Rules and Regulations

Federal Register

Vol. 91, No. 138

Tuesday, July 21, 2026

DEPARTMENT OF HOMELAND SECURITY

8 CFR Part 208

[CIS No. 2841–26; DHS Docket No. USCIS–2026–0133]

RIN 1615–AD09

USCIS Immigration Fees and Related Procedures Required by H.R.1 Reconciliation Bill; Correction

AGENCY: U.S. Citizenship and Immigration Services (USCIS), Department of Homeland Security (DHS).

ACTION: Correcting amendment.

SUMMARY: This document corrects the interim final rule (IFR) that published in the **Federal Register** on April 29, 2026. The IFR codified certain immigration fees and other provisions required by the One Big Beautiful Bill Act (H.R. 1) and amended USCIS regulations governing asylum and annual asylum fees, the new Form I–94 fee requirement, the validity period for certain types of employment authorization, and the retention of the Form I–589 filing fee for every application. This document will restore regulatory language that was unintentionally removed in the April 29, 2026 IFR.

DATES: Effective July 21, 2026, and applicable as of May 29, 2026.

FOR FURTHER INFORMATION CONTACT: Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security, 5900 Capital Gateway Drive, Camp Springs, MD 20746; telephone 240–721–3000 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION:

I. Need for Correction

On April 29, 2026, DHS published an IFR titled *USCIS Immigration Fees and Related Procedures Required by H.R. 1 Reconciliation Bill.* 91 FR 22952. The IFR codified: (1) the Form I–94 fee requirement set forth in 8 U.S.C. 1807 as it applies to USCIS; (2) the Annual Asylum Fee (AAF) requirement in 8 U.S.C. 1808, including consequences for failure to pay the AAF and limitations related to employment authorization required by 8 U.S.C. 1810(b); (3) the requirement that every asylum application include the fee required by 8 U.S.C. 1802 at filing regardless of whether the application is rejected, and is not refundable; and (4) the H.R. 1 limits on the validity of Temporary Protected Status (TPS) employment authorization required by 8 U.S.C. 1803(c) and 8 U.S.C. 1811(a).

This document corrects an inadvertently omitted provision in the regulatory text at 8 CFR 208.7 regarding the processing timeframe for initial applications for employment authorization under 8 CFR 274a.12(c)(8). Before the IFR, 8 CFR 208.7(a)(1) provided, among other things, that ''[i]f the asylum application is not so denied, [USCIS] shall have 30 days from the date of filing of the request employment authorization to grant or deny that application, except that no employment authorization shall be issued to an asylum applicant prior to the expiration of the 180-day period following the filing of the asylum application filed on or after April 1, 1997.''

The IFR revised and reformatted the regulatory text at 8 CFR 208.7(a)(1). As part of those revisions, DHS inadvertently did not include the final sentence in 8 CFR 208.7(a)(1) and as a result removed the 30-day processing timeframe for initial (c)(8) employment authorization applications. Therefore, this document corrects the regulatory text, 8 CFR 208.7(a)(1) to restore the 30-day processing timeframe for initial EAD applications based on a pending asylum application by adding a new paragraph to maintain the missing sentence.[1]

Because the IFR provides that failure to pay the Annual Asylum Fee (AAF) results in rejection of the pending Form I–589, DHS is adding ''rejected'' to the 8 CFR 208.7(a)(1)(v) language so that the regulation expressly covers both denials and rejections of asylum applications. This ensures that any (c)(8) employment authorization application filed after an asylum application has been denied or rejected is itself rejected, and any (c)(8) application still pending when the asylum application is denied or rejected is denied, thereby aligning employment authorization consequences with the new AAF rejection mechanism and with 8 U.S.C. 1810(b).

This correction is applicable as if DHS had included this provision in the IFR that published on April 29, 2026. That rule had an effective date of May 29, 2026. Accordingly, the correction is applicable as of May 29, 2026, at 12 a.m. Eastern Time. In other words, DHS will apply the corrected IFR to applications pending on, or filed on or after, May 29, 2026; DHS has continued to prioritize adjudicative resources for initial (c)(8)-based EAD applications accordingly; and there will not be a gap in application of the 30-day processing timeline to asylum applicants seeking EADs under 8 CFR 208.7(a).

II. Administrative Procedure Act

Section 553(b) of the Administrative Procedure Act (APA) generally requires agencies to publish a notice of proposed rulemaking in the **Federal Register** to provide a period for public comment before the provisions of a rule take effect. 5 U.S.C. 553(b). In addition, section 553(d) of the APA requires agencies to delay the effective date of final rules by a minimum of 30 days after the date of their publication in the **Federal Register**. 5 U.S.C. 553(d). Both of these requirements can be waived if an agency finds, for good cause, that the notice and comment process and/or delayed effective date is impracticable, unnecessary, or contrary to the public interest, and incorporates a statement of the finding and the reasons therefore in the notice. 5 U.S.C. 553(b)(B), (d)(3).

DHS believes there is good cause for publishing this document without prior notice and opportunity for public

[1] On February 23, 2026, DHS published a Notice of Proposed Rulemaking that proposed numerous changes related to employment authorization based on a pending asylum application. 91 FR 8616 (Feb. 23, 2026). That rule proposed to extend the current 30-day processing timeframe to 180 days for EAD applications received on or after the effective date of a future final rule on the same topic. 91 FR 8618, 8655–57. The comment period for that proposed rule ended on April 24, 2026. USCIS is reviewing the comments received in response and will consider whether to finalize the proposed changes to the processing timeline in a future rule. Neither the error in the April 29, 2026 IFR nor this correction notice are related to that regulatory change under consideration and instead simply maintain the current regulatory text while DHS considers the long-term policy.

comment and with an effective date of less than 30 days because such procedures are unnecessary. This document corrects a technical error in the regulatory text and does not make substantive changes to the policies in the IFR. Therefore, DHS believes that it has good cause to waive the notice and comment and effective date requirements of section 553 of the APA.

List of Subjects in 8 CFR Part 208

Administrative practice and procedure, Aliens, Immigration, Reporting and recordkeeping requirements.

Accordingly, 8 CFR part 208 is corrected by making the following amendment:

PART 208—PROCEDURES FOR ASYLUM AND WITHHOLDING OF REMOVAL

■ 1. The authority citation for part 208 continues to read as follows:

Authority: 8 U.S.C. 1101, 1103, 1158, 1226, 1252, 1282, 1802, 1808; 48 U.S.C. 1806; 8 CFR part 2.

■ 2. Amend § 208.7 by adding paragraph (a)(1)(v) to read as follows:

§ 208.7 Employment authorization.

(a) * * *

(1) * * *

(v) If the asylum application is not so rejected or denied, USCIS shall have 30 days from the date of filing of the application for employment authorization to grant or deny that application, except that no employment authorization shall be issued to an asylum applicant prior to the expiration of the 180-day period following the filing of the asylum application filed on or after April 1, 1997.

* * * * *

Christina E. McDonald,

Associate General Counsel for Regulatory Affairs, U.S. Department of Homeland Security.

[FR Doc. 2026–14698 Filed 7–20–26; 8:45 am]

BILLING CODE 9111–97–P

COMMODITY FUTURES TRADING COMMISSION

17 CFR Part 20

Order Sunsetting Certain Large Trader Reporting Requirements for Physical Commodity Swaps

AGENCY: Commodity Futures Trading Commission.

ACTION: Final Order.

SUMMARY: The Commodity Futures Trading Commission (''CFTC'' or the ''Commission'') is issuing this Order pursuant to § 20.9 of its regulations, the sunset provision of the Commission's large trader reporting rules for physical commodity swaps (''Part 20'' or the ''Swaps LTR Rules''). Based on the findings set out below, the Commission is rendering the routine position-reporting requirements of Part 20 ineffective and unenforceable, while preserving, pursuant to § 20.9(b), the Commission's authority to require the maintenance and production, on special call, of the underlying books, records, and futures-equivalent conversion methods. As a result, clearing organizations, clearing members, and swap dealers will no longer be required to file the daily and event-based position reports currently required under Part 20.

DATES: This Order is effective on July 21, 2026.

FOR FURTHER INFORMATION CONTACT: Stephen Andrews, Deputy General Counsel for Regulation, Office of the General Counsel, *sdandrews@cftc.gov,* 202–308–7563, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581.

SUPPLEMENTARY INFORMATION:

I. Background

Part 20 of the Commission's regulations requires large traders in certain physical commodity swaps and swaptions to file position reports with the Commission.[1] The Commission adopted Part 20 on July 22, 2011, during the implementation of the Dodd-Frank Wall Street Reform and Consumer Protection Act, as a temporary measure to enable the Commission to conduct surveillance of economically equivalent physical commodity futures, options, and swaps and to monitor and enforce position limits at a time when the Commission's broader swap data reporting framework had not yet been established.[2]

When it adopted Part 20, the Commission anticipated that the rules would become unnecessary once its swap data reporting regime matured, and it therefore included a sunset provision in § 20.9. Section 20.9(a) provides that, except as otherwise provided in § 20.9(b), the sections of Part 20 ''shall become ineffective and unenforceable upon a Commission finding that, through the issuance of an order, operating swap data repositories are processing positional data and that such processing will enable the Commission to effectively surveil trading in paired swaps and swaptions and paired swap and swaption markets.'' Section 20.9(b) permits the Commission, in its discretion, to maintain the effectiveness and enforceability of any section of Part 20, or any requirement therein, upon finding that it provides the Commission with positional data or data elements that materially improve the accuracy and surveillance utility of the positional data processed by swap data repositories (''SDRs'').

Since 2011, the Commission's regulatory framework for swaps has changed substantially. The Commission, jointly with the Securities and Exchange Commission, has further defined the term ''swap''; has authorized the registration of SDRs under Part 49; has adopted and subsequently refined the swap data reporting requirements in Parts 43 and 45; and has established position limits on economically equivalent swaps for the most systemically significant commodities in Part 150. Together, these developments have created a comprehensive and continuously maintained regime for the reporting of swap transaction and position data that did not exist when Part 20 was adopted.

II. The Part 20 Reports Now Largely Duplicate Data the Commission Obtains Through Its Swap Data Reporting Regime.

Part 20 requires clearing organizations to report daily position data records (§ 20.3), requires clearing members and swap dealers to report daily consolidated-account position data records (§ 20.4), and requires related identification filings (§ 20.5). These reporting obligations were designed to give the Commission daily visibility into large positions in physical commodity swaps in the energy, metals, and agricultural markets.

The information collected through these reports is now, in substantial part, available to the Commission through its swap data reporting regime. Amendments to Part 49 adopted in 2020 require SDRs to identify ''open swaps''—a term the Commission adopted to serve the same function as the ''open swap'' and ''closed swap'' definitions in Part 20—and to provide the Commission with detailed reports, and direct electronic access to, that data. SDRs also collect, and can provide to the Commission, data identifying the futures contracts and commodities underlying open swaps, including

[1] 17 CFR part 20.

[2] Large Trader Reporting for Physical Commodity Swaps, 76 FR 43851 (July 22, 2011) (''Adopting Release'').