

## Federal Emergency Management Agency, DHS

## §2.1

### § 1.17 Petitions for reconsideration.

Petitions for reconsideration of a final rule will not be considered. Such petitions, if filed, will be treated as petitions for rulemaking in accordance with §1.18.

### § 1.18 Petition for rulemaking.

(a) Any interested person may petition the Director for the issuance, amendment, or repeal of a rule. For purposes of this section the term *person* includes a Federal, State or local government or government agency. Each petition shall:

(1) Be submitted to the Rules Docket Clerk;

(2) Set forth the substance of the rule or amendment proposed or specify the rule sought to be repealed or amended;

(3) Explain the interest of the petitioner in support of the action sought; and

(4) Set forth all data and arguments available to the petitioner in support of the action sought.

(b) No public procedures will be held directly on the petition before its disposition. If the Director finds that the petition contains adequate justification, a rulemaking proceeding will be initiated or a final rule will be issued as appropriate. If the Director finds that the petition does not contain adequate justification, the petition will be denied by letter or other notice, with a brief statement of the ground for denial. The Director may consider new evidence at any time; however, repetitious petitions for rulemaking will not be considered.

## PART 2—ORGANIZATION, FUNCTIONS, AND DELEGATIONS OF AUTHORITY

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AUTHORITY: 5 U.S.C. 552; Reorganization Plan No. 3 of 1978, 5 U.S.C. App. 1; E.O. 12127, 3 CFR, 1979 Comp., p. 376; E.O. 12148, as amended, 3 CFR, 1979 Comp., p. 412.

SOURCE: 59 FR 26133, May 19, 1994, unless otherwise noted.

### Subpart A—Organization, Functions, and Delegations of Authority

#### GENERAL

### §2.1 Purpose.

This part describes the organization of the Federal Emergency Management Agency (FEMA), and the general course and method by which its functions are administered. It provides for the exercise by officials of FEMA of authorities that are vested in the Director specifically by statute, as head of an agency, or as a consequence of a law authorizing such exercise. It also provides for exercise of authorities that have been transferred to the Director by Reorganization Plan or delegated to