

privileged, confidential document that could not be discussed. It was not on the agenda for the March 6, 2020 meeting.” While the member acknowledged a brief discussion did occur, it remains clear that not all ACCV members believed they could discuss the NPRM during the March meeting. In a letter to the Secretary of HHS dated May 20, 2020, with the recommendation to oppose the proposed changes to the Table, the ACCV again expressed dissatisfaction with the ACCV recommendation process, stating, “During its March 6 Meeting, the Commission briefly discussed this draft NPRM; however, no representative from HHS was present to address questions from ACCV members, and discussion of the draft NPRM was not an agenda item. Therefore, ACCV members requested, among other things, a meeting with an HHS official to respond to their questions about the NPRM. Thus, the May 18, 2020 meeting was scheduled, but an HHS official who could respond to the ACCV’s questions did not attend.” (See <https://www.hrsa.gov/sites/default/files/hrsa/advisory-committees/vaccines/reports/accv-recommendation-may-2020.pdf>.)

That anonymous commenter also stated that the public was made aware of the entire revised regulation, including the qualifications and aids to interpretation and coverage provisions, because “the NPRM and the Final Rule provide: ‘In 100.3, revise paragraph (a) and remove paragraphs (c)(10) and (13) and (e)(8).’ 85 FR 43,804; 86 FR 6249, 6267 (Jan. 21, 2021).” The anonymous commenter said he or she believes it is sufficient to refer solely to the paragraphs being removed, and not spell out the entire revised regulation. However, the final rule says, “In § 100.3, revise paragraph (a) and remove paragraphs (c)(10) and (13) and (e)(8). The revision reads as follows” After the “as follows,” the only text that is included is the Table itself, and not the revised qualifications and aids to interpretation and coverage provisions. Therefore, the language in the proposed and final rules is ambiguous because it implies that the entirety of the revised regulation is included, but then only includes the Table itself. Furthermore, the version of the Vaccine Injury Table that is currently displayed on the eCFR includes a link titled “Link to an amendment published at 86 FR 6267, Jan. 21, 2021.” This link displays only the Vaccine Injury Table that was published in the final rule, and this delay will permit HHS to clarify these seemingly conflicting instructions concerning 42 CFR 100.3(b)–(e).

III. Regulatory Impact Analysis

Executive Order 12866 directs agencies to assess all costs and benefits of available regulatory alternatives and, when rulemaking is necessary, to select regulatory approaches that provide the greatest net benefits (including potential economic, environmental, public health, safety, distributive, and equity effects). In addition, under the Regulatory Flexibility Act, if a rule has a significant economic effect on a substantial number of small entities, HHS must specifically consider the economic effect of a rule on small entities and analyze regulatory options that could lessen the impact of the rule.

The Office of Information and Regulatory Affairs has determined that this rule is not a “significant regulatory action” under section 3(f) of Executive Order 12866.

HHS has determined that no resources are required to implement the requirements in this rule because compensation will continue to be made consistent with the status quo. Therefore, in accordance with the Regulatory Flexibility Act of 1980 (RFA), and the Small Business Regulatory Enforcement Act of 1996, which amended the RFA, HHS certifies that this rule will not have a significant impact on a substantial number of small entities.

HHS has also determined that this rule does not meet the criteria for a major rule under the Congressional Review Act or Executive Order 12866 and would have no major effect on the economy or Federal expenditures. Similarly, it will not have effects on State, local, and tribal governments and on the private sector such as to require consultation under the Unfunded Mandates Reform Act of 1995. Nor on the basis of family well-being will the provisions of this rule affect the following family elements: Family safety; family stability; marital commitment; parental rights in the education, nurture and supervision of their children; family functioning; disposable income or poverty; or the behavior and personal responsibility of youth, as determined under section 654(c) of the Treasury and General Government Appropriations Act of 1999.

Impact of the New Rule

This rule extends the effective date of the final rule titled “National Vaccine Injury Compensation Program: Revisions to the Vaccine Injury Table” until April 23, 2021, to determine whether that rule’s promulgation raises any legal issues. This delay is

reasonable and will not be disruptive because the underlying rule has not yet been implemented or taken effect.

Paperwork Reduction Act of 1995

This rule has no information collection requirements.

Norris Cochran,

Acting Secretary, Department of Health and Human Services.

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket ID FEMA–2021–0003; Internal Agency Docket No. FEMA–8667]

Suspension of Community Eligibility

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final rule.

SUMMARY: This rule identifies communities where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP) that are scheduled for suspension on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will not occur. Information identifying the current participation status of a community can be obtained from FEMA’s CSB available at www.fema.gov/flood-insurance/work-with-nfip/community-status-book. Please note that per Revisions to Publication Requirements for Community Eligibility Status Information Under the National Flood Insurance Program, notices such as this one for scheduled suspension will no longer be published in the **Federal Register** as of June 2021 but will be available at National Flood Insurance Community Status and Public Notification | FEMA.gov. Individuals without internet access will be able to contact their local floodplain management official and/or State NFIP Coordinating Office directly for assistance.

DATES: The effective date of each community’s scheduled suspension is the third date (“Susp.”) listed in the third column of the following tables.

FOR FURTHER INFORMATION CONTACT: If you want to determine whether a particular community was suspended on the suspension date or for further information, contact Adrienne L. Sheldon, PE, CFM, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 400 C Street SW, Washington, DC 20472, (202) 674–1087. Details regarding updated publication requirements of community eligibility status information under the NFIP can be found on the CSB section at www.fema.gov.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase Federal flood insurance that is not otherwise generally available from private insurers. In return, communities agree to adopt and administer local floodplain management measures aimed at protecting lives, new and substantially improved construction, and development in general from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits the sale of NFIP flood insurance unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance with NFIP regulations, 44 CFR part 59. Accordingly, the communities will be suspended on the effective date listed in the third column. As of that date, flood insurance will no longer be available in the community. FEMA recognizes communities may adopt and submit the required documentation after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue to be eligible for the sale of NFIP flood insurance. Their current NFIP

participation status can be verified at anytime on the CSB section at fema.gov.

In addition, FEMA publishes a Flood Insurance Rate Map (FIRM) that identifies the Special Flood Hazard Areas (SFHAs) in these communities. The date of the published FIRM is indicated in the fourth column of the table. No direct federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act not in connection with a flood) may be provided for construction or acquisition of buildings in identified SFHAs for communities not participating in the NFIP and identified for more than a year on FEMA’s initial FIRM for the community as having flood-prone areas (section 202(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition against certain types of federal assistance becomes effective for the communities listed on the date shown in the last column. The Administrator finds that notice and public comment procedures under 5 U.S.C. 553(b), are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives 6-month, 90-day, and 30-day notification letters addressed to the Chief Executive Officer stating that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications were made, this final rule may take effect within less than 30 days.

National Environmental Policy Act. FEMA has determined that the community suspension(s) included in this rule is a non-discretionary action and therefore the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) does not apply.

Regulatory Flexibility Act. The Administrator has determined that this rule is exempt from the requirements of

the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, Section 1315, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and after the effective date, flood insurance will no longer be available in the communities unless remedial action takes place.

Regulatory Classification. This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 13132, Federalism. This rule involves no policies that have federalism implications under Executive Order 13132.

Executive Order 12988, Civil Justice Reform. This rule meets the applicable standards of Executive Order 12988.

Paperwork Reduction Act. This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Accordingly, 44 CFR part 64 is amended as follows:

PART 64—[AMENDED]

- 1. The authority citation for Part 64 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp.; p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp.; p. 376.

§ 64.6 [Amended]

- 2. The tables published under the authority of § 64.6 are amended as follows:

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain federal assistance no longer available in SFHAs
Region 3				
Pennsylvania: East Buffalo, Township of, Union County.	421011	April 24, 1973, Emerg; February 2, 1977, Reg; February 26, 2021, Susp.	Feb. 26, 2021	Feb. 26, 2021.
Susquehanna, Township of, Juniata County.	421746	June 27, 1975, Emerg; June 1, 1982, Reg; February 26, 2021, Susp.	.....do *	Do.
Virginia: Culpeper, Town of, Culpeper County.	510042	June 16, 1975, Emerg; March 2, 1989, Reg; February 26, 2021, Susp.	.....do	Do.
Culpeper County, Unincorporated Areas.	510041	November 26, 1974, Emerg; July 1, 1987, Reg; February 26, 2021, Susp.	.....do	Do.
Rappahannock County, Unincorporated Areas.	510128	January 7, 1976, Emerg; August 24, 1984, Reg; February 26, 2021, Susp.	.....do	Do.

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain federal assistance no longer available in SFHAs
Region 4				
Tennessee: Brentwood, City of, Williamson County.	470205	March 23, 1973, Emerg; February 1, 1978, Reg; February 26, 2021, Susp.	.....do	Do.
Cheatham County, Unincorporated Areas.	470026	September 27, 1974, Emerg; May 19, 1981, Reg; February 26, 2021, Susp.	.....do	Do.
Hendersonville, City of, Sumner County.	470186	May 28, 1974, Emerg; November 4, 1981, Reg; February 26, 2021, Susp.	.....do	Do.
Pegram, Town of, Cheatham County.	470291	N/A, Emerg; April 9, 1987, Reg; February 26, 2021, Susp.	.....do	Do.
Pleasant View, Town of, Cheatham County.	470428	N/A, Emerg; August 1, 2011, Reg; February 26, 2021, Susp.	.....do	Do.
Ridgetop, City of, Davidson and Robertson Counties.	470162	N/A, Emerg; March 13, 2009, Reg; February 26, 2021, Susp.	.....do	Do.
Robertson County, Unincorporated Areas.	470158	May 28, 1982, Emerg; June 15, 1984, Reg; February 26, 2021, Susp.	.....do	Do.
Williamson County, Unincorporated Areas.	470204	May 27, 1975, Emerg; April 1, 1981, Reg; February 26, 2021, Susp.	Feb. 26, 2021	Feb. 26, 2021.

* -do- = Ditto.

Code for reading third column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension.

Eric J. Letvin,

Deputy Assistant Administrator for Mitigation, Federal Insurance and Mitigation Administration—FEMA Resilience, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2021-03223 Filed 2-22-21; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 1

[WT Docket No. 18-120; FCC 20-183; FRS 17359]

Transforming the 2.5 GHz Band

AGENCY: Federal Communications Commission.

ACTION: Dismissal of petitions for reconsideration.

SUMMARY: In this document, the Federal Communications Commission (Commission) addresses the Petitions for Reconsideration (Petitions) filed by National Congress of American Indians (NCAI) and Schools, Health & Libraries Broadband Coalition and others (SHLB et al.), asking that the Commission reinstate the eligibility restrictions it eliminated in the *2.5 GHz Report and Order*, published on October 25, 2019, and create a window for additional educational use of the band. The Commission dismisses the Petitions in part and, alternatively and independently, denies the other two petitions. The Hawai'i Broadband Initiative filed a Petition for Reconsideration, which it subsequently requested leave to withdraw. The Commission grants Hawai'i Broadband

Initiative's request to withdraw its petition.

DATES: The Commission adopted the Order on Reconsideration denying the Petitions for Reconsideration on December 9, 2020.

FOR FURTHER INFORMATION CONTACT: John Schauble, Deputy Chief, Broadband Division, Wireless Telecommunications Bureau, (202) 418-0797 or email John.Schauble@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order on Reconsideration (Reconsideration Order), WT Docket No. 18-120; FCC 20-183, adopted on December 9, 2020 and released on December 17, 2020. The full text of the Reconsideration Order is available electronically via the FCC's Electronic Document Management System (EDOCS) website at <https://www.fcc.gov/edocs> or via the FCC's Electronic Comment Filing System (ECFS) website at <http://www.fcc.gov/ecfs>. (Documents will be available electronically in ASCII, Microsoft Word, and/or Adobe Acrobat.) Alternative formats are available for people with disabilities (braille, large print, electronic files, audio format), by sending an email to fcc504@fcc.gov or calling the Commission's Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). The *2.5 GHz Report and Order*, WT Docket No. 18-120, FCC 19-62, released July 11, 2019 published at 84 FR 57343 on October 25, 2019.

Synopsis

I. Introduction

1. The 2.5 GHz band (2496-2690 MHz) is the single largest band of

contiguous spectrum below 3 gigahertz. Too much of this spectrum, which is prime mid-band spectrum for next generation mobile operations, including 5G, has lain fallow for more than twenty years. In the *2.5 GHz Report and Order*, the Commission transformed the regulatory framework governing the band in order to move this spectrum into the hands of those who will provide service to Americans across the country, and particularly in rural and Tribal areas. The Commission replaced an outdated regulatory regime, developed in the days when educational TV was the only use envisioned for this spectrum, with one that not only gives incumbent users more flexibility in how they use the spectrum, but also provides opportunities for additional entities to obtain access to unused 2.5 GHz spectrum. Among other things, the Commission established a Tribal Priority Window to address the acute problem of lack of access to wireless communications services in rural Tribal areas, and it decided to hold an overlay auction thereafter for remaining unassigned spectrum rights.

2. Three parties sought reconsideration of various aspects of the order. The National Congress of American Indians (NCAI) seeks reconsideration of the Commission's decision to focus the Tribal Priority Window opportunity on rural Tribal land. The Schools, Health & Libraries Broadband Coalition and others (SHLB et al.), meanwhile, ask that the Commission reinstate the eligibility restrictions the Commission eliminated in the *2.5 GHz Report and Order* and create a window for additional educational use of the band. And the