

**ACTION:** Notice of availability of the OMB Final Sequestration Report to the President and Congress for FY 2021.

**SUMMARY:** OMB is issuing the *OMB Final Sequestration Report to the President and Congress for Fiscal Year 2021* to report on status of 2021 discretionary caps and compliance of enacted 2021 discretionary appropriations legislation with those caps.

**DATES:** January 19, 2021.

**ADDRESSES:** The OMB Sequestration Reports to the President and Congress are available on-line on the OMB home page at: <https://www.whitehouse.gov/omb/legislative/sequestration-reports-orders/>.

**FOR FURTHER INFORMATION CONTACT:**

Thomas Tobasko, 6202 New Executive Office Building, Washington, DC 20503, Email address: [ttobasko@omb.eop.gov](mailto:ttobasko@omb.eop.gov), telephone number: (202) 395-5745, FAX number: (202) 395-4768. Because of delays in the receipt of regular mail related to security screening, respondents are encouraged to use electronic communications.

**SUPPLEMENTARY INFORMATION:** Section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985 requires the Office of Management and Budget (OMB) to issue a Final Sequestration Report 15 calendar days after the end of a congressional session. This report meets that requirement and finds that, for fiscal year 2021, enacted appropriations are at or below the defense and non-defense caps after accounting for cap adjustments. As a result, a sequestration of discretionary budget authority is not required in 2021.

**Russell T. Vought,**  
*Director.*

[FR Doc. 2021-01568 Filed 1-27-21; 8:45 am]

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**OFFICE OF MANAGEMENT AND BUDGET**

**Memorandum for the Heads of Executive Departments and Agencies**

January 20, 2021.

FROM: Ronald A. Klain, Assistant to the President and Chief of Staff.

SUBJECT: Regulatory Freeze Pending Review.

The President has asked me to communicate to each of you his plan for managing the Federal regulatory process at the outset of his Administration. In order to ensure that the President's appointees or designees have the opportunity to review any new or

pending rules, at the direction of the President, I ask that you immediately take the following steps:

1. Subject to any exceptions the Director of the Office of Management and Budget (the "OMB Director") allows for emergency situations or other urgent circumstances relating to health, safety, environmental, financial, or national security matters, or otherwise, propose or issue no rule in any manner—including by sending a rule to the Office of the Federal Register (the "OFR")—until a department or agency head appointed or designated by the President after noon on January 20, 2021, reviews and approves the rule. The department or agency head may delegate this power of review and approval to any other person so appointed or designated by the President, consistent with applicable law.

2. With respect to rules that have been sent to the OFR but not published in the **Federal Register**, immediately withdraw them from the OFR for review and approval as described in paragraph 1, subject to the exceptions described in paragraph 1. This withdrawal must be conducted consistent with OFR procedures.

3. With respect to rules that have been published in the **Federal Register**, or rules that have been issued in any manner, but have not taken effect, consider postponing the rules' effective dates for 60 days from the date of this memorandum, consistent with applicable law and subject to the exceptions described in paragraph 1, for the purpose of reviewing any questions of fact, law, and policy the rules may raise. For rules postponed in this manner, during the 60-day period, where appropriate and consistent with applicable law, consider opening a 30-day comment period to allow interested parties to provide comments about issues of fact, law, and policy raised by those rules, and consider pending petitions for reconsideration involving such rules. As appropriate and consistent with applicable law, and where necessary to continue to review these questions of fact, law, and policy, consider further delaying, or publishing for notice and comment proposed rules further delaying, such rules beyond the 60-day period. Following the 60-day delay in effective date:

a. For those rules that raise no substantial questions of fact, law, or policy, no further action needs to be taken; and

b. for those rules that raise substantial questions of fact, law, or policy, agencies should notify the OMB Director and take further appropriate

action in consultation with the OMB Director.

4. Exclude from the actions requested in paragraphs 1 through 3 any rules subject to statutory or judicial deadlines and identify such exclusions to the OMB Director as soon as possible.

5. Notify the OMB Director promptly of any rules that, in your view, should be excluded from the directives in paragraphs 1 through 3 because those rules affect critical health, safety, environmental, financial, or national security matters, or for some other reason. The OMB Director will review any such notifications and determine whether such exclusion is appropriate under the circumstances.

6. Comply in all circumstances with any applicable Executive Orders concerning regulatory management.

As used in this memorandum, "rule" has the definition set forth in section 551(4), title 5, United States Code. It also includes any "regulatory action," as defined in section 3(e) of Executive Order 12866 of September 30, 1993, as amended, and any "guidance document" as defined in section 3(g) of Executive Order 13422 of January 18, 2007, when that order was in effect. Thus, the requirements of this memorandum apply not only to "rules" as defined in section 551(4) of title 5, but also to:

a. Any substantive action by an agency (normally published in the **Federal Register**) that promulgates or is expected to lead to the promulgation of a final rule or regulation, including notices of inquiry, advance notices of proposed rulemaking, and notices of proposed rulemaking; and

b. any agency statement of general applicability and future effect that sets forth a policy on a statutory, regulatory, or technical issue or an interpretation of a statutory or regulatory issue.

The OMB Director will implement this regulatory review, and any communications regarding any matters pertaining to this review should be addressed to the OMB Director. The OMB Director is also authorized to establish a process to review pending collections of information under the Paperwork Reduction Act of 1995, as codified in chapter 35, title 44, United States Code, and to take actions that the OMB Director deems appropriate based on that review, consistent with applicable law.

Should actions be identified that were undertaken before noon on January 20, 2021, to frustrate the purpose underlying this memorandum, I may modify or extend this memorandum, pursuant to the direction of the President, to request that agency heads

consider taking steps to address those actions.

The OMB Director is authorized and directed to publish this memorandum in the **Federal Register**.

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## OFFICE OF PERSONNEL MANAGEMENT

### Submission for Review: 3206-0194, Annuity Supplement Earnings Report, RI 92-22

**AGENCY:** Office of Personnel Management.

**ACTION:** 30-Day notice and request for comments.

**SUMMARY:** Retirement Services, Office of Personnel Management (OPM) offers the general public and other federal agencies the opportunity to comment on a revised information collection request (ICR), RI 92-22—Annuity Supplement Earnings Report.

**DATES:** Comments are encouraged and will be accepted until March 1, 2021.

**ADDRESSES:** Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503, Attention: Desk Officer for the Office of Personnel Management or sent via electronic mail to: [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov) or faxed to (202) 395-6974.

**FOR FURTHER INFORMATION CONTACT:** A copy of this ICR with applicable supporting documentation, may be obtained by contacting the Retirement Services Publications Team, Office of Personnel Management, 1900 E Street NW, Room 3316-L, Washington, DC 20415, Attention: Cyrus S. Benson, or sent via electronic mail to [Cyrus.Benson@opm.gov](mailto:Cyrus.Benson@opm.gov) or faxed to (202) 606-0910 or via telephone at (202) 606-4808.

**SUPPLEMENTARY INFORMATION:** As required by the Paperwork Reduction Act of 1995 OPM is soliciting comments for this collection. The information collection (OMB No. 3206-0194) was previously published in the **Federal Register** on April 7, 2020 at 85 FR 19518, allowing for a 60-day public comment period. Comments were received; however, they were not related to this Information Collection Request. The Office of Management and Budget is particularly interested in comments that:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of functions of the agency, including whether the information will have practical utility;

2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

3. Enhance the quality, utility, and clarity of the information to be collected; and

4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

Form RI 92-22, Annuity Supplement Earnings Report, is used to annually obtain the earned income of Federal Employees Retirement System (FERS) annuitants receiving an annuity supplement. The annuity supplement is paid eligible FERS annuitants who are not retired on disability and are not yet age 62. The supplement approximates the portion of a full career Social Security benefits earned while under FERS and ends at age 62. Like Social Security benefits, the annuity supplement is subject to an earnings limitation.

#### Analysis

*Agency:* Retirement Operations, Retirement Services, Office of Personnel Management.

*Title:* Annuity Supplement Earnings Report.

*OMB Number:* 3206-0194.

*Frequency:* On occasion.

*Affected Public:* Individuals or Households.

*Number of Respondents:* 13,000.

*Estimated Time per Respondent:* 15 minutes.

*Total Burden Hours:* 3,250.

Office of Personnel Management.

**Alexys Stanley,**

*Regulatory Affairs Analyst.*

[FR Doc. 2021-01826 Filed 1-27-21; 8:45 am]

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## OFFICE OF PERSONNEL MANAGEMENT

### Submission for Review: 3206-0226, It's Time To Sign Up for Direct Deposit or Direct Express, RI 38-128

**AGENCY:** Office of Personnel Management.

**ACTION:** 30-Day notice and request for comments.

**SUMMARY:** Retirement Services, Office of Personnel Management (OPM) offers the general public and other federal agencies the opportunity to comment on a revised information collection request (ICR), RI 38-128—It's Time to Sign Up for Direct Deposit or Direct Express.

**DATES:** Comments are encouraged and will be accepted until March 1, 2021.

**ADDRESSES:** Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503, Attention: Desk Officer for the Office of Personnel Management or sent via electronic mail to: [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov) or faxed to (202) 395-6974.

**FOR FURTHER INFORMATION CONTACT:** A copy of this ICR with applicable supporting documentation, may be obtained by contacting the Retirement Services Publications Team, Office of Personnel Management, 1900 E Street NW, Room 3316-L, Washington, DC 20415, Attention: Cyrus S. Benson, or sent via electronic mail to [Cyrus.Benson@opm.gov](mailto:Cyrus.Benson@opm.gov) or faxed to (202) 606-0910 or via telephone at (202) 606-4808.

**SUPPLEMENTARY INFORMATION:** As required by the Paperwork Reduction Act of 1995 OPM is soliciting comments for this collection. The information collection (OMB No. 3206-0226) was previously published in the **Federal Register** on April 27, 2020 at 85 FR 23383, allowing for a 60-day public comment period. One comment was received: "*Recommend that paragraph 4 (page 1) be updated for the Direct Debit program. (The provided hyperlink for Direct Express cards—[www.godirect.org](http://www.godirect.org)—is not a valid URL. The correct URL is [www.godirect.gov](http://www.godirect.gov).)*". Our response is: "*We have updated the hyperlink as requested*". The Office of Management and Budget is particularly interested in comments that:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of functions of the agency, including whether the information will have practical utility;

2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

3. Enhance the quality, utility, and clarity of the information to be collected; and