

Reasonable accommodations are available for people with disabilities. To request a reasonable accommodation, contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section below as soon as possible. Last minute requests will be accepted but may not be possible to fulfill.

Written comments must be submitted via the Federal eRulemaking Portal at <https://www.regulations.gov>. Follow the instructions for submitting comments.

Instructions: All written comments must include the docket ID FEMA–2020–0038. All comments received, including any personal information provided, may be posted without alteration at <https://www.regulations.gov>.

Docket: For access to the docket and to read comments received by FEMA, go to <https://www.regulations.gov> and search for Docket ID FEMA–2020–0038.

FOR FURTHER INFORMATION CONTACT: Tod Wells, Deputy Division Director, Recovery Directorate, Public Assistance, via email at FEMA-PA-Policy-Questions@fema.dhs.gov or via phone at (202) 646–2500.

SUPPLEMENTARY INFORMATION: On December 14, 2020, FEMA published a proposed rule titled Cost of Assistance Estimates in the Disaster Declaration Process for the Public Assistance Program.¹ Pursuant to 44 CFR 206.48(a), FEMA considers several factors when determining whether to recommend that the President declare a major disaster authorizing the Public Assistance program. In the Disaster Recovery Reform Act of 2018 (DRRA),² Congress directed FEMA to generally review those factors, specifically the estimated cost of the assistance factor, and to update them through rulemaking, as appropriate.³ Congress also directed FEMA to give greater consideration to the recent multiple disasters and localized impacts factors⁴ when evaluating a request for a major disaster.⁵

On January 20, 2021, Assistant to the President and Chief of Staff Ronald A. Klain issued a memorandum titled “Regulatory Freeze Pending Review” to ensure that President Biden’s appointees or designees have the opportunity to review pending rules.⁶

¹ 85 FR 80719.

² Public Law 115–254, 132 Stat. 3438 (Oct. 5, 2018).

³ DRRA sec. 1239.

⁴ 44 CFR 206.48(a)(2), (5).

⁵ DRRA sec. 1232.

⁶ See Memorandum on Regulatory Freeze Pending Review for the Heads of Executive Departments and Agencies (Jan. 20, 2021), available at <https://www.whitehouse.gov/briefing-room/presidential->

This regulatory freeze does not require FEMA to withdraw pending notices of proposed rulemaking out for public comment, but the agency wants to ensure the memorandum’s intent is met and all parties are given ample opportunity to provide input. FEMA is therefore extending the comment period for this rule from February 12 to March 12, 2021, and will also hold a public meeting on February 24, 2021, to solicit feedback on the proposed rule. These measures will help ensure all interested parties have sufficient opportunity to review and provide comments on the proposed changes.

As published on December 14, 2020, FEMA proposes to amend the estimated cost of the assistance factor in 44 CFR 206.48(a)(1) to raise the per capita indicator and the minimum threshold. As is detailed in the proposed rule, the current per capita indicator and minimum threshold do not provide an accurate measure of States’ capabilities to respond to disasters.⁷ FEMA does not propose to substantively revise the localized impacts factor because it is already sufficiently flexible to address the requirements of section 1232 of the DRRA. FEMA also does not propose any revisions to the recent multiple disasters factor, but requests comment on whether the 12-month time limit currently in place is sufficient to address this factor as required by the DRRA.

DRRA further provided that FEMA shall engage in meaningful consultation with relevant representatives of State regional, local, and Indian tribal government stakeholders.⁸ FEMA’s public meeting will solicit feedback on the proposed rule from these stakeholders in fulfillment of this requirement. FEMA welcomes input, both at the meeting and in written comments submitted separately, on considerations of local economic factors such as the local assessable tax base; the local sales tax; the median income and poverty rate of the local affected area as it compares to that of the State and the economic health of the State, including such factors as the State unemployment rate compared to the national rate; and how such factors can be used to evaluate whether the affected State and local governments have been overwhelmed.⁹

FEMA will carefully consider all relevant comments received during the

[actions/2021/01/20/regulatory-freeze-pending-review/](https://www.regulations.gov/act/2021/01/20/regulatory-freeze-pending-review/) (last visited Jan. 22, 2021).

⁷ See 85 FR 80719.

⁸ *Id.*

⁹ See Explanatory Statement for H.R. 133, Consolidated Appropriations Act, 2021, 166 Cong. Rec. H8479 (daily ed. Dec. 21, 2020).

meeting, and during the rest of the comment period for the proposed rule, which now runs through March 12, 2021, before issuing a final rule. All verbal comments or remarks provided on the proposed rule during the meeting will be recorded and posted to the rulemaking docket on <https://www.regulations.gov>.

MaryAnn Tierney,

Acting Deputy Administrator, Federal Emergency Management Agency.

[FR Doc. 2021–02459 Filed 2–4–21; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1 and 54

[GN Docket No. 20–32; Report No. 3165; FRS 17451]

Petitions for Reconsideration of Action in Rulemaking Proceeding

AGENCY: Federal Communications Commission.

ACTION: Petitions for Reconsideration; correction.

SUMMARY: This document corrects a date that appeared in the **Federal Register** on January 22, 2021. That **Federal Register** document, which invited comment on the Petitions for Reconsideration (Petitions) filed in the Commission’s rulemaking proceeding, incorrectly listed the date by which replies to an opposition to the Petitions must be filed as February 16, 2021, rather than February 18, 2021.

DATES: Effective on February 5, 2021.

FOR FURTHER INFORMATION CONTACT: Valerie Barrish, Office of Economics and Analytics, Auctions Division, (202) 418–0660, or Valerie.Barrish@fcc.gov.

SUPPLEMENTARY INFORMATION: This document corrects the date by which replies to an opposition to the Petitions for Reconsideration (Petitions) filed in the Commission’s rulemaking proceeding must be filed, published at 86 FR 6611 on January 22, 2021, which incorrectly listed that date as February 16, 2021, rather than February 18, 2021.

In FR Doc. 2021–00464 appearing on page 6611 in the **Federal Register** of Friday, January 22, 2021, the following corrections are made:

1. On page 6611, in the second column, in the **DATES** section, the statement “Replies to an opposition must be filed on or before February 16, 2021” is corrected to read “Replies to an opposition must be filed on or before February 18, 2021.”

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2021-02437 Filed 2-4-21; 8:45 am]

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SURFACE TRANSPORTATION BOARD

49 CFR Part 1180

[Docket No. EP 282 (Sub-No. 21)]

Petition for Rulemaking—Railroad Consolidation Procedures—Exemption for Emergency Temporary Trackage Rights

AGENCY: Surface Transportation Board.

ACTION: Petition for rulemaking.

SUMMARY: The Board institutes a rulemaking proceeding to consider a proposal by the Association of American Railroads to establish a new emergency temporary trackage rights class exemption.

DATES: Published in the **Federal Register** on February 5, 2021. The Board will provide an opportunity for additional public participation in a subsequent decision.

ADDRESSES: Comments and replies may be filed with the Board via e-filing on

the Board's website at www.stb.gov and will be posted to the Board's website.

FOR FURTHER INFORMATION CONTACT: Nathaniel Bawcombe at (202) 245-0376. Assistance for the hearing impaired is available through the Federal Relay Service at (800) 877-8339.

SUPPLEMENTARY INFORMATION: On October 9, 2020, the Association of American Railroads (AAR) filed a petition requesting that the Board initiate a rulemaking proceeding to establish a new emergency temporary trackage rights class exemption that could be invoked in specific situations and would allow emergency temporary trackage rights to take effect immediately, without need to waive the 30-day notice requirement under 49 CFR 1180.4(g)(1). AAR argues that the current two-step approach for obtaining temporary trackage rights that take effect on less than 30 days' notice is inefficient, and AAR asserts that its proposed class exemption would benefit shippers, railroads, and the Board by providing a streamlined and simple approach for obtaining temporary trackage rights in emergency situations, ensuring the continued flow of commerce without any decrease in regulatory oversight. (Pet. 1-4.) On

November 4, 2020, Samuel J. Nasca, for and on behalf of SMART-Transportation Division-New York State Legislative Board (SMART/TD-NY), filed a reply in opposition to AAR's petition.

The Board concludes that it is appropriate to institute a rulemaking proceeding to consider AAR's proposal. The Board will provide an opportunity for additional public participation in a subsequent decision.

List of Subjects in 49 CFR 1180

Administrative practice and procedure, Railroads, Reporting and recordkeeping requirements.

It is ordered:

1. AAR's request to initiate a rulemaking proceeding is granted, as discussed above.

2. Notice of this decision will be published in the **Federal Register**.

3. This decision is effective on its service date.

Decided: February 1, 2021.

By the Board, Board Members Begeman, Fuchs, Oberman, Primus, and Schultz.

Kenyatta Clay,
Clearance Clerk.

[FR Doc. 2021-02452 Filed 2-4-21; 8:45 am]

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