

suggestions on how to improve upon that mechanism, they may propose changes in their response to this Order.

An effective price cap system maintains reliable, efficient, and economical service.³⁰ “The Postal Service cannot be permitted to degrade service in order to comply with the revenue constraints associated with the price cap.” Order No. 4257 at 255 (citing Docket No. N2010–1, Advisory Opinion at 8). “A reduction in service must be warranted by declining demand for the service, rather than to ease the obligation of adhering to the price cap.” Docket No. N2010–1, Advisory Opinion at 10. Introducing a direct financial incentive connected to operational efficiency gains and cost reductions may undermine the existing incentives to maintain high-quality service standards.³¹ Accordingly, to give due consideration to a potential need to counterbalance such unintended consequences, the Commission raises the following discussion points:

1. How to identify potential regulatory changes that may be needed to counterbalance any perverse incentive to degrade service standards and/or service performance that may be created by introducing an operational-efficiency based requirement?

2. How to identify the relative advantages of designing a system that creates a direct financial link to changes in service standards?

3. What data and methods could be used to design a system that creates a direct financial link to changes in service standards?

IV. Administrative Actions

The Commission establishes Docket No. RM2021–2 for consideration of the matters discussed in the body of this advance notice of proposed rulemaking.

The Commission will accept comments and reply comments concerning the topics identified in this advance notice of proposed rulemaking. Comments are due April 15, 2021. Reply comments are due May 17, 2021.

Pursuant to 39 U.S.C. 505, Richard A. Oliver is designated as an officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.

The Postal Service shall file the documentation and linked workpapers for its TFP methodology to aid in the

evaluation of TFP by February 16, 2021. Materials filed in this docket will be available for review on the Commission’s website (<http://www.prc.gov>).

The Regulatory Flexibility Act requires federal agencies, in promulgating rules, to consider the impact of those rules on small entities. See 5 U.S.C. 601, *et seq.* If the proposed or final rules will not, if promulgated, have a significant economic impact on a substantial number of small entities, the head of the agency may certify that the initial and final regulatory flexibility analysis requirements of 5 U.S.C. 603 and 604 do not apply. See 5 U.S.C. 605(b). In the context of this rulemaking, the Commission’s primary responsibility is in the regulatory oversight of the United States Postal Service. The rules that are the subject of this rulemaking have a regulatory impact on the Postal Service, but do not impose any regulatory obligation upon any other entity. Based on these findings, the Chairman of the Commission certifies that the rules that are the subject of this rulemaking will not have a significant economic impact on a substantial number of small entities. Therefore, pursuant to 5 U.S.C. 605(b), this rulemaking is exempt from the initial and final regulatory flexibility analysis requirements of 5 U.S.C. 603 and 604.

V. Ordering Paragraphs

It is ordered:

1. Docket No. RM2021–2 is established for the purpose of considering amendments to Chapter III of title 39 of the Code of Federal Regulations as discussed in this advance notice of proposed rulemaking.

2. The Postal Service shall file the documentation and linked workpapers for its total factor productivity methodology, in a manner that displays the formulae used and links to related spreadsheets by February 16, 2021.

3. If the Postal Service proposes to use a metric other than total factor productivity for a performance incentive mechanism, then it shall file a detailed public explanation of the methodology along with its comments.

4. Pursuant to 39 U.S.C. 505, Richard A. Oliver shall serve as an officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.

5. Interested persons may submit comments no later than April 15, 2021.

6. Interested persons may submit reply comments no later than May 17, 2021.

7. The Secretary shall arrange for publication of this order in the **Federal Register**.

By the Commission,
Erica A. Barker,
Secretary.

Editorial Note: This document was received at the Office of the Federal Register on January 19, 2021.

[FR Doc. 2021–01500 Filed 2–4–21; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 206

[Docket ID FEMA–2020–0038]

RIN 1660–AA99

Cost of Assistance Estimates in the Disaster Declaration Process for the Public Assistance Program; Public Meeting

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: Announcement of meeting; extension of comment period.

SUMMARY: The Federal Emergency Management Agency (FEMA) is extending the public comment period for its proposed rule published December 14, 2020, and will hold a public meeting remotely via web conference to solicit feedback on the proposed rule. The rule proposed to substantively revise the “estimated cost of the assistance” disaster declaration factor that FEMA uses to review a Governor’s request for a major disaster under the Public Assistance Program.

DATES: Written comments on the proposed rule published at 85 FR 80719 (December 14, 2020) may be submitted until 11:59 p.m. ET on Friday, March 12, 2021.

The meeting will take place on Wednesday, February 24, 2021, from 1 to 3 p.m. Eastern Time (ET).

To register in order to make remarks during the meeting, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section below by 12 p.m. ET on Tuesday, February 23, 2021.

ADDRESSES: The meeting will be held via web conference. Members of the public may view the public portion of the meeting online at <https://fema.zoomgov.com/s/1617851830>.

³⁰ Order No. 4257 at 255 (citing Docket No. N2010–1 Advisory Opinion at 7–10).

³¹ See Order No. 5763 at 171 (citing Order No. 5337 at 142, 144; Order No. 4257 at 255); see also 2006 Joskow, *supra* at 8 (observing that regulatory mechanisms focusing on cost reductions exclusively may lead to the operator reducing its service).

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.”