(A) Information as to where the public may access a copy of the proposed significant guidance document;

(B) Information as to where written comments may be sent, and an internet website where those comments may be reviewed by the public; and

(C) The time period during which comments will be accepted.

(iii) Publish a public response to the major concerns raised during the comment period.

(3) Significant guidance documents must comply with applicable requirements for significant regulatory actions, as set forth in Executive orders, except that only economically significant guidance documents require a separate Regulatory Impact Analysis.

(4) A significant guidance document may be exempted from any requirement otherwise applicable to significant guidance documents if the Secretary and the Administrator of OIRA agree that exigency, safety, health, or other compelling cause warrants the exemption. The Secretary must make this finding, and the significant guidance document must incorporate the finding and a brief statement of reasons in support.

(5) The Department shall seek from OIRA, as appropriate, categorical determinations that classes of guidance presumptively do not qualify as significant. Any guidance satisfying such a categorical exemption presumptively need not comply with the requirements of this paragraph (b), but must comply with all other requirements applicable to guidance documents. OIRA may determine that a particular guidance document within a categorical exemption is nonetheless significant.

**§ 1.4 Guidance repository.**

(a) *Existing guidance.* By [*date 60 days after effective date of the final rule*] the Department shall maintain a guidance repository on its website at *www.hhs.gov/guidance*.

(1) The guidance repository shall be fully text searchable and contain or link to all guidance documents in effect that have been issued by any component of the Department.

(2) If the Department does not include a guidance document in the guidance repository by November 2, 2020, the guidance document shall be considered rescinded.

(3) Any web page in the guidance repository that contains or links to guidance documents must state:

(i) That the guidance documents contained therein:

(A) ''Lack the force and effect of law, except as authorized by law or as specifically incorporated into a contract.''; and

(B) ''The Department may not cite, use, or rely on any guidance that is not posted on the guidance repository, except to establish historical facts.''

(ii) That any guidance document previously issued by the Department is no longer in effect, and will be considered rescinded, if it is not included in the guidance repository.

(4) If the Department wishes to reinstate a rescinded guidance document, the Department may do so only by complying with all of the requirements applicable to guidance documents issued after [effective date of the final rule].

(b) *Guidance issued after [effective date of the final rule].* (1) For all guidance documents issued after [effective date of the final rule], the Department must post each guidance document to the Department's guidance repository within three business days of the date on which that guidance document was issued.

(2) For significant guidance documents issued after [effective date of the final rule], the Department shall post proposed new significant guidance to the guidance repository as part of the notice-and-comment process.

(i) The posting shall clearly indicate the end of each significant guidance document's comment period and provide a means for members of the public to submit comments.

(ii) The Department shall also post online all responses to major public comments.

**§ 1.5 Procedure to petition for review of guidance.**

(a) Any interested party may petition the Department to withdraw or modify any particular guidance document. Such petitions may include requests to determine whether:

(1) A guidance document, no matter how styled, imposes binding obligations on parties beyond what is required by the terms of applicable statutes and/or regulations;

(2) A component of the Department is using a guidance document to create additional legal obligations beyond what is required by the terms of applicable statutes and/or regulations; or

(3) The Department is improperly exempting a guidance document from the requirements set forth in this part.

(b) As part of a petition under this section, an interested party may ask that the Department modify or withdraw any guidance document in effect at the time of the petition.

(c) Petitions under this section must be addressed to the Department in writing. The Department's guidance repository must include clear instructions to members of the public regarding how to petition for review of guidance, including how such petition can be submitted, and an office at the Department responsible for coordinating such requests.

(d) The Department must respond to all petitions no later than 90 business days after receipt of the petition. The applicable time period for responding is suspended from the time the Department:

(1) Requests additional information from the requestor, until the Department receives the additional information; or

(2) Notifies the requestor of the need to consult with other stakeholders, including but not limited to the Department of Justice or the Department's Office of Inspector General, until the Department completes consultation with other stakeholders.

(e) The Department will publish all responses to petitions under this section to a designated web page on its guidance repository.

Dated: August 14, 2020.

**Alex M. Azar II,**

*Secretary, Department of Health and Human Services.*

[FR Doc. 2020–18208 Filed 8–17–20; 4:15 pm]

**BILLING CODE 4150–26–P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 73 and 74

**[MB Docket Nos. 19–193, 17–105; Report No. 3154; FRS 16953]**

### Petitions for Reconsideration of Action in Proceeding

**AGENCY:** Federal Communications Commission.

**ACTION:** Petitions for Reconsideration.

**SUMMARY:** Petitions for Reconsideration have been filed in the Commission's proceeding by Foundation for a Beautiful Life; and by Todd Urick and Paul Bame (previously commenting under ''LPFM/NCE Community-Radio Engineer Advocates'' or ''LPFM Advocates''), along with Peter Gray (KFZR–LP), Makeda Dread Cheatom (KVIB–LP), Brad Johnson (KGIG–LP), David Stepanyuk (KIEV–LP), and Andy Hansen-Smith (KCFZ–LP).

**DATES:** Oppositions to the Petition must be filed on or before September 4, 2020. Replies to an opposition must be filed on or before September 14, 2020.

**ADDRESSES:** Federal Communications Commission, 445 12th Street SW,

Washington, DC 20554. Submissions should be filed in the Commission's Electronic Comment Filing System at: *http://apps.fcc.gov/ecfs/.*

**FOR FURTHER INFORMATION CONTACT:** Irene Bleiweiss, Attorney, Media Bureau, Audio Division, (202) 418–2785, *Irene.Bleiweiss@fcc.gov.*

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's document, Report No. 3154, released July 21, 2020. The full text may be accessed online via the Commission's Electronic Comment Filing System at: *http://apps.fcc.gov/ecfs/.* The Commission will not send a Congressional Review Act (CRA) submission to Congress or the Government Accountability Office pursuant to the CRA, 5.U.S.C. 801(a)(1)(A), because no rules are being adopted by the Commission. This document is being published pursuant to 47 CFR 1.429(e). *See also* 47 CFR 1.4(b)(1) and 1.429(f), (g).

*Subject:* Amendment of Parts 73 and 74 to Improve the Low Power FM Radio Service Technical Rules; Modernization of Media Regulation Initiative, MB Docket Nos. 19–193, 17–105, Report and Order, FCC 20–53, published at 85 FR 35567, June 11, 2020.

*Number of Petitions Filed:* 2.

Federal Communications Commission.

**Marlene Dortch,**

*Secretary, Office of the Secretary.*

[FR Doc. 2020–16558 Filed 8–19–20; 8:45 am]

**BILLING CODE 6712–01–P**