulatory Priorities

The National Aeronautics and Space Administration's (NASA) aim is to increase human understanding of the solar system and the universe that contains it and to improve American aeronautics ability. NASA's basic organization consists of the Headquarters, nine field Centers, the Jet Propulsion Laboratory (a Federally funded research and development center), and several component installations which report to Center Directors. Responsibility for overall planning, coordination, and control of NASA programs is vested in NASA Headquarters, located in Washington, DC.

NASA is updating its Strategic Plan in preparation for publication in 2026. The Agency's mission is to ''explore the unknown in air and space, innovate for the benefit of humanity, and inspire the world through discovery.'' The 2026 Strategic Plan will be available at *nasa.gov/performance* and will guide NASA's program activities through a framework of strategic goals and objectives oriented toward mission success.

NASA's Regulatory Philosophy and Principles

The Agency's rulemaking program strives to be responsive, efficient, and transparent. NASA adheres to the general principles set forth in Executive Order (E.O.) 12866, *Regulatory Planning and Review.* NASA is a signatory to the Federal Acquisition Regulatory Council (FAR Council) along with the Office of Federal Procurement Policy, Department of War, the General Services Administration, and signatory to the Federal Acquisition Regulation (FAR). In accordance with the Office of Federal Procurement Policy Act (41 U.S.C. Chapter 13), the FAR Council assists in the direction and coordination of Government-wide procurement policy and Government-wide procurement regulatory activities in the Federal Government. The FAR at 48 Code of Federal Regulations (CFR), Chapter 1, contains procurement regulations that apply to NASA and other Federal agencies. Pursuant to 41 United States Code (U.S.C.), section 1302, and FAR 1.103(b), the FAR is jointly prepared, issued, and maintained by the Secretary of Defense, the Administrator of General Services, and the Administrator of NASA, under several of their statutory authorities.

NASA Priority Regulatory Actions

NASA is highlighting the priorities summarized below in this Agenda.

Nondiscrimination in Federally-Assisted Programs of NASA—Effectuation of Title VI of the Civils Rights Act of 1964

NASA is amending 14 CFR part 1250, Nondiscrimination in Federally-Assisted Programs, to align with the Department of Justice's Title VI regulations implementing Executive Order 14281, *Restoring Equality of Opportunity and Meritocracy.* These revisions would eliminate disparate-impact liability under NASA's Title VI rule, clarifying that enforcement is limited to instances of intentional discrimination. The amendments also streamline compliance procedures, modernize definitions, and harmonize NASA's requirements with Government-wide nondiscrimination policies, thereby ensuring consistent application across Federal agencies.

Because these amendments narrow the scope of liability for recipients of NASA financial assistance, they are considered deregulatory in nature. By removing disparate-impact liability, the revisions reduce potential compliance costs, investigative burdens, and litigation risks for grant recipients, including universities, nonprofit research organizations, and small entities, while maintaining strong protection against intentional discrimination. This action reflects NASA's commitment to promoting fairness and transparency in Federally assisted programs while aligning with the Administration's priorities to eliminate unjustified regulatory burdens.

NASA Federal Acquisition Regulation (FAR) Supplement (NFS)

NASA is amending its regulations in the NASA FAR Supplement (NFS) at 48 CFR, Chapter 18, to align with the requirements of E.O. 14275, *Restoring Common Sense to Federal Procurement,* and Executive Order 14192, *Unleashing Prosperity Through Deregulation.*

Executive Order 14192 establishes that the policy of the executive branch is to exercise prudence and financial responsibility in the expenditure of Federal funds, while alleviating unnecessary regulatory burdens on the American people. Executive Order 14275 directs the FAR Council to reform the FAR by streamlining and simplifying the Federal procurement system—removing outdated or burdensome requirements and ensuring greater agility, effectiveness, and efficiency in Federal acquisition. In accordance with these directives, Federal agencies are required to review and revise their respective FAR supplements, including agency-specific policies and guidance, to ensure consistency with the reformed FAR. To comply with these directives, NASA will reform the NFS to align with this broader FAR modernization goal and is intended to support a more streamlined, efficient, and accessible procurement framework. As part of this initiative, NASA plans to amend each subchapter of the NFS and will issue seven proposed rules to revise Title 48 CFR, Chapter 18 (Parts 1801 through 1853).

This regulatory effort also supports the Administration's deregulatory priorities by: incorporating recent executive order requirements (*e.g.,* removal of DEIA requirements) as well as public feedback received on the deviations and any comments received through the Office of Information and Regulatory Affairs desk officer, including input from the *Deregulatory Request for Information;* advancing streamlining activities not reflected in the Unified Agenda, such as the repeal of outdated guidance documents (*e.g.* based on old Inspector General findings) and the reduction of unnecessary paperwork burdens; promoting fiscal responsibility by enhancing acquisition oversight; enhancing Executive order compliance (*e.g.,* Made-In-America waiver requirements); and streamlining policy implementation. Additionally, NASA's proposed rulemakings are expected to improve acquisition efficiency and compliance and enhance small business access to contracting opportunities by lowering administrative barriers.

Implementing the National Environmental Policy Act

NASA is amending its existing regulations related to environmental quality at 14 CFR 1216 as directed by the Council on Environmental Quality per the *Memorandum from Executive Office of the President for Heads of Federal Departments and Agencies* to meet Executive Order requirements. These amendments include making conforming amendments 14 CFR subpart 1216.1 to accurately reflect the current positional structure and management authority for environmental program policy at NASA and amending 14 CFR 1216.3, which sets forth NASA's procedures for implementing the National Environmental Policy Act of 1969 (NEPA). Amendments will also be made to implement procedures consistent with E.O. 14154, *Unleashing American Energy,* including meeting deadlines laid out in the Fiscal Responsibility Act of 2023.

NASA is also amending its regulations to advance its deregulatory priorities and streamline existing processes, aligning with broader Government-wide initiatives. These rulemakings are expected to result in net benefits by reducing burdens and promoting principles of fiscal responsibility. The amendments will formally integrate these efficiencies into the Agency's NEPA procedures, allowing NASA to clarify levels of review, streamline public notices, and to adopt categorical exclusions from other agencies, which avoids redundant environmental reviews for common activities. Furthermore, NASA will be able to take on the role of a lead agency, or work with others in a joint lead capacity, to streamline projects involving multiple entities, ensuring a single, coordinated environmental review. These anticipated actions reflect a commitment to open government by focusing on streamlined implementation and enhanced oversight, thereby making the review process more efficient for NASA's missions and improving interagency collaboration.

Implementation of the Administrative False Claims Act

NASA is amending its regulations at 14 CFR 1264 to implement the Administrative Fraud Claims Act (AFCA) included in the 2025 National Defense Authorization Act. The AFCA requires NASA to amend its regulations originally issued under the Program Fraud Remedies Act of 1986 to update procedures for investigating, adjudicating, and imposing penalties and assessments for false claims and false statements submitted to the Agency.

In addition to being required by statute, the implementing regulations advance the Administration's deregulatory agenda and policy priorities. The proposed regulations promote both integrity in Government operations and fiscal responsibility by providing a mechanism for recovery of inappropriate payments of Government funds to contractors, grantees, and other funding recipients. The regulations also support efficiency by providing a streamlined process for recovery of Government funds while resolving potential concerns about the authority of officials empowered to adjudicate administrative fraud claims.

Streamlining of Paperwork Burdens

NASA continues to advance its regulatory efficiency by reducing paperwork burdens on the public and improving the quality and timeliness of information collection. In alignment with the Paperwork Reduction Act, OMB Circular A–11, Section 280, and E.O. 14192, NASA is implementing a multi-pronged strategy to streamline data collection and enhance customer experience.

Specifically, this includes working with program offices that need input by encouraging fewer, more targeted questions and aligning collections with mission-critical outcomes. Another method involves conducting voluntary feedback, which reduces unnecessary burden.

NASA continues to focus its collection requests on methods that allow selected members of the public to rapidly provide input on issues that support the Agency's key mission areas. One example uses OMB Control # 2700–0159, Generic Clearance for the NASA Office of Science, Technology, Engineering, and Math (OSTEM) Engagement Performance Measurement and Evaluation (Testing). This generic clearance allows NASA OSTEM to continue to test new and existing information collection forms and assessment instruments with members of the public to rapidly assess how and in what ways NASA Internships contribute to students planned educational pursuits and career placements/trajectories, leading to a larger talent pool ready to help NASA meet challenging missions in the future.

Similarly, using OMB Control #2700–0181, Generic Clearance for Improving Customer Experience (OMB Circular A–11, section 280 Implementation), NASA is working to gain feedback using easy-to-complete methods that will improve its ability to engage small businesses with innovative technologies. One method has led to providing clearer guidance and sample templates for Small Business Innovative Research (SBIR) proposals to reduce the burden on these businesses by making it easier to submit SBIR proposals that NASA can rapidly and effectively evaluate. This will allow more businesses with effective ideas and technologies to do business with NASA without having to start with the more burdensome traditional contracting processes.

These efforts support the Administration's goals of reducing regulatory burden, improving transparency, and enhancing service delivery. NASA's approach ensures that information collections are efficient, purposeful, and respectful of public time and resources.

NASA	Proposed Rule Stage

1. IMPLEMENTATION OF THE ADMINISTRATIVE FALSE CLAIMS ACT [2700–AE79]

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: Public Law 118–159, sec 5203; Public Law 99–509, sec. 6101–6104

Relevant Executive Orders: 14192

CFR Citation: 14 CFR 1264

Legal Deadline: Final, Statutory, June 21, 2025, The new statute became effective on December 23, 2024, and requires NASA to amend its regulations at 14 CFR 1264 by June 21, 2025, within 180 days of enactment.

Abstract: NASA is proposing amendments to implement section 5203 of the FY 2025 National Defense Authorization Act (NDAA) (P.L. 118–159) This Section modifies Administrative False Claims Act of 2023 (AFCA), previously known as the Program Fraud Civil Remedies Act of 1986. It offers a streamlined administrative remedy for addressing false claims and statements that the Department of Justice (DOJ) opts not to prosecute.

The AFCA complements the more widely known and widely used civil False Claims Act by providing an administrative process by which federal executive branch agencies can address relatively small dollar value false claims that might not warrant the attention of the Department of Justice. The liability provisions of the AFCA remain closely modeled on those in the False Claims Act. The principal differences between the False Claims Act and the AFCA are that the AFCA does not include a qui tam enforcement mechanism, covers false written statements even in the absence of a claim, and provides for administrative rather than judicial resolution.

Statement of Need: NASA requires updated regulations to comply with the FY 2025 National Defense Authorization Act, which revitalized the Administrative False Claims Act (AFCA). The revised rule is needed to establish clear administrative procedures for addressing false claims and misrepresentations made to NASA, particularly smaller-dollar cases not pursued by the Department of Justice. This ensures the Agency has a streamlined mechanism to protect federal funds, deter fraudulent conduct, and strengthen accountability in contracts and grants.

Summary of Legal Basis: The rule is based on:

6. 31 U.S.C. 3801–3812, the Administrative False Claims Act, as amended by Public Law 118–159 (FY 2025 NDAA, 5203).

7. 31 U.S.C. 3809, requiring each agency head to promulgate implementing regulations.

8. 51 U.S.C. 20113(a), NASA's general authority. The AFCA supplements the False Claims Act by authorizing agencies to impose civil penalties administratively for false claims and false written statements submitted to NASA.

Alternatives: The primary alternative to this rule would be to continue relying solely on the Department of Justice under the civil False Claims Act. However, that approach is inefficient for lower-value fraud cases and risks leaving misconduct unaddressed. Another alternative is maintaining NASA's prior, outdated regulations that would fail to implement statutory requirements and would not provide the clear procedural framework mandated by Congress. Thus, amending Part 1264 is the most effective and legally compliant approach.

Anticipated Cost and Benefits: Costs: Minimal additional administrative costs associated with investigations, hearings, and enforcement. No significant federalism, tribal, or private sector compliance burdens. No Paperwork Reduction Act implications.

Benefits: Stronger deterrence against fraud, faster resolution of cases, recovery of misused federal funds, and better stewardship of taxpayer resources. By focusing on smaller-dollar fraud cases, the rule maximizes efficiency and prevents resource-draining referrals to DOJ.

Risks: The key risk of not implementing the rule is leaving NASA unable to effectively enforce against smaller fraudulent claims, leading to loss of federal funds, weakened deterrence, and diminished program integrity. Another risk is statutory noncompliance failure to implement amendments within the required 180 days could expose NASA to legal or oversight challenges. Risks of implementation are low; the framework is modeled on existing federal fraud enforcement standards and provides due process protection.

Timetable:

Action	Date	FR Cite
NPRM	12/30/25	90 FR 61109
NPRM Comment Period End.	02/13/26	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Public Compliance Cost: Base Year for Dollar Estimates: $2,026

Agency Contact: Bryan Diederich, National Aeronautics and Space Administration, NASA Headquarters, Office of the General Counsel, 300 E Street SW, Washington, DC 20546

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RIN: 2700–AE79

NASA	Final Rule Stage

2. PROCEDURES FOR IMPLEMENTING THE NATIONAL ENVIRONMENTAL POLICY ACT [2700–AE80]

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 42 U.S.C. 4321 *et seq.*

Relevant Executive Orders: 14154; 14192

CFR Citation: 14 CFR 1216

Legal Deadline: None

Abstract: The National Aeronautics and Space Administration (NASA) is amending its existing regulations related to environmental quality at 14 CFR 1216 as directed by the Council on Environmental Quality (CEQ) per Memorandum from Executive Office of the President for Heads of Federal Departments and Agencies to meet Executive Orders requirements.

These amendments include making conforming amendments in 14 CFR subpart 1216.1 to accurately reflect the current positional structure and management authority for environmental program policy at NASA. As a result of Executive Order 14154, CEQ has removed its NEPA implementing regulations from the CFR, which became effective April 11, 2025.

Statement of Need: The need for this amendment is to ensure NASA's National Environmental Policy Act (NEPA) regulations align with current federal mandates, specifically those from the Council on Environmental Quality (CEQ) and recent Executive Orders (EOs). The current regulations at 14 CFR 1216 are outdated. This rulemaking will update NASA's procedures for implementing NEPA, ensuring the agency's NEPA program operates efficiently and in full accordance with the law.

Summary of Legal Basis: Directed by the Council on Environmental Quality per Memorandum from Executive Office of the President for Heads of Federal Departments and Agencies to meet Executive Orders requirements and remove references to rescinded regulations.

Alternatives: Keeping the outdated regulations would result in operational inefficiencies. This is not a viable option. A single rulemaking is the most efficient and preferred method. It addresses all necessary updates at once, providing a clear, consistent framework for NASA's NEPA program.

Anticipated Cost and Benefits: Updating NEPA regulations may yield cost savings for NASA. These savings may come from improved efficiency, accelerating project approvals, and mitigating risk, which minimizes the likelihood of legal challenges and project delays.

Risks: Benefits listed above will not be achieved.

Timetable:

Action	Date	FR Cite
Interim Final Rule Effective.	02/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 2700–AE80

NASA	

3. • NONDISCRIMINATION IN FEDERALLY-ASSISTED PROGRAMS OF NASA—EFFECTUATION OF TITLE VI OF THE CIVILS RIGHTS ACT OF 1964 [2700–AE89]

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 42 U.S.C. 2000d–1

Relevant Executive Orders: 14281

CFR Citation: 14 CFR 1250

Legal Deadline: None

Abstract: NASA is amending 14 CFR part 1250, Nondiscrimination in Federally-Assisted Programs, to align with the Department of Justice's Title VI regulations implementing Executive Order 14281, Restoring Equality of Opportunity and Meritocracy. The amendments clarify nondiscrimination obligations and streamline compliance procedures for recipients of federal financial assistance.

Statement of Need: NASA is amending its regulations to 14 CFR part 1250, Nondiscrimination in Federally-Assisted Programs, to align with the Department of Justice's Title VI regulations implementing Executive Order 14281, Restoring Equality of Opportunity and Meritocracy. The revisions clarify nondiscrimination obligations and streamline compliance procedures for recipients of federal financial assistance.

Summary of Legal Basis: This rule is authorized under Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d1) and Executive Order 14281, Restoring Equality of Opportunity and Meritocracy.

Alternatives: Regulatory amendment was determined to be the most effective approach to meet E.O. 14281's directive and ensure alignment with DOJ's Title VI regulation.

Anticipated Cost and Benefits: The proposed changes are not expected to impose significant new costs. Benefits include improved clarity for recipients and consistency with other federal agencies' civil rights regulations.

Risks: Inaction could result in continued inconsistency with DOJ's Title VI regulation and confusion among recipients. Updating the NASA regulation mitigates legal and operational risks.

Timetable:

Action	Date	FR Cite
Final Action	06/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Public Compliance Cost: Base Year for Dollar Estimates: $2,026

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RIN: 2700–AE89

BILLING CODE 7510–13–P

NASA	Proposed Rule Stage

132. IMPLEMENTATION OF THE ADMINISTRATIVE FALSE CLAIMS ACT

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: Pub. L. 118–159, sec 5203; Pub. L. 99–509, sec. 6101–6104

Relevant Executive Orders: 14192

CFR Citation: 14 CFR 1264

Legal Deadline: Final, Statutory, June 21, 2025, The new statute became effective on December 23, 2024, and requires NASA to amend its regulations at 14 CFR 1264 by June 21, 2025, within 180 days of enactment.

Abstract: NASA is proposing amendments to implement Section 5203 of the FY 2025 National Defense Authorization Act (NDAA) (P.L. 118–159) This Section modifies Administrative False Claims Act of 2023 (AFCA), previously known as the Program Fraud Civil Remedies Act of 1986. It offers a streamlined administrative remedy for addressing false claims and statements that the Department of Justice (DOJ) opts not to prosecute.

The AFCA complements the more widely known and widely used civil False Claims Act by providing an administrative process by which federal executive branch agencies can address relatively small dollar value false claims that might not warrant the attention of the Department of Justice. The liability provisions of the AFCA remain closely modeled on those in the False Claims Act. The principal differences between the False Claims Act and the AFCA are that the AFCA does not include a qui tam enforcement mechanism, covers false written statements even in the absence of a claim, and provides for administrative rather than judicial resolution.

Statement of Need: NASA requires updated regulations to comply with the FY 2025 National Defense Authorization Act, which revitalized the Administrative False Claims Act (AFCA). The revised rule is needed to establish clear administrative procedures for addressing false claims and misrepresentations made to NASA, particularly smaller-dollar cases not pursued by the Department of Justice. This ensures the Agency has a streamlined mechanism to protect federal funds, deter fraudulent conduct, and strengthen accountability in contracts and grants.

Summary of Legal Basis: The rule is based on:

- 31 U.S.C. 3801–3812, the Administrative False Claims Act, as amended by Public Law 118–159 (FY 2025 NDAA, 5203).
- 31 U.S.C. 3809, requiring each agency head to promulgate implementing regulations.
- 51 U.S.C. 20113(a), NASA's general authority. The AFCA supplements the False Claims Act by authorizing agencies to impose civil penalties administratively for false claims and false written statements submitted to NASA.

Alternatives: The primary alternative to this rule would be to continue relying solely on the Department of Justice under the civil False Claims Act. However, that approach is inefficient for lower-value fraud cases and risks leaving misconduct unaddressed. Another alternative is maintaining NASA's prior, outdated regulations that would fail to implement statutory requirements and would not provide the clear procedural framework mandated by Congress. Thus, amending Part 1264 is the most effective and legally compliant approach.

Anticipated Cost and Benefits: Costs: Minimal additional administrative costs associated with investigations, hearings, and enforcement. No significant federalism, tribal, or private sector compliance burdens. No Paperwork Reduction Act implications.

Benefits: Stronger deterrence against fraud, faster resolution of cases, recovery of misused federal funds, and better stewardship of taxpayer resources. By focusing on smaller-dollar fraud cases, the rule maximizes efficiency and prevents resource-draining referrals to DOJ.

Risks: The key risk of not implementing the rule is leaving NASA unable to effectively enforce against smaller fraudulent claims, leading to loss of federal funds, weakened deterrence, and diminished program integrity. Another risk is statutory noncompliancefailure to implement amendments within the required 180 days could expose NASA to legal or oversight challenges. Risks of implementation are low; the framework is modeled on existing federal fraud enforcement standards and provides due process protections.

Timetable:

Action	Date	FR Cite
NPRM	12/30/25	90 FR 61109
NPRM Comment Period End.	02/13/26	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Public Compliance Cost: Base Year for Dollar Estimates: $2,026

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RIN: 2700–AE79

NASA	Final Rule Stage

133. PROCEDURES FOR IMPLEMENTING THE NATIONAL ENVIRONMENTAL POLICY ACT

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 42 U.S.C. 4321 *et seq.*

Relevant Executive Orders: 14154; 14192

CFR Citation: 14 CFR 1216

Legal Deadline: None

Abstract: The National Aeronautics and Space Administration (NASA) is amending its existing regulations related to environmental quality at 14 CFR 1216 as directed by the Council on Environmental Quality (CEQ) per Memorandum from Executive Office of the President for Heads of Federal Departments and Agencies to meet Executive Orders requirements.

These amendments include making conforming amendments in 14 CFR subpart 1216.1 to accurately reflect the current positional structure and management authority for environmental program policy at NASA. As a result of Executive Order 14154, CEQ has removed its NEPA implementing regulations from the CFR, which became effective April 11, 2025.

Statement of Need: The need for this amendment is to ensure NASA's National Environmental Policy Act (NEPA) regulations align with current federal mandates, specifically those from the Council on Environmental Quality (CEQ) and recent Executive Orders (EOs). The current regulations at 14 CFR 1216 are outdated. This rulemaking will update NASA's procedures for implementing NEPA, ensuring the agency's NEPA program operates efficiently and in full accordance with the law.

Summary of Legal Basis: Directed by the Council on Environmental Quality per Memorandum from Executive Office of the President for Heads of Federal Departments and Agencies to meet Executive Orders requirements and remove references to rescinded regulations.

Alternatives: Keeping the outdated regulations would result in operational inefficiencies. This is not a viable option. A single rulemaking is the most efficient and preferred method. It addresses all necessary updates at once, providing a clear, consistent framework for NASA's NEPA program.

Anticipated Cost and Benefits: Updating NEPA regulations may yield cost savings for NASA. These savings may come from improved efficiency, accelerating project approvals, and mitigating risk, which minimizes the likelihood of legal challenges and project delays.

Risks: Benefits listed above will not be achieved.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 2700–AE80

NASA	

134. • NONDISCRIMINATION IN FEDERALLY-ASSISTED PROGRAMS OF NASA—EFFECTUATION OF TITLE VI OF THE CIVILS RIGHTS ACT OF 1964

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 42 U.S.C. 2000d–1

Relevant Executive Orders: 14281

CFR Citation: 14 CFR 1250

Legal Deadline: None

Abstract: NASA is amending 14 CFR part 1250, Nondiscrimination in Federally-Assisted Programs, to align with the Department of Justice's Title VI regulations implementing Executive Order 14281, Restoring Equality of Opportunity and Meritocracy. The amendments clarify nondiscrimination obligations and streamline compliance procedures for recipients of federal financial assistance.

Statement of Need: NASA is amending its regulations to 14 CFR part 1250, Nondiscrimination in Federally-Assisted Programs, to align with the Department of Justice's Title VI regulations implementing Executive Order 14281, Restoring Equality of Opportunity and Meritocracy. The revisions clarify nondiscrimination obligations and streamline compliance procedures for recipients of federal financial assistance.

Summary of Legal Basis: This rule is authorized under Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d1) and Executive Order 14281, Restoring Equality of Opportunity and Meritocracy.

Alternatives: Regulatory amendment was determined to be the most effective approach to meet E.O. 14281's directive and ensure alignment with DOJ's Title VI regulation.

Anticipated Cost and Benefits: The proposed changes are not expected to impose significant new costs. Benefits include improved clarity for recipients and consistency with other federal agencies' civil rights regulations.

Risks: Inaction could result in continued inconsistency with DOJ's Title VI regulation and confusion among recipients. Updating the NASA regulation mitigates legal and operational risks.

Timetable:

Action	Date	FR Cite
Final Action	07/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Public Compliance Cost: Base Year for Dollar Estimates: $2,026

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RIN: 2700–AE89

BILLING CODE 7510–13–P

National Archives and Records Administration (NARA)

Statement of Regulatory Priorities

The National Archives and Records Administration (NARA) issues regulations for other federal agencies. These regulations include records management, information services, and information security. For example, records management regulations directed to federal agencies concern the proper management and disposition of federal records. Through the Information Security Oversight Office (ISOO), NARA also issues Government-wide regulations concerning information security classification, controlled unclassified information (CUI), and declassification programs; through the Office of Government Information Services, NARA issues Government-wide regulations concerning the Freedom of Information Act (FOIA) dispute resolution services and FOIA ombudsman functions; and through the Office of the Federal Register, NARA issues regulations concerning publishing federal documents in the **Federal Register**, *Code of Federal Regulations,* and other publications.

NARA regulations directed to the public primarily address access to and use of our historically valuable holdings, including archives, donated historical materials, Nixon Presidential materials, and other Presidential records. NARA also issues regulations relating to the National Historical Publications and Records Commission (NHPRC) grant programs.

New Digitization Standards for Permanent Still Image Film Records

The next step for digitization standards in NARA's Regulations will include technical standards for digitizing various permanent still image film records, such as transparencies, negatives, radiographic, microfiche, and microfilm. These standards will be added to subpart E of 36 CFR part 1236.

Proposed Changes to Rescheduling Requirements

In the second quarter of FY 2026, NARA will issue a draft rule with changes to 36 CFR 1225 regarding requirements for agencies to reschedule their records. The changes explain when Federal records must be scheduled, when agencies must reschedule their records, when agencies can apply previously approved records schedules to digital records, how to reschedule records, and how to manage General Records Schedule deviations.

Improving Regulations for Electronic Message Preservation

On January 1, 2021, the Federal Records Act was amended. The updated law now requires the Archivist of the United States to create regulations for federal agencies on preserving electronic messages that are considered records. In response, we are proposing changes to our regulations by revising § 1236.22, which covers the additional requirements for managing electronic mail records. The aim is to clearly outline the records management requirements for electronic messages and systems.

Comprehensive Records Management Regulations Revision—Enhancing Oversight Requirements for Records Management

We also propose to amend 36 CFR part 1239. We are removing Subpart B—Program Assistance, as it is out-of-date and informational, and provides no agency requirements. We propose updating the remaining subparts to provide clarity and specificity to our agency oversight requirements. We propose to move unauthorized disposition requirements from 36 CFR part 1230 to 36 CFR part 1239 and strengthen them.

BILLING CODE 7515–01U

NARA	Proposed Rule Stage

135. • INTERAGENCY SECURITY CLASSIFICATION APPEALS PANEL BYLAWS, RULES, AND APPEALS PROCEDURES (RULEMAKING RESULTING FROM A SECTION 610 REVIEW)

Priority: Other Significant

Regulatory Accounting: Not subject to, not significant

Legal Authority: E.O. 13526

Relevant Executive Orders: 13526

CFR Citation: 32 CFR 2003

Legal Deadline: NPRM, Statutory, November 21, 2025.

Abstract: ISOO has received guidance from the White House National Security Council regarding reforms that should be made to the Interagency Security Classification Appeals Panel (ISCAP) Bylaws, Rules, and Appeals Procedures. The ISCAP hears appeals of mandatory declassification reviews conducted by agencies, as well reviewing agency declassification guides to ensure compliance with national policies. In a way, it acts as a ''Supreme Court'' for classification decisions that fall within the scope of its authorities, with its decisions appealable only to the President. The policy reforms aim to enable the ISCAP to operate more efficiently and effectively, ultimately declassifying and releasing more information to the American people that is in the public interest.

Statement of Need: The Information Security Oversight Office (ISOO) of the National Archives and Records Administration (NARA), is revising the National Industrial Security Program (NISP) Directive. The NISP safeguards classified information the Federal Government or foreign governments release to contractors, licensees, grantees, and certificate holders. This revision adds provisions that would result in fewer federal regulations, as they would enable DoD to rescind its regulation at 32 CFR 148 by incorporating some of its elements within 32 CFR 2004, eliminating unnecessary provisions, and recognizing many provisions are already codified in DoD's NISPOM.

It also:

Incorporates existing authorities regarding the sharing of insider threat information.

Clarifies conflicting guidance concerning private joint ventures with respect to the NISP.

Removes the requirement in many instances for costly and time-consuming national interest determinations (NIDs), which is an assessment conducted by the government when an entity is under foreign ownership, control, or influence, as such concerns are now accounted for in other government processes.

Updates program provisions concerning international programs security that were discussed during the 2018 revision process but not yet ready for finalization.

Clarifies definitions and other minor administrative edits.

Summary of Legal Basis: Executive Order 12829, as amended, ''National Industrial Security Program'' requires ISOO to develop and issue implementing directives as needed to implement the program. 32 CFR 2004 is the primary mechanism by which ISOO does so.

Alternatives: None.

Anticipated Cost and Benefits: Executive Order 12866 (Regulatory Planning and Review) directs agencies to assess the 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). Executive Order 13563 (Improving Regulation and Regulatory Review) emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. Executive Order 14094 (Modernizing Regulatory Review) amends section 3(f) of Executive Order 12866.

Risks: The provisions seeking to be updated are woefully out of date, and until revised are contributing to unnecessary and duplicative costs both to the government and private industry for the implementation of the program.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 3095–AC30

BILLING CODE 7515–01–P

National Science Foundation

Regulatory Plan, Fall 2025

Overview

The National Science Foundation (NSF) is an independent federal agency that supports science and engineering in all 50 states and U.S. territories. Established by the National Science Foundation Act of 1950 (Public Law 81–507), NSF promotes the progress of science; advances the national health, prosperity, and welfare; and secures the national defense.

To support these missions, NSF funds basic research conducted at U.S. colleges and universities, in fields such as mathematics, computer science, engineering, and biotechnology, and STEM workforce development. NSF also funds research infrastructure, ranging from individual instruments to major research facilities and equipment (*i.e.,* computing facilities, U.S. Antarctic stations, and multi-billion-dollar telescopes). The funding is chiefly via grants and represents approximately 25% of federal support overall.

NSF utilizes a rigorous merit-review system to ensure that the funding proposals submitted to NSF are evaluated in a fair, competitive, transparent, and in-depth manner. This system incorporates two criteria, each of which must be given full consideration during the review and decision-making processes. The *intellectual merit* criterion analyzes the proposal's potential to advance knowledge and understanding within its own field or across different fields; the *broader impacts* criterion analyzes the proposal's potential to benefit society and contribute to the achievement of specific, desired societal outcomes. In Fiscal Year (FY) 2025, NSF funded over 8,000 competitive awards that had been evaluated through this system.

Regulatory Plan Rules

NSF's Fall 2025 Regulatory Plan reflects NSF's regulatory priorities specifically as they relate to (1) promoting transparency, disclosure, and open government, and (2) streamlining NSF's current regulations. Each of these priorities are necessary and vital to minimizing the regulatory burden on NSF's stakeholder community. Of the seven regulatory actions in its Fall Unified Agenda, NSF estimates that at least 25% would, once finalized, mitigate, reduce, or eliminate regulatory burden.

Deregulatory; Final Rule

Title: Conservation of Antarctic Animals and Plants (RIN 3145–AA69)

Pursuant to the Antarctic Conservation Act of 1978, as amended, NSF will amend its regulations to reflect changes to the lists of specially managed areas, specially protected areas and historic sites or monuments (HSM) in Antarctica. These changes reflect decisions adopted by the Antarctic Treaty Consultative Parties at Antarctic Treaty Consultative Meetings, the most recent of which took place June 23 to July 3, 2025.

Title: Revision of NSF Supplemental Regulations, Compliance with the National Environmental Policy Act (RIN 3145–AA73)

NSF is revising its National Environmental Policy Act regulations in the Code of Federal Regulations. The NSF is taking this action in light of Executive Order 14154, *Unleashing American Energy,* and the Council on Environmental Quality Interim Final Rule to Remove CEQ's Implementing NEPA Regulations.

Other; Notice of Proposed Rulemaking

Title: Procedures for Disclosure of Records Under the Freedom of Information Act (RIN 3145–AA67)

NSF is proposing to amend its regulations to meet the requirements of the FOIA Improvement Act of 2016, Public Law 114–185, 130 Stat. 538 (the Act). The Act requires all agencies to review and update their FOIA regulations and addresses a range of procedural issues, including establishing a minimum of 90 days for requesters to file an administrative appeal and providing dispute resolution services at various times throughout the FOIA process.

Title: Implementation of the Administrative False Claims Act (RIN 3145–AA72)

NSF will amend its regulations to implement provisions of section 5203 of the National Defense Authorization Act (NDAA) for Fiscal Year 2025 (Pub. L. 118–159). Under section 5203, the NDAA revises the Administrative False Claims Act of 2023 (AFCA) (previously known as the Program Fraud Civil Remedies Act of 1986) and offers a streamlined administrative remedy for addressing false claims and statements the Department of Justice opts not to prosecute. The liability provisions of the AFCA remain closely modeled on those in the False Claims Act with the principal differences being the AFCA does not include a *qui tam* enforcement mechanism, covers false written statements even in the absence of a claim, and provides for administrative rather than judicial resolution.

BILLING CODE 7555–01–P

U.S. Office of Personnel Management

Statement of Regulatory and Deregulatory Priorities

2026 Unified Agenda

The Office of Personnel Management (OPM) serves as the chief human resources agency and personnel policy manager for the Federal Government.

We are champions of talent for the Federal Government, leading Federal agencies in workforce policies, programs, and benefits in service to the American people. We seek to position the Federal Government as a model employer through innovation and leadership as we build a rewarding culture that empowers the Federal workforce to tackle some of our nation's toughest challenges. Additionally, OPM manages a number of programs on behalf of the Federal workforce, including retirement services and health benefits. In these areas, OPM strives to serve as a model not only for other Federal agencies, but for other employers as well.

OPM's regulatory agenda is aligned with these core mission areas and advances multiple Trump Administration priorities. Indeed, each of OPM's regulations is focused on improving the efficiency and effectiveness of Government—a key Administration priority. In addition, several of OPM's regulations are:

- Actions that focus on regulatory reform and deregulation;
- Actions that enhance program oversight;
- Actions that strengthen eligibility standards; or
- Actions that streamline implementation.

I. Actions That Focus on Regulatory Reform and Deregulation

OPM is committed to recruiting, retaining, and supporting a world-class Federal workforce. This requires developing incentives for identifying and rewarding high-performing employees, providing useful feedback on employee performance, and addressing poor performance. OPM's regulatory agenda is intended to advance these goals and reposition the Federal workforce as a place where talented and motivated workers feel that their contributions to public service are valued and rewarded. OPM's regulatory agenda is directed toward advancing each of these goals, thereby enhancing the Federal Government's capacity to serve both Administration priorities and the needs of the American people.

- Reduction in Force (3206–AO86)

OPM is overhauling the regulations for reductions in force (RIF) to reduce the amount of agency resources needed to execute reduction in force actions. Key elements of the proposal are amending the retention factors to prioritize performance over length of service when determining which employees will be retained in a RIF, providing greater flexibility to agencies in structuring a RIF, and narrowing the scope of employees subject to the onerous documentation requirements. OPM anticipates this proposal would result in a more streamlined and efficient RIF process.

- Elimination of Time in Grade (3206–AP05)

OPM proposes eliminating the time-in-grade (TIG) restriction on advancement to competitive service positions in the General Schedule. Currently, employees in competitive service General Schedule positions in grades 5 and above must serve 52 weeks in grade before becoming eligible for promotion to the next grade level. Abolishing the restriction would eliminate the 52-week service requirement. TIG is an administrative burden which unduly restricts agencies' ability to make selections based on job-related criteria and may be a disincentive to recruiting or retaining employees with needed skills sets. OPM anticipates that eliminating TIG-related approvals and reviews may lead to efficiency gains by enabling agencies to fill positions with qualified candidates more quickly than is currently the case. An employee must continue to meet occupational qualification standard requirements and any additional job-related qualification requirements established for the position.

- Attorney Fees and Personnel Action Coverage under the Back Pay Act (3206–AO87)

OPM is proposing regulations governing the coverage of, and attorney fee awards under, the Back Pay Act to reduce administrative burdens and better comport with Congressional intent. OPM anticipates that the overall costs to Federal agencies would decrease because of the reduction in the types of actions covered by the back pay regulations and a decrease in the amount of attorney fees agencies are required to pay. As part of OPM's regulatory review pursuant to Executive Order 14219 (90 FR 10583), OPM identified the back pay regulations as not being based on the best reading of the underlying statutory authority. OPM proposes narrowing the definition of "personnel action" consistent with the underlying statutory authority. In addition, OPM proposes to limit the payment of attorney fees to ensure that taxpayer dollars are spent wisely and effectively.

- Suitability and Fitness (3206–AO84)

OPM plans to finalize its rulemaking to amend the Federal Government personnel vetting adjudicative criteria for determining suitability or fitness. The purpose of the rule is to improve the rigor and timeliness by which OPM and agencies vet individuals for risk to the integrity and efficiency of the service and to make clear that individuals who engage in serious misconduct while employed in Federal service are subject to the same suitability procedures and actions as applicants for employment. The proposed would revise the standards and processes by which OPM and agencies efficiently and appropriately vet individuals. More expeditious removal and debarment of individuals found to negatively impact the integrity or efficiency of the service will reduce risks posed by such individuals and will reduce costs to agencies, allowing them to spend resources on mission services rather than administrative processes.

- Reduction in Force Appeals (3206–AO99)

OPM is proposing to modify the regulations for reduction in force (RIF) to streamline the RIF appeals process. The proposed rule would streamline the appeals process, which will save agencies and appellants money and allow prompt resolution of disputes.

- Suitability Action Appeals (3206–AO97)

OPM is proposing amendments to the review processes for suitability actions. The purpose of the proposed rule is to streamline the appeals process, saving agencies and appellants money and allowing all parties to reach final resolution more promptly.

II. Actions That Enhance Program Oversight

Through the One Big Beautiful Bill Act, Congress and the President required OPM to strengthen mechanisms for ensuring the validity of outlays from the Federal Employees Health Benefits (FEHB) program, including ensuring that enrolled individuals and claims paid are valid under program criteria. OPM is undertaking a range of regulatory actions to effectuate its statutory requirements and harmonize with Administration priorities to eliminate waste, fraud, and abuse within the FEHB program.

- Federal Employees Benefits: Enrollment Integrity (3206–AO93)

OPM is proposing new standards to improve enrollment integrity and accuracy in Federal employee benefits programs, including the Federal Employees Health Benefits and Federal Employee Group Life Insurance Programs. This would include amendments to 5 CFR parts 870 and 890 to establish a new eligibility determination process for children who are age 26 and over and who are incapable of self-support. In addition, OPM is proposing to: (1) allow employing offices to adjust enrollment type from Self and Family or Self plus one to Self Only if there is only one person covered by the enrollment and (2) prohibit ineligible family members from receiving a 31-day extension of coverage when their coverage is terminated due to a reduction in the enrollee's enrollment type.

- Federal Employees Health Benefits Protection Act Implementing Regulations (3206–AP08)

OPM is proposing a process to verify a qualifying life event through which an FEHB or PSHB enrollee seeks to add a member of family to their enrollment. The regulations will also provide a process to confirm that any added individual is a covered family member, including in any Open Season. The regulations will implement requirements of the One Big Beautiful Bill Act to reduce fraud in the Government health insurance programs.

III. Actions That Streamline Implementation

The Trump Administration has placed an emphasis on enhancing the efficiency of the Federal Government. OPM continues to undertake regulatory actions to make Federal programs and personnel more effective. Through its regulatory agenda, OPM intends to continue the work of promoting a dedicated and efficient civil service. Several regulatory actions this year will modernize hiring and performance management for the Federal workforce to improve efficiency and provide agencies with additional flexibilities in the hiring process. Through these changes, OPM intends to streamline Federal hiring and to accurately measure the performance of incumbent federal employees.

- Recruitment and Selection Through Competitive Examination (3206–AO24)

The Competitive Service Act of 2015 was intended to facilitate faster hiring through the sharing of talent across the Government by permitting agencies to share resumes and select from among candidates who have competed for similar positions at another hiring agency, were assessed, and were referred by that agency. OPM is proposing regulatory changes to allow the head of a Federal agency to share a competitive certificate of eligibles with one or more other agencies for the purpose of making selections of qualified candidates. OPM is also proposing changes to clarify the use of examinations and require Federal agencies to use technical assessments to fill most positions in the competitive service. This rule will facilitate the hiring of top talent across Federal agencies. Although the use of shared certificates is discretionary, OPM anticipates that agencies that take advantage of the new provisions will experience cost savings as a result of expedited time-to-hire and other efficiencies across Government.

- Superior Qualifications and Special Needs Pay-setting Authority (3206–AO95)

OPM is issuing proposed regulations to clarify the applicability of the superior qualifications and special needs pay-setting authority for certain categories of General Schedule employees in the excepted service. OPM believes it is necessary to clarify whether the superior qualifications and special needs pay-setting authority applies to certain categories of General Schedule positions in the excepted service, especially as new categories of excepted service positions are created, such as positions in the new Schedule G. OPM also proposes revising the regulations to allow agencies to use their authority under 5 CFR 6.3 to set pay for General Schedule employees in the excepted service instead of using the superior qualifications and special needs pay-setting authority.

- Personnel Management in Agencies: Strategic Human Capital Management (3206–AO77)

OPM is issuing a proposed rule to redefine, clarify, and update the agency reporting requirements for agencies related to strategic human capital management. This rulemaking will address the Federal Workforce Priorities Report, HRStat Data-driven Reviews, Human Capital Operating Plan, Human Capital Reviews, and employee surveys. These amendments will better align human capital management practices to broader agency strategic human capital planning. The rule will emphasize that plans are non-final, deliberative documents that should not be disclosed as they are crucial for robust workforce planning.

- Performance Management Systems for General Schedule, Prevailing Rate, and Certain Other Employees (3206–AP06)

OPM is proposing amendments to the current performance management regulations covering General Schedule (GS), Prevailing Rate, and certain other employees. The proposed rule would increase efficiency and accountability in performance management by reducing available summary level patterns, removing the prohibition of a forced distribution of performance rating levels, and incorporating additional evaluation of GS appraisal system(s) by OPM. These proposals are consistent with the changes OPM has proposed for other segments of the Federal workforce such as senior professionals and the Senior Executive Service.

- *Managing Senior Professional Performance (3206–AO88)*

OPM is proposing to separate the performance management regulations for senior level (SL) and scientific/professional (ST) employees (senior professionals) from general schedule employees. This rule will enhance agency oversight over senior professional (SP) performance ratings. The proposed amendments would largely align the SP performance management regulations with those for the Senior Executive Service. The new regulations would remove the prohibition of forced distribution of performance rating levels. Currently, agencies are prohibited from establishing quotas or limits on the number or proportion of the various rating levels assigned, meaning that each senior professional can potentially receive any rating based on their performance, irrespective of how other senior professionals perform within the agency. However, governmentwide SP ratings data have consistently shown that virtually all SP employees receive the highest rating levels (*i.e.,* levels 4 and 5) despite documented reports of failings. Removing the prohibition on forced distribution would allow agencies to establish and enforce limits on the highest SP rating levels, thereby increasing rigor in the SP appraisal process and leading to a more normalized distribution of SP ratings across the Federal Government.

BILLING CODE 3280–F

OPM	Proposed Rule Stage

136. RECRUITMENT AND SELECTION THROUGH COMPETITIVE EXAMINATION

Priority: Other Significant

Regulatory Accounting: Other

Legal Authority: Pub. L. 114–137; Pub. L. 118–188

CFR Citation: 5 CFR 330; 5 CFR 332; 5 CFR 337

Legal Deadline: None

Abstract: The Office of Personnel Management is proposing additional revisions to implement the Competitive Service Act of 2015, Public Law 114–137, to allow an appointing authority (*i.e.,* the head of a Federal agency or department) to share a competitive certificate of eligibles with one or more appointing authorities for the purpose of making selections of qualified candidates and the Chance to Compete

Act, Public Law 118–188, that clarifies the use of examinations and requires federal agencies to use technical assessments to fill most positions in the competitive service.

Statement of Need: The intended effect of this rule is to facilitate the hiring of top talent across Federal agencies.

Summary of Legal Basis: The Competitive Service Act of 2015, enacted as Public Law 114–137, on March 18, 2016, allows an appointing authority (*i.e.,* the head of a Federal agency or department) to share a competitive certificate issued under delegated examining procedures with one or more other appointing authorities.

Alternatives: None

Anticipated Cost and Benefits: This rule will facilitate the hiring of top talent across Federal agencies. Although the use of shared certificates is discretionary, OPM anticipates that agencies that take advantage of the new provisions will experience cost savings as a result of expedited time-to-hire and other efficiencies across Government.

Risks: Undetermined

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/18/17	82 FR 5335
Interim Final Rule Comment Period End.	03/20/17	
Supplemental NPRM.	07/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 3206–AO24

OPM	

137. PERSONNEL MANAGEMENT IN AGENCIES: STRATEGIC HUMAN CAPITAL MANAGEMENT

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Legal Authority: 5 U.S.C. 306; 5 U.S.C. 1103; 5 U.S.C. 1401; 5 U.S.C. 1402; 31 U.S.C. 901; 31 U.S.C. 1115; 31 U.S.C. 1116

Relevant Executive Orders: 14170; 14356

CFR Citation: 5 CFR 250

Legal Deadline: None

Abstract: The Office of Personnel Management (OPM) is issuing a proposed rule to redefine, clarify, and update the reporting requirements in Subpart B and C of 5 CFR 250. This rulemaking will address the Federal Workforce Priorities Report, HRStat Data-driven Reviews, Human Capital Operating Plan, Human Capital Reviews, and employee surveys. These amendments will better align human capital management practices to broader agency strategic human capital planning. Plans are non-final, deliberative documents that should not be disclosed under FOIA exception 5. They are crucial for robust workforce planning and are not final agency actions per the Administrative Procedure Act 5 U.S.C. 704.

Statement of Need: On January 20,2025, President Trump issued Executive Order 14170 titled, Reforming the Federal Hiring Process and Restoring Merit to Government Service. The Merit Hiring Plan explicitly calls for reduced time-to-hire, talent teams, pooled hiring and skills assessments. Implementing the OPM developed Merit Hiring Plan would allow opportunities for OPM to manage hiring efficiency, skills based assessing, and standardize recruitment practices across government.

Additionally, this proposed rule underscores the significance of aligning human capital management practices with broader agency strategic human capital planning. Ensuring that the Federal Workforce Priorities Report, HRStat Data-driven Reviews, Human Capital Operating Plan, Human Capital Reviews, and employee surveys are integrated into the strategic framework is essential for improving organizational performance and accountability. These elements are critical for a robust workforce planning strategy that enhances overall performance accountability and ensures the workforce is equipped to meet evolving demands.

Employee surveys play a vital role in this process by providing insights into employee engagement, satisfaction and areas that require improvement. The feedback gathered through these surveys informs the continuous improvement of human capital practices and helps in creating a more responsive and dynamic workforce. This comprehensive approach not only strengthens the effectiveness and efficiency of human capital management but also fosters a culture of accountability and continuous performance enhancement across federal agencies.

Summary of Legal Basis: OPM is issuing this proposed rule pursuant to 5 U.S.C. 1103(c) which states OPM sets strategic Human Capital standards.

Alternatives: An alternative to changing the regulation would be to update current HRStat and Human Capital Operating Plan guidance to incorporate implementation of new talent management standards and requirements.

Anticipated Cost and Benefits: Cost savings could come from filling vacancies faster, lower costs per hire, reduced advertising, and lower reliance on expensive contractors.

Risks: Undetermined

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 3206–AO77

OPM	

138. ATTORNEY FEES AND PERSONNEL ACTION COVERAGE UNDER THE BACK PAY ACT

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Other

Legal Authority: 5 U.S.C. 5596

Relevant Executive Orders: 14219

CFR Citation: 5 CFR 550, subpart H

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing regulations governing the coverage of, and attorney fee awards under, the Back Pay Act to reduce administrative burdens and better comport with Congressional intent.

Statement of Need: On February 25, 2025, President Trump issued Executive Order 14219 titled Ensuring Lawful Governance and Implementing the President's 'Department of Government Efficiency' Deregulatory Initiative (90 FR 10583). The Executive order directed agencies to review all regulations subject to their jurisdiction for consistency with law and Administration policy. In this review, OPM found that the back pay regulations did not align with the best interpretation of the relevant laws or restrictions. While the Civil Service Retirement Act of 1978 broadened the meaning of personnel action to include the omission or failure to take an action or confer a benefit, the focus of the Back Pay Act is on unjustified or unwarranted personnel actions, not every action. OPM used its regulatory authority to define unjustified or unwarranted personnel actions as including pay actions alone (without a corresponding personnel action). However, this is not consistent with legislative history. OPM proposes narrowing the definition consistent with the underlying statutory authority.

While the law allowed for the payment of attorney fees, it specified that the attorney fees were to be reasonable. It is appropriate for OPM to limit the payment of attorney fees to ensure that taxpayer dollars are spent wisely and effectively. OPM proposes reforms to ensure attorney fee awards do not exceed prevailing market rates for legal work of similar complexity. OPM also proposes clarifying who may request attorney fees.

Summary of Legal Basis: OPM is issuing this proposed rule pursuant to its authority to issue regulations governing back pay under 5 U.S.C. 5596(c).

Alternatives: An alternative to this proposed rule would be to leave the current rules for personnel actions and attorney fees in place. However, OPM believes sensible changes are needed.

Anticipated Cost and Benefits: This proposed rule would affect the operations of more than 90 Federal agencies ranging from cabinet-level departments to small independent agencies that have employees covered by the Back Pay Act. We estimate that this rule would require individuals employed by these agencies to spend time updating agency back pay policies and procedures to implement the changes. However, over the long term, we anticipate that the overall costs to federal agencies will decrease because of the reduction in the types of actions covered by the back pay regulations and a decrease in the amount of attorney fees agencies are required to pay.

Risks: While some may be concerned that these revisions could diminish employees' ability to seek compensation under the back pay law, it is important to note that supervisors and human resources staff will be held accountable for achieving all expectations for their positions under OPM's guidance on performance management for Federal employees. This would include correctly approving and processing personnel actinons that impact an employee's pay for supervisors and human resources staff with the authority to do so.

Timetable:

Action	Date	FR Cite
NPRM	10/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

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RIN: 3206–AO87

OPM	

139. FEDERAL EMPLOYEES BENEFITS: ENROLLMENT INTEGRITY

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Legal Authority: 5 U.S.C. 8913

CFR Citation: 5 CFR 870; 5 CFR 890

Legal Deadline: None

Abstract: OPM is proposing new standards to improve enrollment integrity and accuracy in Federal employee benefits programs, including the Federal Employees Health Benefits (FEHB) and Federal Employee Group Life Insurance Programs. This would include amendments to 5 CFR parts 870 and 890 to establish a new eligibility determination process for children who are age 26 and over and who are incapable of self-support (ISS). In addition, OPM will (1) allow employing offices to adjust enrollment type from Self and Family or Self plus one to Self Only if there is only one person covered by the enrollment and (2) prohibit ineligible family members from receiving a 31-day extension of coverage when their coverage is terminated due to a reduction in the enrollee's enrollment type.

Statement of Need: This rule improves program integrity and saves money for the Federal Government by (1) updating an outdated process for certifying FEHB eligibility for adult children who are incapable of self-support; and (2) allowing agencies to appropriately match the FEHB enrollment type to the individuals enrolled.

Anticipated Cost and Benefits: While OPM and other agencies would likely incur additional costs to effectuate this regulation, OPM estimates the new ISS determination process would produce cost savings for the FEHB Program. OPM has determined that reducing enrollment type would not result in cost savings to the Federal Government; it may save enrollees costs in enrollee contribution.

Timetable:

Action	Date	FR Cite
NPRM	11/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Federalism: Undetermined

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RIN: 3206–AO93

OPM	

140. DETERMINING RATE OF BASIC PAY FOR CERTAIN GENERAL SCHEDULE POSITIONS

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Other

Legal Authority: 5 U.S.C 5333

Relevant Executive Orders: 14317

CFR Citation: 5 CFR 531 Subpart B

Legal Deadline: None

Abstract: The Office of Personnel Management (OPM) is issuing proposed regulations to clarify the applicability of the superior qualifications and special needs pay-setting authority for certain categories of General Schedule employees in the excepted service.

Statement of Need: OPM believes it is necessary to clarify whether the superior qualifications and special needs pay-setting authority apply to certain categories of General Schedule positions in the excepted service, especially as new categories of excepted service positions are created. On July 23, 2025, President Trump issued Executive Order 14317 titled Creating Schedule G in the Excepted Service (90 FR 34753). OPM also issued guidance to agencies on April 10, 2025, on Schedule C terms of employment flexibilities.

OPM proposes revising the regulations to reference that agencies may use their authority under 5 CFR 6.3 to set pay for General Schedule employees in the excepted service instead of using the superior qualifications and special needs pay-setting authority.

Summary of Legal Basis: OPM is issuing this proposed rule pursuant to its authority to issue regulations under 5 U.S.C. 5333.

Alternatives: An alternative to this proposed rule would be to leave the current rules in place. However, OPM believes sensible changes are needed.

Anticipated Cost and Benefits: This proposed rule would affect the operations of more than 90 Federal agencies ranging from cabinet-level departments to small independent agencies that have General Schedule employees. We estimate that this rule would require individuals employed by these agencies to spend time updating agency pay policies and procedures to implement the changes. To comply with the regulatory changes in the proposed rule, affected agencies would need to review the rule and update their policies and procedures.

Risks: Employees who believe that their pay has been set incorrectly may file a claim with their agency. If the agency denies the claim, the employee may file a claim with OPM under 5 CFR part 178. Employees may also file a claim with the Equal Employment Opportunity Commission if they believe an agency has discriminated against them when setting pay.

Timetable:

Action	Date	FR Cite
NPRM	10/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal

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RIN: 3206–AO95

OPM	Final Rule Stage

141. REDUCTION IN FORCE

Priority: Other Significant

Regulatory Accounting: Other

Legal Authority: 5 U.S.C. 3502

CFR Citation: 5 CFR 351, subpart I

Legal Deadline: None

Abstract: The Office of Personnel Management is proposing to modify the regulations for reduction in force (RIF) to amend the retention factors to prioritize performance over length of service when determining which employees will be retained in a RIF and streamline the RIF process.

Statement of Need: The proposed changes are needed because current reduction in force rules are outdated and no longer address the needs of agencies in the twenty first century. The current rules have become cumbersome and inefficient. The proposed changes offer a more streamlined RIF structure that emphasizes performance over other factors in the downsizing process. These changes promote the general principle that employees should be retained on the basis of merit, which will assist Federal agencies in retaining their best performing employees when conducting RIF actions. The rulemaking would also allow agencies to undertake more strategic downsizing efforts with respect to competitive areas and would provide more flexibility in moving functions internally without also reassigning employees, and in furloughing employees.

Anticipated Cost and Benefits: OPM anticipates this rulemaking will result in a more streamlined and efficient reduction in force process. OPM expects this rulemaking will result in cost savings for an agency running a reduction in force under part 351. The modernized rules will be less cumbersome and more flexible than current rules in their application. Agencies will benefit by having an increased ability to retain their better-performing employees in a RIF, which will help agencies more effectively and efficiently meet their mission-critical responsibilities in the aftermath of a RIF and provide a higher level of service to the public than would otherwise be the case.

Timetable:

Action	Date	FR Cite
NPRM	03/05/26	91 FR 10904
Final Action	09/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 3206–AO86

OPM	

142. MANAGING SENIOR PROFESSIONAL PERFORMANCE

Priority: Other Significant

Regulatory Accounting: Other

Legal Authority: 5 U.S.C. 4305

Relevant Executive Orders: 14210; 14171; 14284

CFR Citation: 5 CFR 430, Subpart B

Legal Deadline: None

Abstract: The Office of Personnel Management proposed to create a new subpart in Part 430. Coverage of senior-level (SL) and scientific or professional (ST) employees (senior professionals) would be separated from regulations that cover General Schedule employees and align with recently finalized amendments made to Senior Executive Service performance appraisal regulations. The new subpart would remove the prohibition of a forced distribution of performance rating levels and would include other amendments to increase the quality and efficiency of senior professional performance appraisal. Currently, agencies are prohibited from establishing quotas or limits on the number or proportion of the various rating levels assigned, meaning that each senior professional can potentially receive any rating irrespective of how other senior professionals perform within the agency. However, governmentwide SL and ST ratings data have consistently shown that virtually all SL and ST employees receive the highest rating levels (*i.e.,* levels 4 and 5) despite documented reports of failings. Removing the prohibition on forced distribution would allow OPM to establish and enforce limits on the highest SL and ST rating levels, thereby increasing rigor in the SL and ST appraisal process and leading to a more normalized distribution of SL and ST ratings across the Federal Government.

Statement of Need: While many provisions applicable to senior professionals such as pay, aggregate limit on compensation, leave accrual, and leave carryover limit have evolved over the years to match what the SES receive, senior professionals have remained subject to the same general performance appraisal regulations that apply to most non-SES federal employees, including rank-and-file GS and prevailing rate employees. The lack of appraisal rules specifically tailored to senior professionals' important roles and high level of compensation hinders agencies' ability to fully leverage the strategic potential of these positions. OPM found that, despite its previous efforts to promote rigor in senior professional performance appraisal by encouraging agencies to develop more stringent performance requirements, senior professional ratings distributions come nowhere close to resembling a normal bell curve. The distribution of these ratings suggests there is inflation of senior professional ratings and poor performing employees are likely not being identified or held accountable through a rigorous appraisal process. As such, action must be taken to re-set and infuse rigor into the senior professional performance appraisal process.

Anticipated Cost and Benefits: OPM expects senior professionals to benefit from increased feedback and oversight under the proposed provisions, which require more frequent progress reviews and provide the opportunity for a higher-level review of any proposed ratings instead of a mandatory review of an Unacceptable (Level 1) rating of record; agency-level Professional Review Board oversight over recommended ratings of record, pay adjustments, and performance awards; and increased governmentwide consistency for senior professional performance appraisal.

Timetable:

Action	Date	FR Cite
NPRM	02/24/26	91 FR 8763
Final Action	08/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 3206–AO88

OPM	

143. SUITABILITY ACTION APPEALS

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 5 U.S.C. 1302; 5 U.S.C. 3301; 5 U.S.C. 7301

CFR Citation: 5 CFR 731

Legal Deadline: None

Abstract: The Office of Personnel Management (OPM) proposed amendments to the review processes for suitability actions. The purpose of the rule is to improve the efficiency, rigor and timeliness by which OPM and agencies address risk to the integrity and efficiency of the service.

Statement of Need: This rule is needed to improve the efficiency, rigor, and timeliness by which OPM and agencies vet individuals for risk to the integrity and efficiency of the service. The rule fosters greater process efficiency by eliminating appeals to the MSPB for suitability actions while bolstering the procedures by which an individual against whom a suitability action is being taken can appeal. These changes are expected to reduce time and costs while promoting an impartial and effective suitability process that produces sound decisions. This rule also brings the suitability appeals procedures into compliance with congressional intent, where suitability actions are excluded from standard Chapter 75 procedures, which include appeal rights to the MSPB.

Anticipated Cost and Benefits: OPM anticipates one-time implementation costs of approximately $1 million for finalizing this rule as proposed. The expected benefits of the proposed rule are to foster greater process efficiency by eliminating appeals to the MSPB for suitability actions while bolstering the procedures by which an individual against whom a suitability action is being taken can appeal that action and unfavorable suitability determination. These changes are expected to reduce time and costs while promoting an impartial and effective suitability process that produces sound decisions and removes unsuitable individuals from the Federal service.

Timetable:

Action	Date	FR Cite
Proposed Rule	02/06/26	91 FR 5352
Final Action	08/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 3206–AO97

OPM	

144. REDUCTION IN FORCE APPEALS

Priority: Other Significant

Regulatory Accounting: Other

Legal Authority: 5 U.S.C. 3502

CFR Citation: 5 CFR 351

Legal Deadline: None

Abstract: The Office of Personnel Management proposed to modify the regulations for reduction in force (RIF) to streamline the RIF appeals process.

Statement of Need: The rule seeks to modernize the current RIF appeals process. The current process has become cumbersome and less efficient than it needs to be. The changes are needed to streamline this process to improve both the efficiency and consistency of this process. OPM believes this change can be achieved by leveraging its accumulated knowledge and expertise through its unique role as developer, administrator, and end-user of RIF provisions. This perspective and insight are essential to streamlining the appeals process and the Government's ability to achieve consistent outcomes in the RIF appeals process.

Anticipated Cost and Benefits: OPM predicts considerable savings to the American taxpayer resulting from returning the venue to hear appeals of RIF actions from MSPB to OPM. In addition to the direct cost savings this proposed rule would generate, OPM expects that the faster adjudication of appeals will result in additional benefits. Receiving a timely decision on an appeal will provide the individual with a clear determination and provide much-needed certainty, quickly. Agencies will similarly benefit as the streamlined appeal procedures would reduce the costly and protracted legal process and would help limit backpay and attorney's fees should an individual be improperly terminated as part of a RIF. OPM also expects greater consistency with respect to the outcomes of employees' appeals due to OPM's unique position as the agency authorized by Congress to promulgate these rules, OPM's decades-long administration of RIF rules on a governmentwide basis, and OPM's own experiences as an employing agency that has applied RIF rules numerous times over the decades in its own downsizing actions.

Timetable:

Action	Date	FR Cite
NPRM	02/10/26	91 FR 5861
Final Action	09/00/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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RIN: 3206–AO99

OPM	

145. • ELIMINATION OF TIME IN GRADE

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 5 U.S.C. 552; 5 U.S.C. 3301; 5 U.S.C. 3302

Relevant Executive Orders: 14219

CFR Citation: 5 CFR 300, subpart F

Legal Deadline: None

Abstract: The Office of Personnel Management (OPM) proposes eliminating the time-in-grade (TIG) restriction on advancement to competitive service positions in the General Schedule. Currently, employees in competitive service General Schedule positions in grades 5 and above must serve 52 weeks in grade before becoming eligible for promotion to the next grade level. Abolishing the restriction would eliminate the 52-week service requirement. If the requirement is eliminated, an employee must continue to meet occupational qualification standard requirements, and any additional job-related qualification requirements, established for the position.

Statement of Need: The intended effect of this proposed rulemaking is to remove an unnecessary barrier which may hinder recruitment and retention of needed skill sets; provide agencies greater flexibility and efficiency in the management of their workforces, and avoid conflicts with a skills-based hiring approach.

Anticipated Cost and Benefits: OPM does not anticipate significant budgetary effects government-wide. Time in Grade is an administrative burden which unduly restricts agencies' ability to make selections based on job-related criteria. The TIG restriction may be a disincentive to recruiting or retaining employees with needed skills sets. OPM anticipates administrative cost reductions from eliminating TIG-related approvals and reviews which may lead to efficiency gains by enabling agencies to fill positions with qualified candidates more quickly than is currently the case.

Timetable:

Action	Date	FR Cite
NPRM	05/28/26	91 FR 31669
Final Rule	12/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 3206–AP05

OPM	

146. • PERFORMANCE MANAGEMENT SYSTEMS FOR GENERAL SCHEDULE, PREVAILING RATE, AND CERTAIN OTHER EMPLOYEES

Priority: Other Significant

Regulatory Accounting: Other

Legal Authority: 5 U.S.C. 4305

Relevant Executive Orders: 14210; 14171; 14284; 14148

CFR Citation: 5 CFR 430, Subpart B

Legal Deadline: None

Abstract: The Office of Personnel Management (OPM) proposed amendments to the current performance management regulations covering General Schedule (GS), Prevailing Rate, and certain other employees. The rule would increase efficiency and accountability in performance management by reducing available summary level patterns and incorporating additional evaluation of GS appraisal system(s) by OPM, among other changes.

Statement of Need: The current regulatory structure governing performance appraisals for non-SES employees has remained largely unchanged for decades and no longer reflects the operational realities or accountability standards necessary for today's Federal workforce. Persistent issues, including inflated performance ratings, limited differentiation between successful and unsuccessful performance, and uneven agency compliance with statutory performance appraisal requirements demonstrate the need for comprehensive reform.

Anticipated Cost and Benefits: OPM does not believe this rulemaking will substantially increase the ongoing administrative costs to agencies. OPM anticipates that this rulemaking would foster greater accountability, transparency, and uniformity in the administration of performance appraisal systems, thereby improving public confidence in Federal workforce management.

Timetable:

Action	Date	FR Cite
NPRM	02/24/26	91 FR 8780
Final Action	09/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 3206–AP06

BILLING CODE 3280–F5–P

PENSION BENEFIT GUARANTY CORPORATION (PBGC)

Statement of Regulatory and Deregulatory Priorities

The Pension Benefit Guaranty Corporation (PBGC or Corporation) is a federal corporation created under title IV of the Employee Retirement Income Security Act of 1974 (ERISA) to protect the retirement security of about 31 million American workers, retirees, and beneficiaries in both single-employer and multiemployer private-sector pension plans. PBGC administers two insurance programs—one for single-employer defined benefit pension plans and a second for multiemployer defined benefit pension plans. In addition, PBGC administers a special financial assistance (SFA) program for eligible financially troubled multiemployer plans.

- *Single-Employer Program.* Under the single-employer program, when a plan terminates with insufficient assets to cover all plan benefits (distress and involuntary terminations), PBGC pays plan benefits that are guaranteed under title IV. PBGC also pays nonguaranteed plan benefits to the extent funded by plan assets or recoveries from employers. In fiscal year (FY) 2024, PBGC paid over $5.8 billion in benefits to more than 912,000 participants. Operations under the single-employer program are financed by insurance premiums, investment income, assets from pension plans trusteed by PBGC, and recoveries from the companies formerly responsible for the trusteed plans.
- *Multiemployer Program.* The multiemployer program covers collectively bargained plans involving two or more unrelated employers. PBGC provides traditional financial assistance (technically in the form of a loan) to a plan if the plan is insolvent and thus unable to pay benefits at the guaranteed level. The guarantee is structured differently from, and is generally significantly lower than, the single-employer guarantee. In FY 2024, PBGC provided $163 million in traditional financial assistance to 98 insolvent multiemployer plans covering 62,881 participants receiving guaranteed benefits. Those plans also cover an

additional 26,245 participants entitled to receive benefits in the future. Operations under the multiemployer program generally are financed by insurance premiums and investment income.

• *Special Financial Assistance Program.* The American Rescue Plan (ARP) Act of 2021 added section 4262 of ERISA, which requires PBGC to provide SFA to certain financially troubled multiemployer plans upon application for assistance. PBGC's SFA Program requires plans to demonstrate eligibility for SFA and to calculate the amount of assistance pursuant to ARP and PBGC's regulations. This program is funded by general tax revenues.

For the fourth year in a row, both PBGC's multiemployer program and single-employer program have a positive net position at fiscal year-end. The financial status of the single-employer program improved from a positive net financial position of $44.6 billion at the end of FY 2023 to $54.2 billion at the end of FY 2024. The net financial position of the multiemployer program improved from a positive net position of $1.5 billion at the end of FY 2023 to $2.1 billion at the end of FY 2024.

To carry out its statutory functions, PBGC issues regulations on such matters as how to pay premiums, when reports are due, what benefits are covered by the insurance programs, how to terminate a plan, the liability for underfunding, and how withdrawal liability works for multiemployer plans. PBGC follows a regulatory approach that, consistent with its statutory mission, seeks to encourage the continuation and maintenance of securely-funded defined benefit plans for the benefit of their participants. In developing new regulations and reviewing existing regulations, PBGC seeks to reduce burdens on plans, employers, and participants, and to ease and simplify employer compliance wherever possible.

Regulatory/Deregulatory Objectives and Priorities

PBGC's regulatory/deregulatory objectives and priorities are developed in the context of the Corporation's statutory purposes, priorities, and strategic goals.

Pension plans and the statutory framework in which they are maintained and terminated are complex. Despite this complexity, PBGC is committed to issuing simple, understandable, flexible, and timely regulations to help affected parties. PBGC's regulatory/deregulatory objectives and priorities are:

• To enhance the retirement security of workers and retirees;
• To implement regulatory actions that ease compliance burdens and achieve maximum net benefits while protecting retirement security; and
• To simplify existing regulations and reduce burden.

PBGC endeavors in all its regulatory and deregulatory actions to promote clarity and reduce burden on the public. As determined under E.O. 14192, *Unleashing Prosperity Through Deregulation,* PBGC's regulatory agenda has zero regulatory actions and three anticipated deregulatory actions (RIN 1212–AB47, RIN 1212–AB54, RIN 1212–AB61).

Small Businesses

PBGC considers very seriously the impact of its regulations and policies on small entities. PBGC attempts to minimize administrative burdens on plans and participants, improve transparency, simplify filing, and assist plans to comply with applicable requirements. PBGC particularly strives to meet the needs of small businesses that sponsor defined benefit plans. In all such efforts, PBGC's mission is to protect the retirement incomes of plan participants.

Open Government and Public Engagement

PBGC encourages public participation in the regulatory process. For example, PBGC's ''**Federal Register** Notices Open for Comment'' web page highlights when there are opportunities to comment on proposed rules, information collections, and other **Federal Register** notices. PBGC encourages comments on an ongoing basis as it continues to look for ways to further improve the agency's regulations. Efforts to reduce regulatory burden in the projects discussed below are in substantial part a response to public comments and engagement.

Multiemployer Plans

PBGC published a proposed rule on October 14, 2022, that would prescribe actuarial assumptions which may be used by a multiemployer plan actuary in determining an employer's withdrawal liability (RIN 1212–AB54). Section 4213(a) of ERISA permits PBGC to prescribe by regulation such assumptions.

Benefit levels in a multiemployer plan are typically set by trustees representing contributing employers and unions. Withdrawal liability generally represents an employer's share of the plan's unfunded vested benefits (UVBs) that the plan may have at the end of the plan year immediately preceding the plan year in which the employer withdraws. Withdrawal liability is the portion of the UVBs allocable to the withdrawing employer and represents a plan's primary opportunity to require a withdrawing employer to pay its allocated share of the unfunded liabilities.

When a plan does not collect an adequate amount of withdrawal liability from a withdrawing employer or collects an amount that is less than a withdrawing employer's allocated share of the plan's UVBs, that burden is shifted to the remaining contributing employers in the plan leading to a higher likelihood that the plan will become insolvent and will not be able to pay full accrued benefits. Ultimately, there is an increased likelihood that the plan would not have resources to pay promised benefits. In that case, a plan may have to cut benefits to the PBGC guarantee level and apply to PBGC for financial assistance, which shifts costs to plan participants through benefit reductions and to others in the multiemployer insurance system who fund PBGC via annual premiums.

The rulemaking is needed to clarify that a plan actuary's use of 4044 rates represents a valid approach to selecting an interest rate assumption to determine withdrawal liability. The rulemaking would typically reduce or eliminate the cost-shifting effects due to impediments to the actuary's use of 4044 rates. PBGC plans to publish a final rule that responds to the public comments received on the proposed rule.

Rethinking Existing Regulations

Most of PBGC's regulatory/deregulatory actions are the result of its ongoing retrospective review to identify and correct unintended effects, inconsistencies, inaccuracies, and requirements made irrelevant over time. For example, PBGC is proposing miscellaneous updates, clarifications, and improvements (RIN 1212–AB64) to its regulations, including its regulations on filing rules and reportable events, that are in part a response to comments received from stakeholders. PBGC is also proposing to make technical corrections, clarifications, and improvements to the restrictions and conditions under PBGC's regulation on Special Financial Assistance by PBGC (''Technical Amendments: Special Financial Assistance,'' RIN 1212–AB61), which includes repealing a provision enabling plans that received SFA to request reallocation of employer contributions to pay for health benefit costs.

PBGC's regulatory review also identified a need to improve rules to make them more transparent and to promote open government. For example, PBGC is proposing improvements to recoupment of benefit overpayment rules (''Improvements to Rules on Recoupment of Benefit Overpayments,'' RIN 1212–AB47). PBGC is also proposing to enhance program oversight by providing increased transparency of PBGC's policies for assessing and waiving monetary penalties for failure to timely provide certain required notices or other material information (''Penalties for Failure to Provide Certain Notices or Other Material Information,'' RIN 1212–AB50).

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U.S. SMALL BUSINESS ADMINISTRATION

Statement of Regulatory Priorities

Overview

The mission of the U.S. Small Business Administration (SBA) is to maintain and strengthen the Nation's economy by enabling the establishment and viability of small businesses and by assisting in the physical and economic recovery of communities after disasters. In carrying out this mission, SBA strives to drive economic growth and opportunity for all small businesses. SBA has several financial, procurement, and technical assistance programs that provide a crucial foundation for those starting or growing a small business. For example, the Agency serves as a guarantor of loans made to small businesses by lenders that participate in SBA's programs and licenses Small Business Investment Companies that make equity and debt investments in qualifying small businesses using a combination of privately raised capital and SBA guaranteed leverage. SBA also funds various training and mentoring programs to help small businesses gain access to Federal government contracting opportunities. The Agency also provides management and technical assistance to existing or potential small business owners through various grants, cooperative agreements or contracts. Finally, as a vital part of its purpose, SBA also provides direct financial assistance to homeowners, renters, and businesses to repair or replace their property in the aftermath of a disaster.

Unleashing Prosperity Through Deregulation

SBA's regulatory policy reflects a commitment to developing regulations that reduce or eliminate the burden on the public, in particular the Agency's core constituents—small businesses. SBA's regulatory process generally includes an assessment of the costs and benefits of the regulations as required by Executive Order 12866, ''Regulatory Planning and Review;'' Executive Order 13563, ''Improving Regulation and Regulatory Review;'' and the Regulatory Flexibility Act. SBA's program offices are particularly invested in finding ways to reduce the burden imposed by the Agency's core activities in its loan, grant, innovation, and procurement programs.

On January 31, 2025, President Trump issued E.O. 14192, ''Unleashing Prosperity Through Deregulation,'' 90 FR 9065, which establishes principles to promote prudent financial management and alleviate unnecessary regulatory burdens. E.O. 14192 was followed by E.O. 14219, ''Ensuring Lawful Governance and Implementing the President's ''Department of Government Efficiency'' Deregulatory Initiative,'' 90 FR 10583, and Presidential Memorandum ''Directing the Repeal of Unlawful Regulations'', which identified processes and criteria for agencies to follow in overseeing their deregulatory initiatives. This Agenda was prepared in accordance with both E.O. 14192, E.O. 14219, and the aforementioned Presidential Memorandum. SBA will continue to work internally, as well as with the Office of Management and Budget, to fully integrate the executive orders and implementing OMB principles into the SBA rulemaking processes. As part of that effort, SBA undertook a comprehensive inventory and review of SBA regulations to determine which regulations should be repealed, replaced, or modified because they are obsolete, unnecessary, ineffective, costly, or burdensome. In addition, SBA's Office of Advocacy is hosting a series of small business roundtables in order to hear firsthand from small businesses facing any federal regulatory burden. Additionally, Advocacy has established a red tape hotline that gives small business owners a direct way to report federal regulations that hurt their ability to grow, compete, or innovate. For more information on these roundtables and the red tape hotline, please visit *https://www.sba.gov/advocacy/*.

Based on the requirements of E.O. 14192, E.O. 14219 and OMB guidance, SBA currently anticipates that the majority of actions for Fiscal Year 2026 will be deregulatory actions and none are regulatory as defined in E.O. 14192. SBA estimates that this will result in a significant reduction of sections within SBA's regulations. All other rulemakings are either exempt from E.O. 14192 or will have no additional regulatory effect once finalized. SBA continues to work on assessing the incremental cost savings of these Agenda items, which do not include non-rulemakings, such as guidance documents, or information collections.

Eliminating Fraud, Waste, and Abuse

SBA has an obligation and legal responsibility to uphold the law and protect taxpayer dollars by ensuring that SBA resources and benefits go only to legitimate, eligible small businesses. To these ends, SBA is initiating regulatory actions to tighten loopholes and eliminate waste, fraud, and abuse in its contracting programs. SBA will additionally focus on mitigating risk and eliminating such waste, fraud, and abuse across other SBA programs.

Adherence to Presidential Actions

SBA is committed to ensuring the President Trump's agenda is implemented fully and faithfully. The President has initiated a number of Executive Orders and Presidential Actions that require broad changes to industries, programs, and the economy as a whole. As such, SBA is ensuring that its regulatory and deregulatory actions adhere to and align with the provisions within Executive Orders, Presidential memoranda, and other Presidential actions. SBA has already begun issuing policy guidance and notices to ensure adherence to these actions. SBA's regulatory plan also, where applicable, references planned rulemakings, including interim and direct final rules, that will ensure that SBA's regulations are aligned with the President's Agenda. This includes deregulatory actions around designated industries (manufacturing, food processing, critical minerals, AI, and others), ending radical DEI programs and preferencing, and additional areas of importance for the President.

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SSA 2026 Regulatory Plan

SOCIAL SECURITY ADMINISTRATION (SSA)

Statement of Regulatory Priorities

We administer the Retirement, Survivors, and Disability Insurance programs under title II of the Social Security Act (Act), the Supplemental Security Income (SSI) program under title XVI of the Act, and the Special Veterans Benefits program under title VIII of the Act. As directed by Congress, we also assist in administering portions of the Medicare program under title XVIII of the Act. Our regulations codify the requirements for eligibility and entitlement to benefits and our procedures for administering these programs. Generally, our regulations do not impose burdens on State or local governments, except for the States' Disability Determination Services. However, our regulations can occasionally impose burdens on select parts of the private sector when evaluating a claimant's initial or continued eligibility. We fully fund the Disability Determination Services in advance or via reimbursement for necessary costs in making disability determinations.

Our regulations reflect policy initiatives consistent with Administrative priorities for regulatory reform, as well as specific actions to support these initiatives. For example, we are pursuing rules that support items below.

(1) Regulatory reform and deregulation.

(2) Fiscal responsibility and program integrity.

(3) The directives of Executive Orders 14219 [21] and 14192.[22] For example, we will continue to follow the ''10-for-1'' directive of E.O. 14192 to ensure that we appropriately offset any items categorized as ''regulatory.''

Also, we aim to promote transparency and public notice by providing meaningful information about our regulations to the public.

Specifically, through regulations on our Regulatory Plan and Unified Agenda, we intend to:

- Update Select Elements of our Disability Adjudication Process.
  - We are updating the criteria in the Listing of Impairments (listings) that we use to evaluate claims involving cardiovascular disorders in adults and children. The revisions reflect our adjudicative experience, advances in medical knowledge since the last revision in 2006, and comments we received from the public in response to a notice of proposed rulemaking (NPRM). The revisions achieve program simplification, improve customer service to the public, and reduce waste. (RIN: 0960–AI43).
- Increase and Enhance Electronic Services to Better Serve the Public.
  - We propose to reduce processing time for cases and streamline the hearing scheduling process. We would reduce hearing wait times and provide efficient service and flexibility for scheduling to all claimants. We would also seek to standardize the process of requesting and scheduling a hearing by minimizing the number of forms required. (RIN 0960–AJ01).
- Deregulate in Accordance with E.O.s 14219 and 14192.
  - We propose to rescind changes to our definition of a Public Assistance Household, thus adopting our former longstanding definition of a public assistance household, according to which every household member has to receive a public income maintenance payment for the household to constitute a public assistance household. This would promote program integrity and would meet the directives of E.O. 14219 (RIN: 0960–AI94).

We will pursue deregulatory direct-to-final rules that will: (1) remove obsolete regulations addressing drug addiction and alcoholism (RIN: 0960–AJ05); and (2) remove outdated regulations about making referrals to vocational rehabilitation (RIN: 0960–AJ08).

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[21] *Ensuring Lawful Governance and Implementing the President's ''Department of Government Efficiency'' Deregulatory Initiative* (Feb. 19, 2025).

[22] *Unleashing Prosperity Through Deregulation* (Jan.31, 2025).

SSA	Proposed Rule Stage

147. STANDARDIZING REQUESTING AND SCHEDULING HEARINGS BEFORE AN ADMINISTRATIVE LAW JUDGE

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 42 U.S.C 1383(c)(2)

Relevant Executive Orders: 14192

CFR Citation: 20 CFR 404.938 and 416.1438; 20 CFR 404.935 and 416.1435; 20 CFR 404.933 and 416.1433; 20 CFR 404.936 and 416.1436; 20 CFR 416.1453; 20 CFR 416.1411

Legal Deadline: None

Abstract: Current regulations allow a claimant to request a hearing before an administrative law judge (ALJ) by filing a written request (20 CFR 404.933(a) and 416.1433(a)). Claimants overwhelmingly use form HA–501 to request a hearing, but can also submit a letter or other written document (HALLEX I–2–0–40). We propose to revise our regulations to make form HA–501 (Request for Hearing by Administrative Law Judge) mandatory to request a hearing before an ALJ. We also propose to consolidate form HA–501 with form HA–55, Notice of Ways to Attend a Hearing, and form HA–56, Agreement to Appearing by Online Video form (HA–56). This proposal will reduce processing time for each case, improve customer service, and streamline our process for scheduling hearings.

Statement of Need: These changes would streamline our hearings process, increase flexibility, and improve customer service.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Susan Swansiger, Director, Division of Field Procedures, Social Security Administration, Disability Adjudication, 250 E Street SW, Washington, DC 20024

Phone: 703 605–8500

Email: *susan.j.swansiger@ssa.gov*

RIN: 0960–AJ01

SSA	Final Rule Stage

148. REVISED MEDICAL CRITERIA FOR EVALUATING CARDIOVASCULAR DISORDERS

Priority: Other Significant

Regulatory Accounting: Regulatory

Legal Authority: 42 U.S.C. 405(a)–(b),and (d)–(h) ; 42 U.S.C. 902(a)(5) ; 42 U.S.C. 402; 42 U.S.C. 416(i), 421(a) and (h)–(j), 422(c), 423, 425; 42 U.S.C. 1320

CFR Citation: 20 CFR 404, subpart P, app. 1

Legal Deadline: None

Abstract: We are revising the criteria in the Listing of Impairments (listings) that we use to evaluate claims involving cardiovascular disorders in adults and children under Titles II and XVI of the Social Security Act. The listings describe those disorders that we consider severe enough to prevent an adult from engaging in any gainful activity, or that cause marked and severe functional limitations for a child claiming Supplemental Security Income payments under Title XVI. The revisions reflect our adjudicative experience, advances in medical knowledge since the last revision in 2006, and comments we received from the public in response to a notice of proposed rulemaking (NPRM). The revisions achieve program simplification, improve customer service to the public, and reduce waste.

Statement of Need: This rule will simplify our program, improve service to the public, and reduce waste.

Anticipated Cost and Benefits: To be determined.

Timetable:

Action	Date	FR Cite
NPRM	06/29/22	87 FR 38838
NPRM Comment Period End.	09/30/22	

Action	Date	FR Cite
Final Action	07/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michael J. Goldstein, Director, Social Security Administration, Office of Disability Policy, 6401 Security Boulevard, Baltimore, MD 21235–6401

Phone: 410 965–1020

Email: *michael.j.goldstein@ssa.gov*

RIN: 0960–AI43

SSA	

149. • TICKET TO WORK: RESCISSION OF OBSOLETE REGULATORY PROVISIONS

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: Not Yet Determined

Relevant Executive Orders: 14219

CFR Citation: 20 CFR 404.468; 20 CFR 404.2104 ; 20 CFR 416.1701 ; 20 CFR 416.1710 ; 20 CFR 416.2204 ; . . .

Legal Deadline: None

Abstract: This rule eliminates outdated regulations that refer to Vocational Rehabilitation (VR), as SSA's ability to make referrals to VR was repealed with the implementation of the Ticket to Work Program. These rules are now obsolete due to legislative changes following the Ticket to Work and Work Incentives Act of 1999 which amended the Social Security Act (Act).

Statement of Need: This rule would follow the directives of Executive Order 14219, *Ensuring Lawful Governance and Implementing the President's Department of Government Efficiency* This rule eliminates outdated regulations that refer to VR, as SSA's ability to make referrals to VR was repealed with the implementation of the Ticket to Work Program.

Anticipated Cost and Benefits: We expect this rule to benefit the public by removing unnecessary information from our regulations.

Timetable:

Action	Date	FR Cite
Final Action	07/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jeffery Hemmeter, Social Security Administration, Office of Disability Policy, 6401 Security Boulevard, Baltimore, MD 21235

Phone: 410 597–1815

Email: *jeffery.hemmeter@ssa.gov*

RIN: 0960–AJ08

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FEDERAL ACQUISITION REGULATION (FAR)

The Administrator for Federal Procurement Policy, the Secretary of Defense, the Administrator of General Services, and the Administrator of National Aeronautics and Space are members of the Federal Acquisition Regulatory Council (FAR Council) and jointly issue and maintain a single Government-wide procurement regulation known as the Federal Acquisition Regulation (FAR). The FAR is the primary set of rules that governs how federal agencies purchase goods and services. It ensures consistency, fairness, and transparency across government contracts, helping agencies obtain the best value while complying with Federal laws and policies. The FAR Council, which is chaired by the Administrator for Federal Procurement Policy, assists in the direction and coordination of Government-wide procurement policies to be implemented in the FAR.

Rulemaking Priorities

Pursuant to Executive Order 12866, ''Regulatory Planning and Review'' (September 30, 1993), as reaffirmed and amended in Executive Order 13563, ''Improving Regulation and Regulatory Review'' (January 18, 2011), the Regulatory Plan and Unified Agenda provide public notice about the FAR Council's proposed regulatory and deregulatory actions within the Executive Branch. The FAR Council agenda complies with Executive Order 14192, Unleashing Prosperity Through Deregulation.

The 2026 Unified Agenda consists of 21 active agenda items, including 12 deregulatory actions.

Regulatory Reform

Executive Order (E.O.) 14275, Restoring Common Sense to Federal Procurement, directs the elimination of excessive acquisition regulations to stop the inefficient use of American taxpayer dollars. The Executive order directs the first comprehensive end-to-end overhaul of the FAR in its 40-year history. The Executive order establishes that the FAR should ''contain only provisions that are required by statute or that are otherwise necessary to support simplicity and usability, strengthen the efficacy of the procurement system, or protect economic or national security interests.''

In response to Executive Order 14275, the Office of Management and Budget issued memorandum M–25–26, Overhauling the Federal Acquisition Regulation. The Memo directed the FAR Council to complete a ''revolutionary overhaul'' of the FAR. The overhaul is meant to return the FAR ''to its statutory roots'' and remove text that is not ''required by statute or essential to sound procurement.''

The Revolutionary FAR Overhaul (RFO) is not a routine incremental update to the FAR. The rewrite of the FAR represents a paradigm shift in federal acquisition. It emphasizes streamlining, clarity, and accessibility, while ensuring that the regulation focuses only on statutory mandates and foundational procurement principles. The RFO is designed to increase competition, reduce costs, and improve acquisition speed and agility.

Prior to formalizing the deregulatory RFO initiative through rulemaking, the FAR Council kickstarted the streamlining efforts by issuing a model ''plain language class deviation text'' for agencies to adopt. These model deviations retained limited non-statutory coverage when necessary to advance core stewardship principles and practices. Feedback was sought from both industry and the acquisition workforce on the model deviation text. Specifically, the FAR Council sought feedback on the clarity, usability, and effectiveness of the model deviation text, including what worked, what was confusing, and where additional support may be needed. That feedback is being considered in the drafting of the rules that pertain to the RFO initiative.

Streamline Regulation

The RFO will generally reorganize the FAR parts into phases of acquisition and simplify the text into plain language, where possible. The plain language efforts include changes to active voice, edits to improve readability, and reorganization to present information more logically. Based on the results of the RFO model text, the FAR Council anticipates adopting through rulemaking many of the changes which include the reduction of ''shall/must'' requirements aimed at alleviating burden that was not essential to sound procurement, and removal of hundreds of pages of unnecessary regulation.

The RFO rulemaking will optimize the use of existing contracts in accordance with Executive Order 14240, Eliminating Waste and Saving Taxpayer Dollars by Consolidating Procurement, and OMB Memo M–25–31, Consolidating Federal Procurement Activities. Using existing governmentwide contracts first to meet agencies' needs before undertaking the time and expense of creating a new contract on the open market will reduce inefficiencies, eliminate duplicative contracts, and streamline federal acquisitions.

The RFO rulemaking will emphasize the procurement of commercially available products and services to fulfill the Government's needs which aligns with Executive Order 14271, Ensuring Commercial, Cost-Effective Solutions in Federal Contracts, while also reducing requirements and complexity to better align with commercial practices. Moreover, the FAR Council will use its authority from section 839(a) of the John S. McCain National Defense Authorization Act for fiscal year 2019 to review the applicability of certain clauses and provisions to contracts and subcontracts for commercial products, including commercially available off-the-shelf (COTS) items, and commercial services and eliminate or exempt such requirements from commercial acquisitions, unless there are specific reasons to retain particular requirements. The FAR Council is approaching section 839 as an important action-forcing opportunity to re-evaluate the regulatory underpinnings for commercial acquisitions with a goal of making inapplicable requirements within its discretion that do not directly further the efficiency and effectiveness of acquisition processes.

Promote Open Government

The RFO opens the door for increased participation by innovative small businesses, manufacturers, new entrants, and others who have not traditionally worked with federal agencies. By removing policies that are not essential to sound procurement or explicitly required by law or Executive order, this initiative reduces the burden on industry. This simplification translates to lower administrative costs, freeing up resources for companies to focus on innovation and delivering high-quality goods and services. The reduced complexity encourages participation from those who may have previously been deterred by the cumbersome nature of federal contracting, fostering a more competitive and dynamic marketplace. This ultimately allows federal agencies to access a broader range of solutions and achieve better value for taxpayer dollars.

Exchanges between the government and offerors in Federal acquisition are crucial for improving the understanding of government requirements and industry capabilities, identifying weaknesses or deficiencies in proposals, and ultimately allowing both parties to achieve the Government's ''best value'' goal by strengthening proposals and obtaining better deals through clarification or negotiation. These communications ensure proposals are strengthened, ambiguities are resolved, and the government secures the highest quality supplies or services at the best possible price. The RFO rulemaking will redefine meaningful exchanges between the government and offerors, providing needed clarity to both terminology and processes for negotiated procurements.

Support Small Business

As part of the RFO, the FAR Council will sharply reduce burdens on, and create numerous new opportunities for, small business. Most small business opportunities are in the acquisition of commercial products and services. As part of the RFO process, the FAR is emphasizing a preference for commercial products and services, which is expected to create more opportunities for small businesses.

The FAR Council anticipates a 30% reduction in burden on small businesses as a result of the FAR Part 12 revision. The streamlined and simplified procedures will enable contracting officers to make decisions faster, reducing carrying costs for small businesses. Additionally, the overhauled FAR will emphasize that acquisition planning should be a living, on-going process. It will highlight early engagement, a step which is critical to ensuring that small businesses are provided opportunities to compete. Numerous requirements necessary for doing business with the Government will be reduced by as much as 50%. For example, unifying the documentation and notification requirements for consolidation, bundling, and substantial bundling will provide greater transparency for small businesses while reducing agency burdens. Finally, the FAR Council maintains small business set-aside rules for contracts and encourages set-asides on orders under multiple award contracts.

Supporting Other Administration Initiatives

In addition to supporting the Administration's deregulatory priorities, to include reducing the public compliance burden of onerous Federal regulations, the RFO process will incorporate changes to the regulation to implement other Administration initiatives. The proposed rules will—

- Remove the burdensome requirements of Executive Order 14057, Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability in accordance with Executive Order 14148, Initial Rescissions of Harmful Executive Orders and Actions.
- Enforce our longstanding civil-rights laws by implementing Executive Order 14173, Ending Illegal Discrimination and Restoring Merit-Based Opportunity, which removes the regulations related to the implementation of Executive Order 11246, Equal Employment Opportunity.
- Remove terms in the FAR that are inconsistent with Executive Order 14168, Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government.
- Enhance the workforce mobility of America's cybersecurity practitioners to improve America's national cybersecurity through the implementation of Executive Order 13870, America's Cybersecurity Workforce.
- Strengthen national resilience through the implementation of Executive Order 13905, Strengthening National Resilience Through Responsible Use of Positioning, Navigation, and Timing Services.

Rules To Support National Security

To enhance and secure federal supply chains, protect and modernize critical infrastructure, support domestic technology and manufacturing and protect against foreign adversary threats, the FAR Council is prioritizing rules that support national security.

FAR Case 2023–008, ''Prohibition on Certain Semiconductor Product and Services,'' will implement paragraphs (a), (b), and (h) in section 5949 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 that prohibits executive agencies from procuring or obtaining certain products and services that include covered semiconductor products or services effective December 23, 2027.

FAR Case 2021–017, ''Cyber Threat and Incident Reporting and Information Sharing,'' will increase the sharing of information about cyber threats and incident information and require certain contractors to report cyber incidents to the Federal Government to facilitate effective cyber incident response and remediation pursuant to sections 2(b), (c), (g)(i) and 8(b) of Executive Order 14028, ''Improving the Nation's Cybersecurity.''

FAR Case 2021–019, ''Standardizing Cybersecurity Requirements for Unclassified Information Systems,'' will standardize cybersecurity contractual requirements across Federal agencies for unclassified information systems pursuant to sections 2(i) and 8(b) of Executive Order 14028, Improving the Nation's Cybersecurity.

FAR Case 2023–002, ''Supply Chain Software Security,'' will require suppliers of software available for purchase by Federal agencies to comply with, and attest to complying with, applicable secure software development practices pursuant to section 4(n) and 4(k) of Executive Order 14028, Improving the Nation's Cybersecurity, and Office of Management and Budget Memorandum 22–18 and 23–16.

Dated: William F. Clark, Director, Office of Government-wide Acquisition Policy, Office of Acquisition Policy, Office of Government-wide Policy.

BILLING CODE 6820–EP–P

CONSUMER FINANCIAL PROTECTION BUREAU

STATEMENT OF REGULATORY PRIORITIES

Bureau Purposes and Functions

The Consumer Financial Protection Bureau (Bureau) was established in 2010 as an independent bureau of the Federal Reserve System by the Dodd-Frank Wall Street Reform and Consumer Protection Act (Pub. L. 111–203, 124 Stat. 1376) (Dodd-Frank Act). Pursuant to the Dodd-Frank Act, the Bureau has rulemaking, supervisory, enforcement, and other authorities relating to consumer financial products and services. Among these are the consumer financial protection authorities that transferred to the Bureau from seven Federal agencies on the designated transfer date, July 21, 2011. These authorities include the ability to issue regulations under more than a dozen Federal consumer financial laws.

As provided in section 1021 of the Dodd-Frank Act, the purpose of the Bureau is to implement and enforce Federal consumer financial laws consistently for the purpose of ensuring that all consumers have access to markets for consumer financial products and services and that such markets are fair, transparent, and competitive. The Bureau is authorized to exercise its authorities for the purpose of ensuring that, with respect to consumer financial products and services:

(1) Consumers are provided with timely and understandable information to make responsible decisions about financial transactions;

(2) Consumers are protected from unfair, deceptive, or abusive acts and practices and from discrimination;

(3) Outdated, unnecessary, or unduly burdensome regulations are regularly identified and addressed in order to reduce unwarranted regulatory burdens;

(4) Federal consumer financial law is enforced consistently, without regard to status of a person as a depository institution, in order to promote fair competition; and

(5) Markets for consumer financial products and services operate transparently and efficiently to facilitate access and innovation.

Bureau Regulatory Priorities

The Bureau is under interim leadership pending the confirmation of a permanent director, and is carefully considering various sources in setting its future priorities. In the meantime, the Bureau has focused on rulemaking projects that streamline existing regulations and reduce unjustified burdens as well as rulemakings that would be of particular interest to small businesses.

The Bureau's current regulatory priorities further these goals. For example, the Bureau is currently reconsidering its small business lending rule (Small Business Lending Data Collection Under the Equal Credit Opportunity Act—3170–AB39). This rulemaking will reconsider certain aspects of a final rule published in May 2023 that implemented section 1071 of the Dodd-Frank Act. In addition, the Bureau will reconsider certain aspects of the Personal Financial Data Rights rule (3170–AB39), which was published in November 2024 pursuant to section 1033 of the Dodd-Frank Act. The Bureau also plans to pursue a rulemaking under the Equal Credit Opportunity Act and the Bureau's Regulation B (3170–A54), which would facilitate compliance with ECOA by clarifying the obligations imposed by the statute.

In addition to these priority rulemaking actions, the Bureau has a robust agenda of other rulemakings that can be seen on its Unified Agenda of Regulatory and Deregulatory Actions available on *reginfo.gov.* As an example, the Bureau is considering reducing the burden associated with Bureau supervision by amending four rules that define nonbank larger participants in the automobile financing market (3170–AB50), consumer debt collection market (3170–AB51), consumer reporting market (3170–AB52), and international money transfer market (3170–AB53). The Bureau also maintains a long-term agenda listing areas of potential rulemaking interest, as discussed below.

Bureau Deregulatory Priorities

Since January 20, 2025, the Bureau has taken a number of deregulatory actions. On May 15, 2025, following a Bureau review of all guidance material previously produced, the Bureau published a withdrawal of 67 guidance, interpretive rules, policy statements, and advisory opinions. See 90 FR 20084. The Bureau has also withdrawn additional proposed or final guidance documents and rules, including the proposed interpretive rule titled, ''Electronic Fund Transfers Through Accounts Established Primarily for Personal, Family, or Household Purposes Using Emerging Payment Mechanisms'' (90 FR 20568) and the proposed rules ''Prohibited Terms and Conditions in Agreements for Consumer Financial Products or Services (Regulation AA)'' (90 FR 20569) and ''Protecting Americans From Harmful Data Broker Practices (Regulation V)'' (90 FR 20568). In addition to these deregulatory projects, the Bureau has also reviewed its regulations for consistency with law and Administration policy, as directed under Executive Order 14219, and considered the deregulatory ideas provided by the public in response to a deregulatory request for information published by OMB earlier this year. Certain results of those and other similar efforts have been incorporated into the Bureau's Agenda and will continue to be considered for potential inclusion in the Bureau's forthcoming Agenda.

Bureau Long-Term Planning Efforts

The Bureau also maintains a long-term agenda to reflect its expectations beyond the current agenda cycle. While the Bureau anticipates further defining its rulemaking agenda following the confirmation of a permanent director, the Bureau intends to explore potential new rulemakings to address concerns related to identity theft and coerced debt, prepaid accounts, and loan originator compensation.

BILLING CODE: 4810–AM–P

CFPB	Proposed Rule Stage

150. PERSONAL FINANCIAL DATA RIGHTS RECONSIDERATION

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Other

Legal Authority: 12 U.S.C. 5533

Relevant Executive Orders: 14267

CFR Citation: 12 CFR 1033

Legal Deadline: None

Abstract: In November 2024, the Consumer Financial Protection Bureau (Bureau) published a final rule pursuant to section 1033 of the Consumer Financial Protection Act. The final rule became effective on January 17, 2025.

The Bureau plans to take the rulemaking steps necessary and appropriate to reconsider the November 2024 final rule. Further information on the procedural history of this rule is available under related RIN 3170–AA78, which pertains to the final rule the Bureau issued in November 2024.

Statement of Need: In November 2024, pursuant to 12 U.S.C. 5533, the CFPB published a final rule that became effective on January 17, 2025. The CFPB plans to issue a proposed rule to reconsider the November 2024 final rule.

Summary of Legal Basis: 12 U.S.C. 5533.

Alternatives: To be determined.

Anticipated Cost and Benefits: To be determined.

Risks: To be determined.

Timetable:

Action	Date	FR Cite
ANPRM	08/22/25	90 FR 40986
ANPRM Comment Period End.	10/21/25	
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Joseph Baressi, Office of Regulations, Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552

Phone: 202 435–7700

RIN: 3170–AB39

CFPB	Final Rule Stage

151. SMALL BUSINESS LENDING DATA COLLECTION UNDER THE EQUAL CREDIT OPPORTUNITY ACT RECONSIDERATION

Priority: Economically Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Legal Authority: 15 U.S.C. 1691c–2

Relevant Executive Orders: 14267; 14168

CFR Citation: 12 CFR 1002

Legal Deadline: None

Abstract: In May 2023, the Bureau published a final rule implementing section 1071 of the Dodd-Frank Wall Street Reform and Consumer Protection Act. The final rule, as modified by subsequent extensions of compliance dates, became effective on August 29, 2023. The Bureau issued a proposed rule to reconsider certain aspects of the May 2023 final rule. The comment period for that proposed rule closed on December 15, 2025. Further information on the procedural history of this rule is available under related RIN 3170–AA09, which pertains to the final rule the Bureau issued in May 2023.

Statement of Need: The amendments as proposed would streamline the rule, reduce complexity for lenders, and improve data quality, advancing the purposes of section 1071 and complying with recent executive directives.

Summary of Legal Basis: 15 U.S.C. 1691c–2.

Alternatives: There are no appropriate alternatives as amendments to the current regulatory text are necessary.

Anticipated Cost and Benefits: The Bureau estimates one-time costs savings from these amendments as proposed across all impacted financial institutions as well as total annual ongoing cost savings. Small businesses would primarily benefit from these amendments in the form of pass-through cost savings from financial institutions. Under the existing rule, financial institutions could benefit from transparency resulting from the collection of data; under these amendments as proposed, the reduction in the amount of data collected could result in the loss of these benefits to financial institutions. Some covered financial institutions also would incur one-time adjustment costs, for such entities that may have started implementing the existing rule. Further, to the extent that small businesses may derive fair lending and community development benefits from the data provided by the existing rule, the amendments as proposed would impose some unquantifiable cost on small businesses.

Risks: To be determined.

Timetable:

Action	Date	FR Cite
Compliance Date IFR.	06/18/25	90 FR 25874
Compliance Date IFR Finalization.	10/02/25	90 FR 47514
Reconsideration NPRM.	11/13/25	90 FR 50952
Comment Period Close Date.	12/15/25	
Final Rule	07/00/26	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Agency Contact: Lawrence Lee, Office of Regulations, Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552

Phone: 202 435–7700

RIN: 3170–AB40

CFPB	

152. EQUAL CREDIT OPPORTUNITY ACT (REGULATION B)

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Other

Legal Authority: 15 U.S.C. 1691b(a); 12 U.S.C. 5512(b)

Relevant Executive Orders: 14173; 14281

CFR Citation: 12 CFR 1002

Legal Deadline: None

Abstract: The Equal Credit Opportunity Act (ECOA) directs the Consumer Financial Protection Bureau (Bureau) to prescribe regulations to carry out the ECOA's purposes. See 15 U.S.C. 1691b(a). The Bureau issued a proposed rule that would facilitate compliance with ECOA by clarifying the obligations imposed by the statute. The comment period for that proposed rule closed on December 15, 2025.

Statement of Need: The amendments are necessary and proper to further the purposes of Equal Credit Opportunity Act, including facilitating compliance by clarifying the obligations imposed by the statute as to disparate impact, discouragement, and special purpose credit programs.

Summary of Legal Basis: ECOA, 15 U.S.C. 1691b(a), and the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act).

Alternatives: There are no appropriate alternatives as amendments to the current regulatory text are necessary.

Anticipated Cost and Benefits: Given the uncertainty at this point as to the impact of the modifications to Regulation B, the Bureau does not have the information to precisely quantify or monetize the costs, or to quantify or monetize the benefits associated with the final rule. The Bureau believes that the amendments to the provisions related to disparate impact and discouragement are largely deregulatory in nature and therefore are expected to reduce burden for the covered persons.

Risks: To be determined.

Timetable:

Action	Date	FR Cite
NPRM	11/13/25	90 FR 50901
Comment Period End.	12/15/25	
Final Rule	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Ducie Le, Office of Regulations, Consumer Financial

Protection Bureau, 1700 G St NW, Washington, DC 20552
Phone: 202 435–7700
RIN: 3170–AB54
BILLING CODE 4810–AM–P

CONSUMER PRODUCT SAFETY COMMISSION (CPSC)

Statement of Regulatory Priorities

The U.S. Consumer Product Safety Commission (CPSC) is charged with protecting the public from unreasonable risks of death and injury associated with consumer products. To achieve this goal, CPSC, among other things:

- develop mandatory product safety standards or bans to address safety hazards, including where required by statute.
- obtains repairs, replacements, or refunds for defective products that present a substantial product hazard.
- develops information and education campaigns about the safety of consumer products.
- participates in the development or revision of voluntary product safety standards; and
- follows other statutory mandates.

Unless otherwise directed by Congressional mandate, when deciding which of these approaches to take in any specific case, CPSC gathers and analyzes data about the nature and extent of the risk presented by the product. The Commission's rules at 16 CFR 1009.8 provide for consideration of the following criteria, among other factors, when deciding the level of priority for any particular project:

- the frequency and severity of injuries;
- the causality of injuries;
- chronic illness and future injuries;
- costs and benefits of Commission action;
- the unforeseen nature of the risk;
- the vulnerability of the population at risk;
- the probability of exposure to the hazard; and
- additional criteria that warrant Commission attention.

Existing Regulations Under Review

Currently, the Commission is considering modifying or withdrawing six existing regulations—Coal and Wood Burning Appliances—Notification of Performance and Technical Data (RIN 3041–AE14); CB Base Station Antennas, TV Antennas, and Supporting Structures (RIN 3041–AE15); Omnidirectional Citizens Band Base Station Antennas (RIN 3041–AE16); Banned Toys and Other Banned Articles Intended for Children (Baby-bouncers Only) (RIN 3041–AE17); Operating Cords on Custom Window Coverings (RIN 3041–AE18); and Flammability of Clothing Textiles System of Records (RIN 3041–AE25).

CPSC	Proposed Rule Stage

1. SAFETY STANDARD FOR LITHIUM-ION BATTERIES USED IN MICROMOBILITY PRODUCTS [3041–AE10]

Priority: Economically Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Regulatory

Unfunded Mandates: Undetermined

Legal Authority: 15 U.S.C. 2056; 15 U.S.C. 2058

CFR Citation: 16 CFR 1265

Legal Deadline: None

Abstract: The Commission's FY 2024 Operating Plan directed CPSC staff to develop a proposed mandatory standard for rechargeable lithium-ion batteries used in micromobility products. On January 8, 2025, staff submitted for Commission consideration a draft notice of proposed rulemaking (NPR) and briefed the Commission on the draft NPR on January 15, 2025. On March 26, 2025, staff submitted a replacement draft NPR to the Commission with corrections. The Commission voted to submit a draft NPR to OIRA on August 21, 2025.

Statement of Need: A product safety rule in this product category is necessary to address the unreasonable risk of death and injury associated with lithium-ion batteries used in micromobility products due to hazards such as thermal runaway of lithium cells, which can lead to fires, explosions, gas releases, burns, overheating, and smoke inhalation. Although many provisions in the applicable voluntary standards are adequate to address the risks of injury, additional requirements are necessary to more fully address the unreasonable risks of injury associated with the covered products. Additionally, micromobility products do not substantially comply with the existing voluntary standards, therefore, a mandatory rule is reasonably necessary to address associated risks.

Summary of Legal Basis: This action is authorized by the CPSA. 15 U.S.C. 2051–2084. Section 7(a) of the CPSA authorizes the Commission to promulgate a mandatory consumer product safety standard that sets forth performance or labeling requirements for a consumer product if such requirements are reasonably necessary to prevent or reduce an unreasonable risk of injury. 15 U.S.C. 2056(a). Section 9 of the CPSA specifies the procedure that the Commission must follow to issue a consumer product safety standard under section 7 of the CPSA.

Alternatives: The Commission could: (1) limit the scope of the rule to eScooters and OMPs; (2) conduct marketing campaigns instead of promulging a final rule; (3) conduct recalls instead of promulgating a final rule; (4) rely only on voluntary standards development; (5) propose a later effective date; and (6) take no action.

Anticipated Cost and Benefits: The CPSC's proposed rule on micromobility products aims to improve safety by addressing battery fire incidents, with annual benefits estimated at $100.10 million and upper-bound benefits at $579.66 million, both discounted at 2%. The estimated costs are $154.96 million annually, also discounted at 2%.

Risks: Between 2019 through 2023, 227 unique incidents were contained in CPSC databases involving fires, explosions, gas releases, burns, overheating, and smoke inhalation that potentially could have been prevented by this proposed rule; 90 incidents are associated with 39 fatalities and 181 injuries, and 39 out of the 227 incidents involved multiple deaths and injuries.

Timetable:

Action	Date	FR Cite
Staff Submits Draft NPRM to Commission.	01/08/25	
Staff Submits Corrected Draft NPR to Commission.	03/26/25	
Staff develops briefing package.	12/00/25	
NPRM	3/00/26	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Jay Kadiwala, Project Manager, Directorate for Engineering Sciences, Consumer Product Safety Commission, National Product Testing and Evaluation Center, 5 Research Place, Rockville, MD 20850

Phone: 301 987–2517

Email: *jkadiwala@cpsc.gov*

RIN: 3041–AE10

CPSC	Final Rule Stage

2. SAFETY STANDARD FOR PORTABLE GENERATORS [3041–AC36]

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Regulatory

Legal Authority: 15 U.S.C. 2056; 15 U.S.C. 2058

Relevant Executive Orders: 14267

CFR Citation: 16 CFR 1281

Legal Deadline: None

Abstract: In 2006, the Commission issued an advance notice of proposed rulemaking (ANPR) under the Consumer Product Safety Act (CPSA) concerning portable generators. 71 FR 74472 (December 12, 2006). The ANPR discussed regulatory options that could reduce deaths and injuries related to portable generators, particularly those involving carbon monoxide (CO) poisoning. In fiscal year 2006, staff awarded a contract to develop a prototype generator engine with reduced CO in the exhaust. Also in fiscal year 2006, staff entered into an interagency agreement (IAG) with the National Institute of Standards and Technology (NIST) to conduct tests with a generator, in both off-the-shelf and prototype configurations, operating in the garage attached to NIST's test house. In fiscal year 2009, staff entered into a second IAG with NIST with the goal of developing CO emission performance requirements for a possible proposed regulation that would be based on health effects criteria. After additional staff and contractor work, the Commission issued a notice of proposed rulemaking (NPR) in 2016, proposing a performance standard that would limit the CO emission rates from operating portable generators. In 2018, two voluntary standards, UL 2201 and PGMA G300, adopted different CO-mitigation requirements intended to address the CO poisoning hazard associated with portable generators. Staff developed a simulation and analysis plan to evaluate the effectiveness of those voluntary standards' requirements. In 2019, the Commission sought public comments on staff's plan. In August 2020, staff submitted to the Commission a draft notice of availability (NOA) of the modified plan, based on staff's review and consideration of the comments, for evaluating the voluntary standards; the Commission published the NOA in August 2020. In February 2022, staff delivered a briefing package to the Commission with the results of the effectiveness analysis and information on the availability of compliant generators in the marketplace. Staff concluded that the CO hazard-mitigation requirements of one standard are more effective than the other, but conformance to either standard is low. Staff provided a supplemental NPR (SNPR) on portable generators to the Commission on March 8, 2023. The Commission published the SNPR on April 20, 2023. Staff has redacted data relied on in the SNPR for release to support a NOA. Staff is assessing whether the Commission should adopt the UL and PGMA standards and data will be included in the NOA.

Statement of Need: From 2004 through 2021, there was an annual average of 74 consumer CO poisoning deaths and an estimated 4,314 medically attended consumer CO poisoning injuries caused by generators over this 18-year period. The Commission expects that the proposed rule would be highly effective in avoiding generator-related CO incidents, producing benefits that far exceed the estimated costs. For every $1 in estimated direct cost to consumers and manufacturers, the proposed rule generates more than $7 in benefits from mitigated deaths and injuries.

Summary of Legal Basis: This SNPR is authorized by the CPSA. 15 U.S.C. 2051–2084. Section 7(a) of the CPSA authorizes the Commission to promulgate a mandatory consumer product safety standard that sets forth performance or labeling requirements for a consumer product if such requirements are reasonably necessary to prevent or reduce an unreasonable risk of injury. 15 U.S.C. 2056(a). Section 9 of the CPSA specifies the procedure that the Commission must follow to issue a consumer product safety standard under section 7 of the CPSA.

Alternatives: The Commission could: (1) implement the proposed rule with the exception of the CO emission requirements and CO concentrations for shutoff included in voluntary standard UL 2201; (2) rely on voluntary standard stakeholders to adopt the requirements included in the proposed rule into either existing voluntary standard, UL 2201 or PGMA G300; (3) require portable generators to comply with either UL 2201 (2nd Edition; 2019) or PGMA G300–2023; (4) rely on continued education and information campaigns; or (5) take no action.

Anticipated Cost and Benefits: The proposed rule is estimated to be highly effective and avert 2,148 deaths (nearly 72 deaths per year) and 126,377 injuries (roughly 4,213 injuries per year) over 30 years. Overall, the proposed rule has net benefits (benefits over and above costs) of $897.06 million on an annualized basis at a 3 percent discount rate, and for every $1 in direct cost to consumers and manufacturers, the draft proposed rule generates $7.02 in benefits from mitigated deaths and injuries.

Risks: As of April 17, 2023, CPSC databases contained reports of at least 789 generator-related consumer CO-poisoning deaths resulting from 616 incidents that occurred from 2012 through 2022.

Timetable:

Action	Date	FR Cite
Staff Sent ANPR to Commission.	07/06/06	
Staff Sent Supplemental Material to Commission.	10/12/06	
Commission Decision.	10/26/06	
Staff Sent Draft ANPR to Commission.	11/21/06	
ANPR	12/12/06	71 FR 74472
ANPR Comment Period End.	02/12/07	
Staff Releases Research Report for Comment.	10/10/12	
NPR	11/21/16	81 FR 83556
NPR Comment Period Extended.	12/13/16	81 FR 89888
Public Hearing for Oral Comments.	02/01/17	82 FR 8907
NPR Comment Period End.	04/24/17	
Staff Sends Notice of Availability to the Commission.	06/26/19	
Commission Decision.	07/02/19	
Notice of Availability.	07/09/19	84 FR 32729
Staff Sends Notice of Availability to Commission.	08/12/20	
Commission Decision.	08/19/20	
Notice of Availability.	08/24/20	85 FR 52096
Staff Report on Effectiveness Evaluation of Voluntary Standards.	02/16/22	
Staff Sends SNPR Briefing Package to Commission.	03/08/23	
Commission Decision.	04/05/23	
SNPR	04/20/23	88 FR 24346
SNPR Comment Period Ends.	06/20/23	
Staff Sends NOA for Data to Commission.	05/00/26	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Federalism: Undetermined

International Impacts: This regulatory action will be likely to have international trade and investment effects or otherwise be of international interest.

Agency Contact: Han S. Lim, Project Manager, Consumer Product Safety Commission, Directorate for Engineering Sciences, 5 Research Place, Rockville, MD 20850

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RIN: 3041–AC36

CPSC	Proposed Rule Stage

153. SAFETY STANDARD FOR LITHIUM-ION BATTERIES USED IN MICROMOBILITY PRODUCTS

Priority: Economically Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Other

Unfunded Mandates: Undetermined

Legal Authority: 15 U.S.C. 2056; 15 U.S.C. 2058

CFR Citation: 16 CFR 1265

Legal Deadline: None

Abstract: The Commission's FY 2024 Operating Plan directed CPSC staff to develop a proposed mandatory standard for rechargeable lithium-ion batteries used in micromobility products. On January 8, 2025, staff submitted for Commission consideration a draft notice of proposed rulemaking (NPR) and briefed the Commission on the draft NPR on January 15, 2025. On March 26, 2025, staff submitted a replacement draft NPR to the Commission with corrections. The Commission voted to submit a draft NPR to OIRA on August 21, 2025.

Statement of Need: A product safety rule in this product category is necessary to address the unreasonable risk of death and injury associated with lithium-ion batteries used in micromobility products due to hazards such as thermal runaway of lithium cells, which can lead to fires, explosions, gas releases, burns, overheating, and smoke inhalation. Although many provisions in the applicable voluntary standards are adequate to address the risks of injury, additional requirements are necessary to more fully address the unreasonable risks of injury associated with the covered products. Additionally, micromobility products do not substantially comply with the existing voluntary standards, therefore, a mandatory rule is reasonably necessary to address associated risks.

Summary of Legal Basis: This action is authorized by the CPSA. 15 U.S.C. 2051–2084. Section 7(a) of the CPSA authorizes the Commission to promulgate a mandatory consumer product safety standard that sets forth performance or labeling requirements for a consumer product if such requirements are reasonably necessary to prevent or reduce an unreasonable risk of injury. 15 U.S.C. 2056(a). Section 9 of the CPSA specifies the procedure that the Commission must follow to issue a consumer product safety standard under section 7 of the CPSA.

Alternatives: The Commission could: (1) limit the scope of the rule to eScooters and OMPs; (2) conduct marketing campaigns instead of promulgating a final rule; (3) conduct recalls instead of promulgating a final rule; (4) rely only on voluntary standards development; (5) propose a later effective date; and (6) take no action.

Anticipated Cost and Benefits: The CPSC's proposed rule on micromobility products aims to improve safety by addressing battery fire incidents, with annual benefits estimated at $100.10 million and upper-bound benefits at $579.66 million, both discounted at 2%. The estimated costs are $154.96 million annually, also discounted at 2%.

Risks: Between 2019 through 2023, 227 unique incidents were contained in CPSC databases involving fires, explosions, gas releases, burns, overheating, and smoke inhalation that potentially could have been prevented by this proposed rule; 90 incidents are associated with 39 fatalities and 181 injuries, and 39 out of the 227 incidents involved multiple deaths and injuries.

Timetable:

Action	Date	FR Cite
Staff Submits Draft NPRM to Commission.	01/08/25	
Staff Submits Corrected Draft NPR to Commission.	03/26/25	
Staff develops briefing package.	07/00/26	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Jay Kadiwala, Project Manager, Directorate for Engineering Sciences, Consumer Product Safety Commission, National Product Testing and Evaluation Center, 5 Research Place, Rockville, MD 20850

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RIN: 3041–AE10

CPSC	Final Rule Stage

154. SAFETY STANDARD FOR PORTABLE GENERATORS

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Other

Legal Authority: 15 U.S.C. 2056; 15 U.S.C. 2058

CFR Citation: 16 CFR 1281

Legal Deadline: None

Abstract: In 2006, the Commission issued an advance notice of proposed rulemaking (ANPR) under the Consumer Product Safety Act (CPSA) concerning portable generators. 71 FR 74472 (December 12, 2006). The ANPR discussed regulatory options that could reduce deaths and injuries related to portable generators, particularly those involving carbon monoxide (CO) poisoning. In fiscal year 2006, staff awarded a contract to develop a prototype generator engine with reduced CO in the exhaust. Also in fiscal year 2006, staff entered into an interagency agreement (IAG) with the National Institute of Standards and Technology (NIST) to conduct tests with a generator, in both off-the-shelf and prototype configurations, operating in the garage attached to NIST's test house. In fiscal year 2009, staff entered into a second IAG with NIST with the goal of developing CO emission performance requirements for a possible proposed regulation that would be based on health effects criteria. After additional staff and contractor work, the Commission issued a notice of proposed rulemaking (NPR) in 2016, proposing a performance standard that would limit the CO emission rates from operating portable generators. In 2018, two voluntary standards, UL 2201 and PGMA G300, adopted different CO-mitigation requirements intended to address the CO poisoning hazard associated with portable generators. Staff developed a simulation and analysis plan to evaluate the effectiveness of those voluntary standards' requirements. In 2019, the Commission sought public comments on staff's plan. In August 2020, staff submitted to the Commission a draft notice of availability (NOA) of the modified plan, based on staff's review and consideration of the comments, for evaluating the voluntary standards; the Commission published the NOA in

August 2020. In February 2022, staff delivered a briefing package to the Commission with the results of the effectiveness analysis and information on the availability of compliant generators in the marketplace. Staff concluded that the CO hazard-mitigation requirements of one standard are more effective than the other, but conformance to either standard is low. Staff provided a supplemental NPR (SNPR) on portable generators to the Commission on March 8, 2023. The Commission published the SNPR on April 20, 2023. Staff has redacted data relied on in the SNPR for release to support an NOA. Staff has assessed the newly revised PGMA standard and these data will be included in the NOA.

Statement of Need: From 2004 through 2021, there were an annual average of 74 consumer CO poisoning deaths and an estimated 4,314 medically-attended consumer CO poisoning injuries caused by generators over this 18-year period. The Commission expects that the proposed rule would be highly effective in avoiding generator-related CO incidents, producing benefits that far exceed the estimated costs. For every $1 in estimated direct cost to consumers and manufacturers, the proposed rule generates more than $7 in benefits from mitigated deaths and injuries.

Summary of Legal Basis: This SNPR is authorized by the CPSA. 15 U.S.C. 2051–2084. Section 7(a) of the CPSA authorizes the Commission to promulgate a mandatory consumer product safety standard that sets forth performance or labeling requirements for a consumer product if such requirements are reasonably necessary to prevent or reduce an unreasonable risk of injury. 15 U.S.C. 2056(a). Section 9 of the CPSA specifies the procedure that the Commission must follow to issue a consumer product safety standard under section 7 of the CPSA.

Alternatives: The Commission could: (1) implement the draft proposed rule with the exception of the CO emission requirements and CO concentrations for shutoff included in voluntary standard UL 2201; (2) rely on voluntary standard stakeholders to adopt the requirements included in the proposed rule into either existing voluntary standard, UL 2201 or PGMA G300; (3) require portable generators to comply with either UL 2201 (2nd Edition; 2019) or PGMA G300–2023; (4) rely on continued education and information campaigns; or (5) take no action.

Anticipated Cost and Benefits: The proposed rule is estimated to be highly effective and avert 2,148 deaths (nearly 72 deaths per year) and 126,377 injuries (roughly 4,213 injuries per year) over 30 years. Overall, the proposed rule has net benefits (benefits over and above costs) of $897.06 million on an annualized basis at a 3 percent discount rate, and for every $1 in direct cost to consumers and manufacturers, the draft proposed rule generates $7.02 in benefits from mitigated deaths and injuries.

Risks: As of April 17, 2023, CPSC databases contained reports of at least 789 generator-related consumer CO-poisoning deaths resulting from 616 incidents that occurred from 2012 through 2022.

Timetable:

Action	Date	FR Cite
Staff Sent ANPR to Commission.	07/06/06	
Staff Sent Supplemental Material to Commission.	10/12/06	
Commission Decision.	10/26/06	
Staff Sent Draft ANPR to Commission.	11/21/06	
ANPR	12/12/06	71 FR 74472
ANPR Comment Period End.	02/12/07	
Staff Releases Research Report for Comment.	10/10/12	
NPR	11/21/16	81 FR 83556
NPR Comment Period Extended.	12/13/16	81 FR 89888
Public Hearing for Oral Comments.	02/01/17	82 FR 8907
NPR Comment Period End.	04/24/17	
Staff Sends Notice of Availability to the Commission.	06/26/19	
Commission Decision.	07/02/19	
Notice of Availability.	07/09/19	84 FR 32729
Staff Sends Notice of Availability to Commission.	08/12/20	
Commission Decision.	08/19/20	
Notice of Availability.	08/24/20	85 FR 52096
Staff Report on Effectiveness Evaluation of Voluntary Standards.	02/16/22	
Staff Sends SNPR Briefing Package to Commission.	03/08/23	
Commission Decision.	04/05/23	
SNPR	04/20/23	88 FR 24346
SNPR Comment Period Ends.	06/20/23	
Staff Sends NOA for Data to Commission.	07/00/26	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Federalism: Undetermined

International Impacts: This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.

Agency Contact: Han S. Lim, Project Manager, Consumer Product Safety Commission, Directorate for Engineering Sciences, 5 Research Place, Rockville, MD 20850

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BILLING CODE 6355–01–P

Federal Communications Commission

FCC's Statement of Regulatory Priorities and Regulatory Plan for Fiscal Year 2026

Introduction

The Federal Communications Commission (FCC or Commission) is the United States' primary authority for implementing and enforcing America's communications law and regulations. The Commission is charged with regulating interstate and international communications by radio, television, wire, satellite, and cable in all 50 states, the District of Columbia, and the United States territories. The Commission also regulates telecommunications and advanced communication services and video programming for people with disabilities, as set forth in various sections of the Communications Act of 1934, as amended, 47 U.S.C. 151 *et seq.* (Act), and other laws. The FCC's rules and regulations are in Title 47 of the Code of Federal Regulations (CFR).

As specified in section 1 of the Act, the FCC's mission is to ''make available, so far as possible, to all the people of the United States, without discrimination on the basis of race, color, religion, national origin, or sex, rapid, efficient, Nation-wide, and world-wide wire and radio communication service with adequate facilities at reasonable charges.'' Further, section 1 of the Act provides that the Commission was created ''for the purpose of the national defense'' and ''for the purpose of promoting safety of life and property through the use of wire and radio communications.''

The FCC is directed by Commissioners who are appointed by the President of the United States and confirmed by the United States Senate. The President selects one of the Commissioners to serve as the Chairman. Commissioners serve five-year terms, except when filling an unexpired term. Only three Commissioners can be from the same political party at any given time.

The Commission is led by the Chairman and organized into bureaus and offices, based on function. The FCC's responsibilities include, but are not limited to:

• Developing and implementing regulatory programs.
• Processing applications for licenses and other filings.
• Encouraging the development of innovative services.
• Conducting investigations and analyzing complaints.
• Public safety and homeland security; and
• Consumer information and education.

Regulatory Priorities

In Fiscal Year 2026, the Commission will continue to advance on its Build America Agenda and the following priorities to deliver results for the American people.

Accelerate High-Speed Internet Builds

The FCC will promote a pro-growth agenda to unleash the United States' economy and give all citizens a fair shot at next-generation connectivity. Fundamental to that effort is maintaining and extending the United States' leadership in wireless communications. The FCC's guiding principles will be bringing affordable, reliable, and high-speed internet to all citizens by focusing on speed, simplification, and spectrum. Americans will be able to cross the digital divide, create jobs, and grow the Unted States' economy with implementation of the right spectrum policies. In FY 2026 and beyond the Commission will advance policies that will:

• Expand commercial access to mid-band spectrum.
• Reduce barriers to broadband deployment.
• Ensure access to spectrum resources necessary to fuel space, mobile broadband, and unlicensed wireless device sector growth; and
• Alleviate regulatory requirements to facilitate technology transitions and innovation.

The FCC plans on utilizing the full complement of its capabilities to free up unused and underutilized spectrum to create jobs, increase competition, drive down prices for consumers, and connect our communities. The FCC will advance policies to enable greater and more intensive use of spectrum on Earth and in space to promote investment and advancement in next-generation communications technologies. These actions will serve as a catalyst for innovation and growth.

The FCC will deliver real results for the public by expanding connectivity while ushering in prosperity through deregulation and alleviating unnecessary regulatory burdens. The FCC will also continue to work on cutting the red tape to help ensure that providers roll out upgraded, high-speed networks to more Americans on a faster timeline. This will keep the United States the global leader in an increasingly competitive, international marketplace, since red tape drives up costs and holds back internet builds.

Promote National Security and Public Safety

The FCC plays a vital national security role by protecting United States communications networks from equipment and services that pose national security risks, and by ensuring the resiliency of our critical communications networks. The United States continues to face persistent threats from foreign adversaries that explore ways to breach our networks, devices, and technology ecosystem. As part of the safeguarding and strengthening of the United States' communications networks, the FCC looks to mitigate the human, technological, and natural threats and hazards jeopardizing the safety and prosperity of our citizens and American companies. In Fiscal Year 2026, the Commission will use its full range of regulatory, investigatory, and enforcement authorities and capabilities to maintain awareness of and respond to threats and hazards, align our technological and national security priorities, and do what is needed to promote the security and stability of our Nation.

The FCC will leverage its Council on National Security to reduce the American technology and telecommunications sectors' trade and supply chain dependencies on foreign adversaries, mitigate America's vulnerabilities to untrusted technologies, and ensure the United States wins the strategic competition with China over critical emerging technologies. The FCC will also engage with Canada and Mexico to develop and manage cross-border spectrum and frequency use agreements to promote efficient use of spectrum by United States public safety agencies in border areas.

Further, American's leadership in wireless deployment and standard setting is critical to our geopolitical leadership and national security; the Commission plays a leading role ensuring the United States will maintain this leadership and that next-generation wireless services develop in ways that will benefit our innovators and interests.

The Commission also has a responsibility to promote the public's access to 911, public safety, ensuring the American people have the means to communicate during major events and disasters, and that first responders and emergency managers have access to reliable communications to facilitate emergency response. To that end, the Commission will continue to advance policies that promote the public's and first responders' access to reliable 911 and Next Generation 911 services as well as emergency alerting capabilities that are more responsive to public safety and consumer needs.

Protect Consumers and Promote Free Speech

Advancements in communications services and technologies have created new challenges for American consumers. The FCC will continue to prioritize consumer protection across all technologies and sectors and empower consumer choice in a rapidly changing communications landscape. The FCC will ensure that consumers have access to information of choice and advanced telecommunications and technologies. The FCC will also continue to ensure the availability of quality, functionally equivalent communications services to people with disabilities.

In Fiscal Year 2026, the FCC will use rulemaking and enforcement authorities to protect consumers from illegal calls, phone-based scams, and other marketplace trends that harm consumers. The FCC will also work to pursue policies that promote and protect free speech and access to information, including efforts to foster media competition and ensuring access to local news sources. This effort is also consistent with Executive Order 14149, *Restoring Freedom of Speech and Ending Federal Censorship* (Jan. 20, 2025).

Enhance Efficiency and Accountability, and Reduce Waste

The FCC will continue enhancing efficiency and accountability and reducing waste. The Commission will continue its comprehensive initiative to eliminate rules and regulations that are unlawful, outdated, or no longer necessary in Fiscal Year 2026. This initiative will help reduce regulatory overreach and eliminate unnecessary regulations, as well as reduce fraud, waste, and abuse across FCC programs and operations. One concrete way the Commission is actively achieving this goal is by using its *In Re: Delete, Delete, Delete* proceeding (GN Docket No. 25–133) to work with the public to determine which rules, regulations, and guidance documents should be eliminated to alleviate unnecessary regulatory burdens. This initiative is consistent with the Trump Administration's priorities, including the following directives:

- Executive Order 14192, *Unleashing Prosperity Through Deregulation* (Jan. 31, 2025).
- Executive Order 14219, *Ensuring Lawful Governance and Implementing the President's ''Department of Government Efficiency'' Deregulatory Initiative* (Feb. 19, 2025).
- Executive Order 14267, *Reducing Anti-Competitive Regulatory Barriers* (Apr. 9, 2025); and
- Presidential Memorandum, *Directing the Repeal of Unlawful Regulations* (Apr. 9, 2025).

BILLING CODE 6712–01–P

Federal Deposit Insurance Corporation

Statement of Regulatory Priorities

The Federal Deposit Insurance Corporation (FDIC) was created by the Congress to maintain stability and public confidence in the nation's financial system by:

- Insuring deposits;
- Examining and supervising financial institutions for safety and soundness and consumer protection; and
- Resolving failed financial institutions and managing receiverships.

The FDIC is committed to continually improving the quality of its regulations and policies, to minimizing regulatory burdens on the public and the banking industry, and generally to ensuring that its regulations and policies achieve legislative goals effectively and efficiently.

Regulatory/Deregulatory Objectives and Priorities

The FDIC's regulatory/deregulatory objectives and priorities are to:

- Reform supervision so it is less process-driven and more focused on core financial risks, including defining key terms, and reforming examination policies;
- Improve the bank merger approval process and replace the 2024 Statement of Policy to ensure that merger transactions that satisfy the Bank Merger Act are approved in a timely way;
- Pursue adjustments to our capital and liquidity rules to appropriately balance driving economic growth with ensuring safety and soundness and resilience to shocks;
- Work to ensure law-abiding customers have, and do not lose, access to bank accounts and banking services; and
- Modernize implementation of the Bank Secrecy Act.

The following are the key rulemaking actions the FDIC is planning for the coming year.

I. Deregulatory

Proposed Rule Stage

Prohibition on Use of Reputation Risk by Regulators (RIN 3064–AG12)

In October 2025, the FDIC and the Office of the Comptroller of the Currency (OCC) issued a proposed rule to codify the removal of reputation risk from their supervisory programs. The proposed rule would impose no requirements on banks. It would prohibit the agencies from criticizing, formally or informally, or taking adverse action against an institution or any employee of an institution on the basis of reputation risk. The proposed rule would also prohibit the agencies from requiring, instructing, or encouraging an institution to close customer accounts or take other actions on the basis of a person or entity's political, social, cultural, or religious views or beliefs, constitutionally protected speech, or solely on the basis of politically disfavored but lawful business activities perceived to present reputation risk. This rule would thus codify sound examination practices and advance the goals of the President's Executive Order on Debanking. If adopted, the proposed rule would indirectly benefit FDIC-supervised insured depository institutions (IDIs) or associated persons to the extent they would have been the subject of an adverse action or prohibition against certain business relationships by the agencies on the basis of reputation risk; political, social, cultural, or religious views and beliefs; constitutionally protected speech; or politically disfavored but lawful business activities perceived to present reputation risk. This benefit would occur as the IDI or associated person would avoid any costs associated with such adverse actions or prohibitions. Additionally, the improved efficiency and effectiveness of the FDIC's supervisory programs may also indirectly benefit covered IDIs. Further, IDIs may incur some voluntary costs associated with making changes to their compliance policies and procedures.

Unsafe or Unsound Practices, Matters Requiring Attention (RIN 3064–AG16)

In October 2025, the FDIC and the OCC issued a proposed rule to revise their regulations to define the term ''unsafe or unsound practice'' for purposes of section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818) and revise the supervisory framework for the issuance of matters requiring board attention (referred to as ''matters requiring attention'' (MRAs) in the proposed rule) and other supervisory communications. The proposed rule aims to provide regulatory clarity and certainty for supervised institutions, and to enable supervised institutions and examiners to focus attention on more significant issues at the institutions. This is expected to reduce compliance costs at banks, streamline supervisory communications, and enhance comparability among the agencies. The proposed rule, if adopted, would pose two types of indirect benefits to supervised IDIs: (1) reductions in, or more efficient use of, costs to comply with findings from Reports of Examinations (ROEs), and (2) possible increases in proceeds from the provision of banking products and services.

Resolution Plans Required for Insured Depository Institutions With $100 Billion or More in Total Assets; Informational Filings Required for Insured Depository Institutions With at Least $50 Billion but Less Than $100 Billion in Total Assets (RIN 3064–AG21)

In July 2024, the FDIC issued a revised rule to require the submission of resolution plans by IDIs with $100 billion or more in total assets and informational filings by IDIs with at least $50 billion but less than $100 billion in total assets. The FDIC expects to issue a new proposed rule that would codify FAQs issued in April 2025 and otherwise focus and streamline the submission requirements while facilitating the ability of the FDIC to resolve large, complex IDIs. This will result in cost savings for IDIs and the Deposit Insurance Fund (DIF).

Regulatory Capital Rule: Revisions to the Community Bank Leverage Ratio Framework (RIN 3064–AG17)

The FDIC, the OCC, and the Board of Governors of the Federal Reserve System (Board) expect to issue a rule to lower the minimum Community Bank

Leverage Ratio (CBLR) requirement from 9 percent to 8 percent and extend the length of time that certain institutions can remain in the framework while not meeting the qualification criteria from two quarters to four quarters, subject to a limit of eight quarters in any five-year period. This change would promote additional uptake of the framework, thus simplifying capital treatment for hundreds of banks, and well as reducing capital requirements. The agencies identify two main benefits for the proposed changes to the CBLR framework. First, by expanding eligibility and extending the grace period, the proposal would enable more community banking organizations to benefit from the regulatory cost savings provided by the CBLR framework. Second, the reduced CBLR requirement would provide community banking organizations that are currently participating in the CBLR framework with the capacity to expand their balance sheets, which could lead to increased lending to the communities served by these banking organizations.

II. Exempt (Fully or Partially Exempt)

Proposed Rule Stage

GENIUS Act Rulemakings, Sec. 4—Requirements for Issuing Payment Stablecoins (Capital, Liquidity, Principles-Based Standards) and Sec.5—Licensing/Applications (RINs 3064–AG19 and 3064–AG20)

The GENIUS Act establishes a framework for issuance and regulation of payment stablecoins. The FDIC plans to issue rules regarding application processes for banks that wish to establish payment stablecoin issuing subsidiaries and prudential requirements for banking institutions engaged in stablecoin issuance. Anticipated costs are undetermined; however, the FDIC expects the benefits to institutions to outweigh the regulatory costs involved in applying to operate a stablecoin subsidiary.

III. Waived (Not subject to/Not significant)

None

IV. Other

Proposed Rule Stage

Basel III Revisions: Amendments to the Capital Rule for Large Banking Organizations (RIN 3064–AF29)

In September 2023, the FDIC, the OCC, and the Board jointly issued a proposed rule that would revise large bank capital requirements. The proposed rule would have implemented the 2017 Basel Committee Recommendations with a goal of improving the consistency of capital requirements across banks, better matching capital requirements to risk, and improving transparency of banks' financial conditions for supervisors and the public. The agencies expect to issue a revised proposed rule to more simply achieve these goals and reduce regulatory burden for banks subject to the rule. At this time, anticipated costs are undetermined.

FDIC	Proposed Rule Stage

155. BASEL III REVISIONS: AMENDMENTS TO THE CAPITAL RULE FOR LARGE BANKING ORGANIZATIONS

Priority: Economically Significant. Major under 5 U.S.C. 801.
Regulatory Accounting: Other
Legal Authority: 12 U.S.C. 1831(o); 12 U.S.C. 3907; 12 U.S.C. 5371
Relevant Executive Orders: 14215; 14219; 14267
CFR Citation: 12 CFR 324
Legal Deadline: None
Abstract: The FDIC, OCC, and the Federal Reserve Board plan to issue a joint notice of proposed rulemaking that would revise the agencies' risk-based capital rules, including revisions to the current standardized and advanced approaches capital rules.
Statement of Need: In September 2023, the FDIC, the OCC, and the Board jointly issued a proposed rule that would revise large bank capital requirements. The proposed rule would have implemented the 2017 Basel Committee Recommendations with a goal of improving the consistency of capital requirements across banks, better matching capital requirements to risk, and improving transparency of banks' financial conditions for supervisors and the public. The agencies expect to issue a revised proposed rule to more simply achieve these goals and reduce regulatory burden for banks subject to the rule. At this time, anticipated costs are undetermined.
Summary of Legal Basis: Please see above
Alternatives: Please see above
Anticipated Cost and Benefits: Please see above
Risks: Please see above
Timetable:

Action	Date	FR Cite
NPRM	09/18/23	88 FR 64028
NPRM Comment Period Extended.	10/27/23	88 FR 73770
NPRM Comment Period End.	11/30/23	
NPRM Comment Period Extended End.	01/16/24	
Second NPRM	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined
Government Levels Affected: None
International Impacts: This regulatory action will be likely to have international trade and investment effects, or otherwise be of international interest.
Additional Information: Comments: *comments@fdic.gov*. Please include RIN 3064–AF29 in the subject line of all correspondence.
URL For More Information: *https://www.fdic.gov/regulations/laws/federal/*
URL For Public Comments: *https://www.fdic.gov/regulations/laws/federal/*
Agency Contact: Benedetto Bosco, Chief, Capital Policy Section, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20459
Phone: 202 898–6853
Email: *bbosco@fdic.gov*
Michael Maloney, Senior Policy Analyst, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429
Phone: 202 898–6516
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Catherine S. Wood, Counsel, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20459
Phone: 202 898–3788
Email: *cawood@fdic.gov*
Related RIN: Related to 3064–AD95
RIN: 3064–AF29

FDIC	

156. PROHIBITION ON USE OF REPUTATION RISK BY REGULATORS

Priority: Other Significant
Regulatory Accounting: Deregulatory
Legal Authority: 12 U.S.C. 1820(g); 12 U.S.C. 1819(a)(Tenth)
Relevant Executive Orders: 14215; 14219; 14267; 14331
CFR Citation: 12 CFR 302
Legal Deadline: None
Abstract: The FDIC anticipates requesting comment on a proposal that would eliminate reputation risk from its supervisory program. Among other things, the proposal would prohibit the FDIC from criticizing or taking adverse action against an institution on the basis of reputation risk.
Statement of Need: In October 2025, the FDIC and the Office of the Comptroller of the Currency (OCC) issued a proposed rule to codify the removal of reputation risk from their

supervisory programs. The proposed rule would impose no requirements on banks. It would prohibit the agencies from criticizing, formally or informally, or taking adverse action against an institution or any employee of an institution on the basis of reputation risk. The proposed rule would also prohibit the agencies from requiring, instructing, or encouraging an institution to close customer accounts or take other actions on the basis of a person or entity's political, social, cultural, or religious views or beliefs, constitutionally protected speech, or solely on the basis of politically disfavored but lawful business activities perceived to present reputation risk. This rule would thus codify sound examination practices and advance the goals of the President's Executive Order on Debanking. If adopted, the proposed rule would indirectly benefit FDIC-supervised insured depository institutions (IDIs) or associated persons to the extent they would have been the subject of an adverse action or prohibition against certain business relationships by the agencies on the basis of reputation risk; political, social, cultural, or religious views and beliefs; constitutionally protected speech; or politically disfavored but lawful business activities perceived to present reputation risk. This benefit would occur as the IDI or associated person would avoid any costs associated with such adverse actions or prohibitions. Additionally, the improved efficiency and effectiveness of the FDIC's supervisory programs may also indirectly benefit covered IDIs. Further, IDIs may incur some voluntary costs associated with making changes to their compliance policies and procedures.

Summary of Legal Basis: Please see above

Alternatives: Please see above

Anticipated Cost and Benefits: Please see above

Risks: Please see above

Timetable:

Action	Date	FR Cite
NPRM	10/30/25	90 FR 48825
NPRM Comment Period End.	12/29/25	
Final Rule	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: James Watts, Counsel, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429

Phone: 202 898–6678

Email: *jwatts@fdic.gov*

RIN: 3064–AG12

FDIC	

157. • REGULATORY CAPITAL RULE: REVISIONS TO THE COMMUNITY BANK LEVERAGE RATIO FRAMEWORK

Priority: Other Significant

Regulatory Accounting: Deregulatory

Legal Authority: 12 U.S.C. 1815(a), 1815(b), 1816, 1818(a); 12 U.S.C. 1818(b), 1818(c), 1818(t), 1819(Tenth); 12 U.S.C. 1828(c), 1828(d), 1828(i), 1828(n), 1828(o), 1831o; 12 U.S.C. 1835, 3907, 3909, 4808; 5371, 5412

Relevant Executive Orders: 14215; 14219; 14267

CFR Citation: 12 CFR 324

Legal Deadline: None

Abstract: The FDIC, OCC, and FRB are requesting comment on a proposal that would lower the community bank leverage ratio (CBLR) requirement for certain community banking organizations and also extend the length of time that such a community banking organization can remain in the CBLR framework while being below the CBLR requirement.

Statement of Need: The FDIC, the OCC, and the Board of Governors of the Federal Reserve System (Board) expect to issue a rule to lower the minimum Community Bank Leverage Ratio (CBLR) requirement from 9 percent to 8 percent and extend the length of time that certain institutions can remain in the framework while not meeting the qualification criteria from two quarters to four quarters, subject to a limit of eight quarters in any five-year period. This change would promote additional uptake of the framework, thus simplifying capital treatment for hundreds of banks, and well as reducing capital requirements. The agencies identify two main benefits for the proposed changes to the CBLR framework. First, by expanding eligibility and extending the grace period, the proposal would enable more community banking organizations to benefit from the regulatory cost savings provided by the CBLR framework. Second, the reduced CBLR requirement would provide community banking organizations that are currently participating in the CBLR framework with the capacity to expand their balance sheets, which could lead to increased lending to the communities served by these banking organizations.

Summary of Legal Basis: Please see above

Alternatives: Please see above

Anticipated Cost and Benefits: Please see above

Risks: Please see above

Timetable:

Action	Date	FR Cite
NPRM	12/01/25	90 FR 55048
NPRM Comment Period End.	01/30/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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Phone: 202 898–6680

Email: *mpardini@fdic.gov*

RIN: 3064–AG17

FDIC	

158. • GENIUS ACT REQUIREMENTS FOR FDIC—SUPERVISED PERMITTED PAYMENT STABLECOIN ISSUERS

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Fully or Partially Exempt

Legal Authority: 12 U.S.C. 1819 (Tenth); 12 U.S.C. 5903; 12 U.S.C. 5913

Relevant Executive Orders: 14178; 14219; 14267; 14233

CFR Citation: 12 CFR 350

Legal Deadline: Final, Statutory, July 18, 2026, The GENIUS Act requires each primary Federal payment stablecoin regulator to promulgate implementing regulations through appropriate notice and comment no later than July 18, 2026.

Abstract: The FDIC is requesting comment on a proposal that would implement requirements under section 4 of the Guiding and Establishing National Innovation for U.S. Stablecoins Act applicable to FDIC-supervised permitted payment stablecoin issuers. The proposed rule is intended to address capital requirements, liquidity risk management standards, reserve assets, principles-based operational and compliance standards, and other matters.

Statement of Need: The GENIUS Act establishes a framework for issuance and regulation of payment stablecoins. The FDIC plans to issue rules regarding application processes for banks that wish to establish payment stablecoin issuing subsidiaries and prudential requirements for banking institutions engaged in stablecoin issuance. Anticipated costs are undetermined; however, the FDIC expects the benefits to institutions to outweigh the regulatory costs involved in applying to operate a stablecoin subsidiary.

Summary of Legal Basis: Please see above

Alternatives: Please see above

Anticipated Cost and Benefits: Please see above

Risks: Please see above

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Chris Ledoux, Assistant General Counsel, Federal Deposit Insurance Corporation, 3501 N Fairfax Drive, Arlington, VA 22226

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Chantal Hernandez, Counsel, Federal Deposit Insurance Corporation, 550 17th St NW, Washington, DC 20429

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RIN: 3064–AG19

FDIC	

159. • RESOLUTION PLANS REQUIRED FOR INSURED DEPOSITORY INSTITUTIONS WITH $100B OR MORE IN TOTAL ASSETS; INFORMATIONAL FILINGS REQUIRED FOR IDIS WITH AT LEAST $50B BUT LESS THAN $100B IN TOTAL ASSETS

Priority: Other Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Legal Authority: 12 U.S.C. 1811 *et seq.;* 12 U.S.C. 1817(a)(2)(B), 1817(b), 1818(a)(2), 1818(t); 12 U.S.C. 1819(a) Seventh, Eighth, Ninth, and Tenth; 12 U.S.C. 1820(b)(3) and (4), 1820(g), 1821(d)(1), (4), (10)(C), and (11); 12 U.S.C. 1821(e)(1) and (8)(D)(i), 1821(f)(1), 1823(c)(4), and 1823(e)(2); . . .

Relevant Executive Orders: 14215; 14219; 14267

CFR Citation: 12 CFR 360.10

Legal Deadline: None

Abstract: The FDIC is seeking comment on a proposal to revise its rule currently requiring the submission of resolution plans for insured depository institutions (IDIs) with $100 billion or more in total assets and informational filings for IDIs with at least $50 billion but less than $100 billion in total assets.

Statement of Need: In July 2024, the FDIC issued a revised rule to require the submission of resolution plans by IDIs with $100 billion or more in total assets and informational filings by IDIs with at least $50 billion but less than $100 billion in total assets. The FDIC expects to issue a new proposed rule that would codify FAQs issued in April 2025 and otherwise focus and streamline the submission requirements while facilitating the ability of the FDIC to resolve large, complex IDIs. This will result in cost savings for IDIs and the Deposit Insurance Fund (DIF).

Summary of Legal Basis: Please see above

Alternatives: Please see above

Anticipated Cost and Benefits: Please see above

Risks: Please see above

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Esther Rabin, Counsel, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429

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Phone: 202 898–8521

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Related RIN: Related to 3064–AF90, Related to 3064–AD59

RIN: 3064–AG21

FDIC	Final Rule Stage

160. • UNSAFE OR UNSOUND PRACTICES, MATTERS REQUIRING ATTENTION

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Deregulatory

Legal Authority: Section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818)

Relevant Executive Orders: 14219; 14267; 14294; 14331

CFR Citation: 12 CFR 305

Legal Deadline: None

Abstract: The Office of the Comptroller of the Currency and the Federal Deposit Insurance Corporation propose to define the term ''unsafe or unsound practice'' for purposes of section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818) and to revise the supervisory framework for the issuance of matters requiring attention and other supervisory communications.

Statement of Need: In October 2025, the FDIC and the OCC issued a proposed rule to revise their regulations to define the term unsafe or unsound practice for purposes of section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818) and revise the supervisory framework for the issuance of matters requiring board attention (referred to as matters requiring attention (MRAs) in the proposed rule) and other supervisory communications. The proposed rule aims to provide regulatory clarity and certainty for supervised institutions, and to enable supervised institutions and examiners to focus attention on more significant issues at the institutions. This is expected to reduce compliance costs at banks, streamline supervisory communications, and enhance comparability among the agencies. The proposed rule, if adopted, would pose two types of indirect benefits to supervised IDIs: 1) reductions in, or more efficient use of, costs to comply with findings from Reports of Examinations (ROEs), and 2) possible increases in proceeds from the provision of banking products and services.

Summary of Legal Basis: Please see above

Alternatives: Please see above

Anticipated Cost and Benefits: Please see above

Risks: Please see above

Timetable:

Action	Date	FR Cite
NPRM	10/30/25	90 FR 48835
NPRM Comment Period End.	12/29/25	
Final Rule	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Seth P. Rosebrock, Assistant General Counsel, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429

Phone: 202 898–6609

Email: *srosebrock@fdic.gov*

RIN: 3064–AG16

BILLING CODE 6714–01–P

FEDERAL RESERVE SYSTEM

12 CFR Ch. II

Regulatory Agenda

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Regulatory agenda.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) is submitting this agenda as part of the Unified Agenda of Federal Regulatory and Deregulatory Actions and in connection with the Regulatory Flexibility Act. Board members with oversight responsibility over the relevant matters are expected to present to the Board the regulatory matters in the Short-Term Actions during the period of December 2025 to November 2026.

DATES: This information is current as of October 20, 2025.

ADDRESSES: Comments should be addressed to Benjamin W. McDonough, Deputy Secretary of the Board, Board of Governors of the Federal Reserve System, Washington, DC 20551.

FOR FURTHER INFORMATION CONTACT: A staff contact for each item is indicated with the regulatory description below.

SUPPLEMENTARY INFORMATION: The Board is submitting its agenda as part of the Unified Agenda of Federal Regulatory and Deregulatory Actions, which is coordinated by the Office of Management and Budget under Executive Order 12866. Publication of the agenda is also in accordance with the Regulatory Flexibility Act (5 U.S.C. 601, et. seq.). The complete Unified Agenda will be available to the public at the following website: *www.reginfo.gov.* Participation by the Board in the Unified Agenda is on a voluntary basis.

The agenda is divided into three sections. The first, Short-Term Actions, reports on matters the Board may consider for public comment during the next 12 months. The second section, Long-Term Actions, reports on matters where the next action is undetermined, *i.e.,* 00/00/0000, or will occur more than 12 months after publication of the Agenda. The third section, Completed Actions, reports on matters the Board has completed, that are inactive or withdrawn, or that are not expected to be considered further. A dot (•) preceding an entry indicates a new matter that was not a part of the Board's previous agenda submission.

Short-Term Actions. The Board's 14 expected short-term regulatory actions primarily consist of amendments and modifications to existing Board rules, in all cases in a manner consistent with the Board's statutory mandates. All such actions would likely be characterized as ''deregulatory'' under Executive Order 14192, except for regulations implementing the Guiding and Establishing National Innovation for U.S. Stablecoins Act (''GENIUS Act'').

Effect on Small Entities. While the Board has supplied an initial Regulatory Flexibility Act analysis for three of the four rules in the ''final rule'' stage on its short-term agenda, it expects that only the repeal of the Community Reinvestment Act regulations may have a significant economic impact on a substantial number of small entities. The Board invited comment on its initial Regulatory Flexibility Act analysis in the notice of proposed rulemaking regarding rescission of that rule.

NAME: Benjamin W. McDonough,

Deputy Secretary of the Board.

BILLING CODE 6210–01–P

FEDERAL TRADE COMMISSION (FTC)

Statement of Regulatory Priorities (2026)

No economic system in history has better promoted the common good than the American free-enterprise system. No economic system has contributed more to human flourishing. But our free-enterprise system promotes the common good of all Americans only if we protect it from anticompetitive business practices, anticompetitive mergers and acquisitions and fraud. Without vigorous enforcement of our competition and consumer-protection laws, our free-enterprise system would benefit only the wealthy and the corrupt.

The Federal Trade Commission is charged by statute with rooting out unfair methods of competition and unfair or deceptive acts or practices. Its mission is vital to the national interest because, when markets are fair and competitive, consumers, workers and honest businesses all benefit. The Commission works to ensure well-functioning markets that protect people's economic freedom, choice, and liberty.

Under the new administration, the FTC has gone back to the agency's roots. Vigorous enforcement of the law is our focus. Congress established the FTC to be a cop on the beat for our markets, not to make the rules. We don't get to pick and choose what laws we like and what laws we don't. We enforce the laws that the people, through their representatives in Congress, have decided best promote competition and fairness. We investigate wrongdoing and, if we believe violations of the law are taking place, we bring lawsuits. We seek to protect competition and combat fraud through vigilance, fair and thorough investigations, and ultimately litigation. The FTC is here to defend our free enterprise-system and make it work for everyone. We want to protect Americans whenever they shop for groceries, go to the hospital, or speak online.

The FTC is directed by law to both protect consumers and promote competition in most sectors of the economy. This work is effectuated by three main bureaus at the FTC: the Bureau of Consumer Protection (''BCP''); the Bureau of Competition (''BC''); and the Bureau of Economics (''BE''), which supports both BCP and BC. The FTC's jurisdiction includes privacy and data protection, consumer fraud, mergers and acquisitions, and anticompetitive conduct by companies. We enforce the law across a range of sectors, including healthcare, consumer goods, and high technology. The Commission has a unique set of tools to carry out its mission, such as its market study tool, as well as traditions like public workshops and open comment dockets, which allow the Commission to receive a wide breadth of information about a topic on which it is considering making policy.[23] The Commission also has the power to issue rules that define with specificity the kinds of conduct that constitute unfair or deceptive acts or practices.[24] But after a period of overactive rulemaking by the previous administration, the Commission is focused on enforcing existing laws against unfair, deceptive, and anticompetitive practices. Where rules are necessary, the Commission is committed to ensuring that they are narrowly tailored to protect consumers without unnecessarily burdening small businesses and hindering entrepreneurship and innovation.

Deregulatory Actions Rescinding ''Significant'' Rules

On February 12, 2026, the Commission issued a final rule implementing federal court decisions that vacated three of the Commission's recent final rules that were each a ''significant regulatory action'' under the definition in section 3(f) of Executive Order 12866.[25] 91 FR 6507 (Feb. 12, 2026). First, the Commission revised its recently amended trade regulation ''Rule Concerning Recurring Subscriptions and Other Negative Option Programs'' (''Negative Option Rule''), 16 CFR part 425, to recodify the text of the Negative Option Rule as it existed before the effective date of the Commission's 2024 final rule amending it. Second, the Commission withdrew its final rule titled ''Combating Auto

[23] *See* 15 U.S.C. 46(b); *see also* Fed. Trade Comm'n, A Brief Overview of the Federal Trade Commission's Investigative, Law Enforcement, and Rulemaking Authority (May 2021), *https://www.ftc.gov/about-ftc/mission/enforcement-authority.*

[24] *See* 15 U.S.C. 57a.

[25] Exec. Order No. 12866 of September 20, 1993, Regulatory Planning and Review, 58 FR 51735 (Oct. 4, 1993).

Retail Scams Trade Regulation Rule'' (''CARS Rule''), 16 CFR part 463. Third, the Commission removed its ''Non-Compete Clause'' Rule'' (''Non-Compete Rule''),16 CFR part 910, from the Code of Federal Regulations. The Office of Management and Budget (OMB) designated these actions as Executive Order 14192 deregulatory actions.[26]

Deregulatory Updates to April 2025 Report Pursuant to E.O. 14219

The Commission is also carefully considering several proposed actions that were included in the April 2025 Report required by E.O. 14219.[27]

Rescinding or Revising Anti-Competitive Rules and Guides Pursuant to E.O. 14267

On April 14, 2025, the Commission launched a public inquiry into the impact of federal regulations on competition, with the goal of identifying and reducing anticompetitive regulatory barriers.[28] The FTC launched this inquiry in response to Executive Order 14267, Reducing Anti-Competitive Regulatory Barriers.[29] The FTC seeks to advance the President's agenda to revitalize the American economy. The FTC seeks to identify unnecessary regulations that exclude new market entrants, protect dominant incumbents, and predetermine economic winners and losers. On September 16, 2025, the Commission's Chairman Andrew N. Ferguson submitted recommendations for deleting or revising anticompetitive regulations across the entire federal government to OMB.[30]

Examples of anticompetitive regulations and guides that the Chairman recommends for deletion or modification include:

- The previous administration's Department of Transportation regulations that preference businesses owned by ''socially and economically disadvantaged individuals'' when awarding contracts for transportation projects, rather than allowing free competition on the merits.
- Department of Education regulations that permit colleges and universities to include the cost of textbooks and supplies as part of annual tuition, which thwarts students' ability to save money by buying their textbooks through alternative channels.
- Proposed Consumer Product Safety Commission regulations that would require table saws to use expensive finger-detection technology controlled by the sole patent holder.
- A Forest Service handbook that established eligibility requirements that inhibited entry from a younger generation of ranchers.

Amongst the recommendations, this report suggested the possibility of amending the scope of the Commission's Amplifier Rule, 16 CFR 432, in two ways. First, the Commission may want to consider carving out devices that were designed, manufactured, or packaged prior to the August 2024 effective date. The cost of retesting and/or repackaging the devices may justify excluding these devices from the new testing requirements. Second, the Commission may want to consider carving out certain ''integrated devices'' from the Rule. The standardized testing procedure of the Rule works well with component amplifiers but not devices with built-in amplifiers (*e.g.* soundbars). The Rule may lead to power output disclosures that are inconsistent with the power output obtained by certain integrated devices. The report is now under review at the Office of Management and Budget. The FTC will continue to work collaboratively with OMB and all of the relevant federal agencies to rescind or revise their regulations as appropriate.

As set out in the prior section, the Commission acceded to the vacatur of the Non-Compete Clause Rule[31] and removed 16 CFR part 910 from the Code of Federal Regulations. On September 4, 2025, the Commission also launched a public inquiry to better understand the scope, prevalence, and effects of employer noncompete agreements, as well as gather information to inform possible future enforcement actions.[32]

The Commission is rescinding the Policy Statement of the Federal Trade Commission on Biometric Information and Section 5 of the Federal Trade Commission Act.[33] In this statement, the Commission set forth policy positions concerning biometric information. The Policy Statement prevents companies from innovating for fear of their technology being characterized as having a disparate impact, and takes a remarkably broad approach to biometric information that exceeds existing law.

The Commission is also rescinding the 2021 Statement on Breaches by Health Apps and Other Connected Devices,[34] which has been superseded by rulemaking.[35]

Responses to OMB Deregulatory Request for Information Comments

In April 2025, OMB issued a Request for Information asking the public to identify federal regulations that should be rescinded or replaced because they are unnecessary, unlawful, unduly burdensome, or unsound.[36] OMB reviewed the comments they received and found seventeen that referenced FTC regulations or guides.[37] On September 17, 2025, OMB referred these comments to the Commission for consideration and action. The Commission responded directly to OMB regarding these comments.

II. Updates on Other Ongoing Rulemakings

Periodic Regulatory Review Program

In 1992, the Commission implemented a program to review its rules and guides on a regular basis. The

[26] Exec. Order No. 14192 of January 31, 2025, Unleashing Prosperity Through Deregulation, 90 FR 9065 (Feb. 6, 2025).

[27] Exec. Order No.14219 of February 25, 2025, Ensuring Lawful Governance and Implementing the President's ''Department of Government Efficiency'' Deregulatory Initiative, 90 FR 20583, (Feb. 25, 2025).

[28] Press Release, Fed. Trade Comm'n, FTC Launches Public Inquiry into Anti-Competitive Regulations, (Apr. 14, 2025), *https://www.ftc.gov/news-events/news/press-releases/2025/04/ftc-launches-public-inquiry-anti-competitive-regulations.*

[29] Exec. Order No. 14267 of April 9, 2025, Reducing Anti-Competitive Regulatory Barriers, 90 FR 15629 (Apr. 15, 2025).

[30] Press Release, Fed. Trade Comm'n, FTC Recommends Anticompetitive Regulations for Deletion or Revision, (Sept. 17, 2025), *https://www.ftc.gov/news-events/news/press-releases/2025/09/ftc-recommends-anticompetitive-regulations-deletion-or-revision.*

[31] Press Release, Fed. Trade Comm'n., Federal Trade Commission Files to Accede to Vacatur of Non-Compete Clause Rule, (Sept. 5, 2025), *https://www.ftc.gov/news-events/news/press-releases/2025/09/federal-trade-commission-files-accede-vacatur-non-compete-clause-rule.*

[32] Press Release, Fed. Trade Comm'n., Federal Trade Commission Issues Request for Information on Employee Noncompete Agreements, (Sept. 4, 2025), *https://www.ftc.gov/news-events/news/press-releases/2025/09/federal-trade-commission-issues-request-information-employee-noncompete-agreements.*

[33] Fed. Trade Comm'n., Policy Statement of the Federal Trade Commission on Biometric Information and Section 5 of the Federal Trade Commission Act, (May 18, 2023), *https://www.ftc.gov/system/files/ftc_gov/pdf/p225402biometricpolicystatement.pdf.*

[34] *See* Fed. Trade Comm'n, Statement of the Commission: *On Breaches by Health Apps and Other Connected Devices* (Sept. 15, 2021), *https://www.ftc.gov/system/files/documents/public_statements/1596364/statement_of_the_commission_on_breaches_by_health_apps_and_other_connected_devices.pdf.*

[35] *See* Health Breach Notification Rule, 89 FR 47028 (May 30, 2024).

[36] OMB, Request for Information: Deregulation, 90 FR 15481 (Apr. 11, 2025).

[37] These include the Energy Labeling Rule; Impersonation Rule; Negative Option Rule; Alternative Fuels Rule; COPPA Rule; Junk Fees Rule; CARS Rule; Franchise Rule; Health Breach Notification Rule; Funeral Rule; Commercial Surveillance and Data Security Rule; Earnings Claim Rule (ANPRM and NPRM); Business Opportunity Rule; Green Guides; Noncompete Clause Rule; Hart-Scott-Rodino Premerger Notification Rule; Section 5 policy statement; and merger guidelines.

Commission's review program is patterned after provisions in the Regulatory Flexibility Act, 5 U.S.C. 601–612, and complies with the Small Business Regulatory Enforcement Fairness Act of 1996. The Commission's review program is also consistent with section 5(a) of Executive Order 12866, which directs executive branch agencies to reevaluate periodically all their significant regulations. The Commission's periodic review process will carefully consider regulatory burdens and streamline rules when feasible and appropriate, and is consistent with the administration's deregulatory agenda. Under the Commission's program, rules and guides are typically reviewed on a ten-year schedule that results in more frequent reviews than are generally required by the Regulatory Flexibility Act. The public can obtain information on rules and guides under review and the Commission's regulatory review program generally at *https://www.ftc.gov/enforcement/rules/retrospective-review-ftc-rules-guides.*

The program provides an ongoing, systematic approach for obtaining information about the costs and benefits of rules and guides and whether there are changes that could minimize any adverse economic effects, not just a ''significant economic impact upon a substantial number of small entities.''[38] As part of each review, the Commission requests public comment on, among other things, the economic impact and benefits of the rule; possible conflict between the rule and state, local, or other federal laws or regulations; and the effect on the rule of any technological, economic, or other industry changes. Reviews may lead to the revision or rescission of rules and guides to ensure that the Commission's consumer protection and competition goals are achieved efficiently. Pursuant to this program, the Commission has rescinded more than 40 rules and guides promulgated[39] under the FTC's general authority and updated dozens of other rules and guides since the program's inception.

Significant Regulatory Actions

The Office of Management and Budget has determined that if the Commission's proposed ANPRM amending the Unfair or Deceptive Fees Trade Regulation Rule ultimately results in a final rule, that rule would be a ''significant regulatory action'' under the definition in section 3(f) of Executive Order 12866.[40] The Office of Management and Budget has also determined that if the Commission's proposed ANPRM amending the Negative Option Rule ultimately results in a final rule, that rule would be a ''significant regulatory action'' under the definition in section 3(f) of Executive Order 12866.[41]

The Commission has no proposed rules that would have significant international impacts or any international regulatory cooperation activities that are reasonably anticipated to lead to significant regulations, as defined in Executive Order 13609.

BILLING CODE 6750–01–P

U.S. Securities and Exchange Commission

Statement of Regulatory Priorities for Fiscal Year 2026

Introduction

It is a new day at the U.S. Securities and Exchange Commission (SEC) as the agency returns to our core mission of protecting investors; facilitating capital formation; and maintaining fair, orderly, and efficient markets. Congress first enunciated this mission in the Exchange Act of 1934—and it remains the enduring charge that guides the Commission today.

Investor protection is vital to our mandate—holding accountable those who lie, cheat, and steal. The SEC will remain vigilant in our role to ensure that investors have confidence to participate in the markets. Capital formation—fostering a direct, economical route for investors' capital to find its way to entrepreneurs and industry—is also at the root of what we do. The agency must be attuned to the distinct headwinds businesses face and work to unlock, rather than undermine, capital raising in a manner consistent with the SEC's mission. Our task, as well as our responsibility, is to ensure that the agency's regulatory framework keeps pace with their ambition.

The third pillar of our mission is maintaining fair, orderly, and efficient markets. Congress calls on the Commission to ensure that our regulations balance costs and benefits, and that they do not become too burdensome by adding needless friction to the marketplace.

Regulatory Priorities

The Commission's regulatory agenda for the coming year is aligned with President Trump's efforts to promote prudent financial management and alleviate unnecessary regulatory burdens.

Crypto

A key priority will be to develop a rational regulatory framework for crypto asset markets that establishes clear rules of the road for the issuance, custody, and trading of crypto assets while continuing to discourage bad actors from violating the law. In order for the United States to be the ''crypto capital of the world'' as envisioned by President Trump, the Commission must move in step with innovation and consider whether regulatory changes are required to accommodate on-chain securities and other crypto assets. Rules and regulations designed for off-chain securities may be incompatible with or unnecessary for on-chain assets and stifle the growth of blockchain technology.

In the Crypto Assets rulemaking (3235–AN38), the Commission may consider rulemaking relating to the offer and sale of crypto assets, potentially to include certain exemptions and safe harbors, to help clarify the regulatory framework for crypto assets and provide greater certainty to the market.

In the Crypto Market Structure Amendments rulemaking (3235–AN49), the Commission may consider amending Exchange Act rules to account for the trading of crypto assets on ATSs and national securities exchanges.

Finally, in the Amendments to the Custody Rules rulemaking (3235–AN46), the Commission may consider amending and/or proposing new rules under the Investment Advisers Act and the Investment Company Act to improve and modernize the regulations around custody of advisory client and fund assets, including to address crypto assets.

Capital Formation

Another core objective will be to modernize the regulatory framework to encourage capital formation, reduce compliance burdens, and make it more attractive for companies to go and stay public.

In the Semiannual Reporting rulemaking (3235–AN58), the Commission may consider rule amendments that would give reporting companies the option to report on a

[38] 5 U.S.C. 610(a).

[39] See, FTC Rules and Guides Previously Eliminated in the Regulatory Review Process, *https://www.ftc.gov/enforcement/rulemaking/retrospective-review-ftc-rules-guides.*

[40] Press Release, Fed. Trade Comm'n., FTC Submits Draft ANPRM Related to Rental Housing Fees to OMB for Review, (January 30, 2026), *https://www.ftc.gov/news-events/news/press-releases/2026/01/ftc-submits-draft-anprm-related-rental-housing-fees-omb-review.*

[41] Press Release, Fed. Trade Comm'n., FTC Submits Draft ANPRM Related to Negative Option Plans to OMB for Review, (January 30, 2026), *https://www.ftc.gov/news-events/news/press-releases/2026/01/ftc-submits-draft-anprm-related-negative-option-plans-omb-review.*

semiannual basis, rather than mandatorily on a quarterly basis.

In the rulemaking on Evaluating the Consolidated Audit Trail (3235–AN54), the Commission may initiate a comprehensive rethink of the CAT, including its design and functionality and the scope of collected information.

In the rulemaking on Enhancement of Emerging Growth Company Accommodations and Simplification of Filer Status for Reporting Companies (3235–AN40), the Commission may consider rule amendments that would expand accommodations that are available for Emerging Growth Companies and for Smaller Reporting Companies to more companies and to simplify the categorization of registrants and reduce their compliance burdens.

In the rulemaking on Registered Offerings Reform (3235–AN41), the Commission may consider rule amendments that would modernize the registration statement offering process to reduce compliance burdens and further facilitate capital formation.

Retail Access to Private Markets

Lastly, a central focus is modernizing the Commission's regulatory framework as it relates to retail investors' access to private market assets. As Chairman Atkins has noted, exposure to the full dynamism of our markets should not be reserved for the wealthiest or for those deemed to be the most sophisticated.

In the rulemaking on Enhancing Retail Exposure to Private Markets (3235–AN59), the Commission may propose amendments to existing rules and/or propose new rules under the Investment Advisers Act and the Investment Company Act to better facilitate retail investor exposure to private markets through registered investment companies and to allow investment advisers to charge performance fees to an expanded set of clients.

BILLING CODE 8011–01–P

U.S. Securities and Exchange Commission

Statement of Regulatory Priorities for Fiscal Year 2026

Introduction

It is a new day at the U.S. Securities and Exchange Commission (SEC) as the agency returns to our core mission of protecting investors; facilitating capital formation; and maintaining fair, orderly, and efficient markets. Congress first enunciated this mission in the Exchange Act of 1934—and it remains the enduring charge that guides the Commission today.

Investor protection is vital to our mandate—holding accountable those who lie, cheat, and steal. The SEC will remain vigilant in our role to ensure that investors have confidence to participate in the markets.

Capital formation—fostering a direct, economical route for investors' capital to find its way to entrepreneurs and industry—is also at the root of what we do. The agency must be attuned to the distinct headwinds businesses face and work to unlock, rather than undermine, capital raising in a manner consistent with the SEC's mission. Our task, as well as our responsibility, is to ensure that the agency's regulatory framework keeps pace with their ambition.

The third pillar of our mission is maintaining fair, orderly, and efficient markets. Congress calls on the Commission to ensure that our regulations balance costs and benefits, and that they do not become too burdensome by adding needless friction to the marketplace.

Regulatory Priorities

The Commission's regulatory agenda for the coming year is aligned with President Trump's efforts to promote prudent financial management and alleviate unnecessary regulatory burdens.

Crypto

A key priority will be to develop a rational regulatory framework for crypto asset markets that establishes clear rules of the road for the issuance, custody, and trading of crypto assets while continuing to discourage bad actors from violating the law. In order for the United States to be the "crypto capital of the world" as envisioned by President Trump, the Commission must move in step with innovation and consider whether regulatory changes are required to accommodate on-chain securities and other crypto assets. Rules and regulations designed for off-chain securities may be incompatible with or unnecessary for on-chain assets and stifle the growth of blockchain technology.

In the Crypto Assets rulemaking (3235–AN38), the Commission may consider rulemaking relating to the offer and sale of crypto assets, potentially to include certain exemptions and safe harbors, to help clarify the regulatory framework for crypto assets and provide greater certainty to the market.

In the Crypto Market Structure Amendments rulemaking (3235–AN49), the Commission may consider amending Exchange Act rules to account for the trading of crypto assets on ATSs and national securities exchanges.

Finally, in the Amendments to the Custody Rules rulemaking (3235–AN46), the Commission may consider amending and/or proposing new rules under the Investment Advisers Act and the Investment Company Act to improve and modernize the regulations around custody of advisory client and fund assets, including to address crypto assets.

Capital Formation

Another core objective will be to modernize the regulatory framework to encourage capital formation, reduce compliance burdens, and make it more attractive for companies to go and stay public.

In the Semiannual Reporting rulemaking (3235–AN58), the Commission may consider rule amendments that would give reporting companies the option to report on a semiannual basis, rather than mandatorily on a quarterly basis.

In the rulemaking on Evaluating the Consolidated Audit Trail (3235–AN54), the Commission may initiate a comprehensive rethink of the CAT, including its design and functionality and the scope of collected information.

In the rulemaking on Enhancement of Emerging Growth Company Accommodations and Simplification of Filer Status for Reporting Companies (3235–AN40), the Commission may consider rule amendments that would expand accommodations that are available for Emerging Growth Companies and for Smaller Reporting Companies to more companies and to simplify the categorization of registrants and reduce their compliance burdens.

In the rulemaking on Registered Offerings Reform (3235–AN41), the Commission may consider rule amendments that would modernize the registration statement offering process to reduce compliance burdens and further facilitate capital formation.

Retail Access to Private Markets

Lastly, a central focus is modernizing the Commission's regulatory framework as it relates to retail investors' access to private market assets. As Chairman Atkins has noted, exposure to the full dynamism of our markets should not be reserved for the wealthiest or for those deemed to be the most sophisticated.

In the rulemaking on Enhancing Retail Exposure to Private Markets (3235–AN59), the Commission may propose amendments to existing rules and/or propose new rules under the Investment Advisers Act and the Investment Company Act to better

facilitate retail investor exposure to private markets through registered investment companies and to allow investment advisers to charge performance fees to an expanded set of clients.

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SEC	Prerule Stage

161. EVALUATING THE CONSOLIDATED AUDIT TRAIL

Priority: Economically Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Other

Legal Authority: 15 U.S.C. 78b; 15 U.S.C. 78c(b); 15 U.S.C. 78e; 15 U.S.C. 78f; 15 U.S.C. 78k–1; 15 U.S.C. 78o; 15 U.S.C. 78o–3; 15 U.S.C. 78q(a); 15 U.S.C. 78q(b); 15 U.S.C. 78s; 15 U.S.C. 78w(a)

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The Division is considering recommending that the Commission invite public comment to inform a comprehensive rethink of the Consolidated Audit Trail (CAT), including its design and functionality and the scope of collected information, to assess potential modifications to CAT to address ongoing cost and data security concerns while supporting clearly defined regulatory objectives.

Statement of Need: This advance notice of proposed rulemaking is necessary to support a comprehensive review of the CAT that will include, but not be limited to, the costs of the CAT and the scope of what is collected and whether any duplicative reporting systems should be retired or otherwise modified. Since the CAT was established, the costs of operating the CAT have regularly increased. Market participants and Congress also have raised concerns regarding the CAT's cost increases and the risks of storing so much sensitive data together.

Anticipated Cost and Benefits: The Commission will evaluate the anticipated costs and benefits and other economic effects as it develops the proposed rule.

Timetable:

Action	Date	FR Cite
ANPRM	04/20/26	91 FR 20945
ANPRM Comment Period End.	06/22/26	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: David Hsu, Division of Trading and Markets, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549

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RIN: 3235–AN54

SEC	Proposed Rule Stage

162. CRYPTO ASSETS

Priority: Economically Significant. Major under 5 U.S.C. 801.

Regulatory Accounting: Other

Legal Authority: Not Yet Determined

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The Division is considering recommending that the Commission propose rules relating to the offer and sale of crypto assets, potentially to include certain exemptions and safe harbors, to help clarify the regulatory framework for crypto assets and provide greater certainty to the market.

Statement of Need: The proposed rules may provide greater certainty to the market, facilitate capital formation, and accommodate innovation within the crypto asset markets while, at the same time, ensuring that investors are adequately protected and provided with the information they need to make informed investment decisions.

Anticipated Cost and Benefits: The Commission will evaluate the anticipated costs and benefits and other economic effects as it develops the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Agency Contact: Valian Afshar, Division of Corporation Finance, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549

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RIN: 3235–AN38

SEC	

163. ENHANCEMENT OF EMERGING GROWTH COMPANY ACCOMMODATIONS AND SIMPLIFICATION OF FILER STATUS FOR REPORTING COMPANIES

Priority: Economically Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Legal Authority: Not Yet Determined

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The Division is considering recommending that the Commission propose rule amendments to expand accommodations that are available for Emerging Growth Companies (defined generally to include new issuers with total annual gross revenues of less than $1.235 billion) and to rationalize filer statuses to simplify the categorization of registrants and reduce their compliance burdens.

Statement of Need: The proposed rule amendments may simplify compliance and reduce burdens for public companies, while continuing to seek full and fair disclosure for investors.

Anticipated Cost and Benefits: The Commission will evaluate the anticipated costs and benefits and other economic effects as it develops the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	05/21/26	91 FR 30086
NPRM Comment Period End.	07/20/26	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Nabeel Cheema, Division of Corporation Finance, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549

Phone: 202 551–3430

Email: *cheeman@sec.gov*

RIN: 3235–AN40

SEC	

164. REGISTERED OFFERINGS REFORM

Priority: Economically Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Legal Authority: Not Yet Determined

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The Division is considering recommending that the Commission propose rule amendments to modernize the shelf registration process to reduce compliance burdens and further facilitate capital formation.

Statement of Need: The proposed rule amendments may facilitate capital formation in the public securities markets by reducing the costs of conducting a registered offering.

Anticipated Cost and Benefits: The Commission will evaluate the anticipated costs and benefits and other economic effects as it develops the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	05/26/26	91 FR 31022
NPRM Comment Period End.	07/27/26	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Agency Contact: Mark W. Green, Division of Corporation Finance, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–0301

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Email: *greenm@sec.gov*

RIN: 3235–AN41

SEC	

165. AMENDMENTS TO THE CUSTODY RULES

Priority: Economically Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Legal Authority: 15 U.S.C. 80a–6(c); 15 U.S.C. 80a–17(f); 15 U.S.C. 80a–37; 15 U.S.C. 80b–4; 15 U.S.C. 80b–6(4); 15 U.S.C. 80b–11; 15 U.S.C. 80b–3(c)(1); 15 U.S.C. 80b–18b

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The Division is considering recommending that the Commission propose amendments to existing rules and/or propose new rules under the Investment Advisers Act of 1940 and the Investment Company Act of 1940 to improve and modernize the regulations around the custody of advisory client and fund assets, including to address in each case crypto assets.

Statement of Need: This proposed rules and rule amendments would improve and modernize the regulations around custody of investment adviser client assets and fund assets, including to address crypto assets. Currently, investment advisers and investment companies have raised questions about how to hold crypto assets in compliance with the current Commission custody requirements. This rulemaking would clarify the framework for the custody of crypto assets for investment adviser and investment companies, as well as make other modernizations needed to remove burdens from certain outdated provisions that are no longer needed to provide investor protection given the evolution in the markets and security trading and holding practices.

Anticipated Cost and Benefits: The Commission will evaluate the anticipated costs and benefits and other economic effects as it develops the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	10/00/26	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Samuel Thomas, Division of Investment Management, Securities and Exchange Commission, 100 F St NE, Washington, DC 20549

Phone: 202 551–7952

Email: *thomassa@sec.gov*

RIN: 3235–AN46

SEC	

166. CRYPTO MARKET STRUCTURE AMENDMENTS

Priority: Economically Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Other

Legal Authority: 15 U.S.C 78(c)(b); 15 U.S.C.78e; 15 U.S.C.78b; 15 U.S.C.78f; 15 U.S.C.78k–1; 15 U.S.C.78o; 15 U.S.C.78q(a); 15 U.S.C.78q(b); 15 U.S.C.78s; 15 U.S.C.78w; 15 U.S.C.78mm

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The Division is considering recommending that the Commission amend Exchange Act Rules to account for the trading of crypto assets on ATSs and national securities exchanges.

Statement of Need: This proposal is necessary to help clarify the regulatory framework for crypto assets and provide greater certainty to the market, and in particular, providing clear rules of the road for the issuance, custody, and trading of crypto assets while continuing to discourage bad actors from violating the law.

Anticipated Cost and Benefits: The Commission will evaluate the anticipated costs and benefits and other economic effects as it develops the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	07/00/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

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RIN: 3235–AN49

SEC	

167. • SEMIANNUAL REPORTING

Priority: Economically Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Legal Authority: Not Yet Determined

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The Division is considering recommending that the Commission propose rule amendments to allow Exchange Act reporting companies to report on a semiannual basis.

Statement of Need: The proposed rule amendments may reduce compliance costs for public companies.

Anticipated Cost and Benefits: The Commission will evaluate the anticipated costs and benefits and other economic effects as it develops the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	05/07/26	91 FR 24968
NPRM Comment Period End.	07/06/26	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

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RIN: 3235–AN58

SEC	

168. • ENHANCING RETAIL EXPOSURE TO PRIVATE MARKETS

Priority: Economically Significant. Major status under 5 U.S.C. 801 is undetermined.

Regulatory Accounting: Deregulatory

Legal Authority: 15 U.S.C. 80a–6(c); 15 U.S.C. 80a–23(c); 15 U.S.C. 80a–37(a); 15 U.S.C. 80b–5(e); 15 U.S.C. 80b–6a; 15 U.S.C. 80b–11(a)

Relevant Executive Orders: 14330

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The Division is considering recommending that the Commission propose amendments to existing rules and/or propose new rules under the

Investment Advisers Act of 1940 and the Investment Company Act of 1940 to better facilitate retail investor exposure to private markets through registered investment companies and to allow investment advisers to charge performance fees to an expanded set of clients.

Statement of Need: The proposed rulemaking would better facilitate retail investor exposure to private markets through registered investment companies and allow investment advisers to charge performance fees to an expanded set of clients. Over the last two decades, profound shifts have taken place in accelerated growth of private markets as well as increased oversight of and reporting by both private fund advisers and registered funds. Facilitating retail investor exposure to private markets through registered funds and modernizing the performance fee framework would provide needed investment opportunities for retail investors seeking to diversify their investment allocation in line with their investment time horizon and risk tolerance and open more opportunities for retail investors.

Anticipated Cost and Benefits: The Commission will evaluate the anticipated costs and benefits and other economic effects as it develops the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	10/00/26	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 3235–AN59

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