

examination scheduled for October 2021 will be held on Thursday, October 21, 2021.

**FOR FURTHER INFORMATION CONTACT:**

Melba Hubbard, Acting Director, Commercial Operations, Revenue and Entry, Office of Trade, (202) 325-6986, or [brokermanagement@cbp.dhs.gov](mailto:brokermanagement@cbp.dhs.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

Section 641 of the Tariff Act of 1930, as amended (19 U.S.C. 1641), provides that a person (an individual, corporation, association, or partnership) must hold a valid customs broker's license and permit in order to transact customs business on behalf of others, sets forth standards for the issuance of brokers' licenses and permits, and provides for the taking of disciplinary action against brokers that have engaged in specified types of infractions. This section also provides that an examination may be conducted to assess an applicant's qualifications for a license.

The regulations issued under the authority of section 641 are set forth in Title 19 of the Code of Federal Regulations, part 111 (19 CFR part 111). Part 111 sets forth the regulations regarding the licensing of, and granting of permits to, persons desiring to transact customs business as customs brokers. These regulations also include the qualifications required of applicants and the procedures for applying for licenses and permits. Section 111.11 of the CBP regulations (19 CFR 111.11) sets forth the basic requirements for a broker's license, and in paragraph (a)(4) of that section provides that an applicant for an individual broker's license must attain a passing grade (75 percent or higher) on the examination.

Section 111.13 of the CBP regulations (19 CFR 111.13) sets forth the requirements and procedures for the examination for an individual broker's license and states that the customs broker's license examinations will be given on the fourth Wednesday in April and October unless the regularly scheduled examination date conflicts with a national holiday, religious observance, or other foreseeable event.

Due to the limited availability of testing sites caused by state and local restrictions during the COVID-19 pandemic, CBP has changed the regularly scheduled dates of the examination. This document announces that CBP has scheduled the April 2021 customs broker's license examination for Wednesday, April 21, 2021, and the October 2021 customs broker's license examination for Thursday, October 21, 2021.

Dated: December 27, 2020.

**Cynthia F. Whittenburg,**

*Acting Executive Assistant Commissioner,  
Office of Trade.*

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**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

[Docket ID FEMA-2020-0016]

**Meeting To Implement Pandemic Response Voluntary Agreement Under Section 708 of the Defense Production Act**

**AGENCY:** Federal Emergency Management Agency, Department of Homeland Security (DHS).

**ACTION:** Announcement of meeting.

**SUMMARY:** The Federal Emergency Management Agency (FEMA) held a meeting remotely via web conference to implement the Voluntary Agreement for the Manufacture and Distribution of Critical Healthcare Resources Necessary to Respond to a Pandemic.

**DATES:** The meeting took place on Monday, December 21, 2020, from 11 a.m. to 12:30 p.m. Eastern Time (ET).

**FOR FURTHER INFORMATION CONTACT:** Robert Glenn, Office of Business, Industry, Infrastructure Integration, via email at [OB3I@fema.dhs.gov](mailto:OB3I@fema.dhs.gov) or via phone at (202) 212-1666.

**SUPPLEMENTARY INFORMATION:** Notice of these meetings is provided as required by section 708(h)(8) of the Defense Production Act (DPA), 50 U.S.C. 4558(h)(8), and consistent with 44 CFR part 332.

The DPA authorizes the making of "voluntary agreements and plans of action" with, among others, representatives of industry and business to help provide for the national defense.<sup>1</sup> The President's authority to facilitate voluntary agreements was delegated to the Secretary of Homeland Security with respect to responding to the spread of COVID-19 within the United States in Executive Order 13911.<sup>2</sup> The Secretary of Homeland Security has further delegated this authority to the FEMA Administrator.<sup>3</sup>

On August 17, 2020, after the appropriate consultations with the Attorney General and the Chairman of

the Federal Trade Commission, FEMA completed and published in the **Federal Register** a "Voluntary Agreement for the Manufacture and Distribution of Critical Healthcare Resources Necessary to Respond to a Pandemic" (Voluntary Agreement).<sup>4</sup> Unless terminated prior to that date, the Voluntary Agreement is effective until August 17, 2025, and may be extended subject to additional approval by the Attorney General after consultation with the Chairman of the Federal Trade Commission. The Agreement may be used to prepare for or respond to any pandemic, including COVID-19, during that time.

On December 7, 2020, the first plan of action under the Voluntary Agreement—the Plan of Action to Establish a National Strategy for the Manufacture, Allocation, and Distribution of Personal Protective Equipment (PPE) to Respond to COVID-19 (Plan of Action)—was finalized.<sup>5</sup> The Plan of Action established the Personal Protective Equipment Sub-Committee to Define COVID-19 PPE Requirements (Sub-Committee).

The meetings covered by this notice were held by the Sub-Committee to implement the Voluntary Agreement. The meetings were chaired by the FEMA Administrator or his delegate, and attended by the Attorney General or his delegate and the Chairman of the Federal Trade Commission or his delegate. In implementing the Voluntary Agreement, FEMA adheres to all procedural requirements of 50 U.S.C. 4558 and 44 CFR part 332.

*Meeting Objectives:* The objectives of the meetings were to:

- (1) Finalize the priority tasks that should be completed first under the Plan of Action;
- (2) Identify which Sub-Committees should begin meeting in January 2021; and
- (3) Identify additional Participants and Attendees who should be invited to participate in the Plan of Action.

*Meetings Closed to the Public:* By default, the DPA requires meetings held to implement a voluntary agreement or plan of action be open to the public.<sup>6</sup> However, attendance may be limited if

<sup>4</sup> 85 FR 50035 (Aug. 17, 2020). The Attorney General, in consultation with the Chairman of the Federal Trade Commission, made the required finding that the purpose of the voluntary agreement may not reasonably be achieved through an agreement having less anticompetitive effects or without any voluntary agreement and published the finding in the **Federal Register** on the same day. 85 FR 50049 (Aug. 17, 2020).

<sup>5</sup> See 85 FR 78869 (Dec. 7, 2020). See also 85 FR 79020 (Dec. 8, 2020).

<sup>6</sup> See 50 U.S.C. 4558(h)(7).

<sup>1</sup> 50 U.S.C. 4558(c)(1).

<sup>2</sup> 85 FR 18403 (Apr. 1, 2020).

<sup>3</sup> DHS Delegation 09052, Rev. 00.1 (Apr. 1, 2020); DHS Delegation Number 09052 Rev. 00 (Jan. 3, 2017).

the Sponsor<sup>7</sup> of the voluntary agreement finds that the matter to be discussed at a meeting falls within the purview of matters described in 5 U.S.C. 552b(c). The Sponsor of the Voluntary Agreement, the FEMA Administrator, found that these meetings to implement the Voluntary Agreement involved matters which fell within the purview of matters described in 5 U.S.C. 552b(c) and were therefore closed to the public.<sup>8</sup>

Specifically, the meetings to implement the Voluntary Agreement could have required participants to disclose trade secrets or commercial or financial information that is privileged or confidential. Disclosure of such information allows for meetings to be closed pursuant to 5 U.S.C. 552b(c)(4). In addition, the success of the Voluntary Agreement depends wholly on the willing and enthusiastic participation of private sector participants. Failure to close these meetings could have had a strong chilling effect on participation by the private sector and caused a substantial risk that sensitive information would be prematurely released to the public, resulting in participants withdrawing their support from the Voluntary Agreement and thus significantly frustrating the implementation of the Voluntary Agreement. Frustration of an agency's objective due to premature disclosure of information allows for the closure of a meeting pursuant to 5 U.S.C. 552b(c)(9)(B).

**Pete Gaynor,**

*Administrator, Federal Emergency Management Agency.*

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## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

[Docket ID: FEMA-2020-0041; OMB No. 1660-0047]

#### Agency Information Collection Activities: Proposed Collection; Comment Request; Request for Federal Assistance Form—How To Process Mission Assignments in Federal Disaster Operations

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** 60-Day notice and request for comments.

**SUMMARY:** The Federal Emergency Management Agency, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public to take this opportunity to comment on a revision of a currently approved information collection. In accordance with the Paperwork Reduction Act of 1995, this notice seeks comments concerning the collection of information necessary to allow FEMA to support the needs of State, Tribes, and Territories during disaster situation through the use of other Federal agency resources.

**DATES:** Comments must be submitted on or before March 1, 2021.

**ADDRESSES:** Submit comments at [www.regulations.gov](http://www.regulations.gov) under Docket ID FEMA-2020-0041. Follow the instructions for submitting comments.

All submissions received must include the agency name and Docket ID. All submissions will be posted, without change, to the Federal eRulemaking Portal at <http://www.regulations.gov>, and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to read the Privacy and Security Notice that is available via a link on the homepage of [www.regulations.gov](http://www.regulations.gov).

**FOR FURTHER INFORMATION CONTACT:** Pat Foster, (617) 913-6140 or [FEMA-MissionAssignments@fema.dhs.gov](mailto:FEMA-MissionAssignments@fema.dhs.gov). You may contact the Records Management Division for copies of the proposed collection of information at email address: [FEMA-Information-Collections-Management@fema.dhs.gov](mailto:FEMA-Information-Collections-Management@fema.dhs.gov).

**SUPPLEMENTARY INFORMATION:** According to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), 42 U.S.C. 5121 *et seq.*, FEMA is authorized to provide assistance before, during, and after a disaster has impacted a State, Tribe, or Territory. For a major

disaster, the Stafford Act authorizes FEMA to direct any agency to utilize its existing authorities and resources in support of State, Tribe, and Territory assistance response and recovery efforts. See 42 U.S.C. 5170(a)(1). For an emergency, the Stafford Act authorizes FEMA to direct any agency to utilize its existing authorities and resources in support of State and local emergency assistance efforts. See 42 U.S.C. 5192(a)(1). FEMA may task other Federal agencies to assist during disasters and to support emergency efforts by State and local governments by issuing a mission assignment to the appropriate agency. See 44 CFR 206.5, 206.208. FEMA collects the information necessary to determine what resources are needed and if a mission assignment is appropriate. The information collected explains which States, Tribes, Territories require assistance, what needs to be accomplished, details any resource shortfalls, and explains what assistance is required to meet these needs.

#### Collection of Information

**Title:** Request for Federal Assistance Form—How to Process Mission Assignments in Federal Disaster Operations.

**Type of Information Collection:** Revision of a currently approved information collection.

**OMB Number:** 1660-0047.

**FEMA Forms:** FEMA Form 010-0-7, Resource Request Form; FEMA Form 010-0-8, Mission Assignment; FEMA Form 010-0-8A, Mission Assignment Task Order.

**Abstract:** If a State, Tribe, or Territory determines that its capacity to respond to a disaster exceeds its available resources, it may submit to FEMA a request that the work be accomplished by a Federal agency. This request documents how the response requirements exceed the capacity for the State to respond to the situation on its own and what type of assistance is required. FEMA reviews this information and may issue a mission assignment to the appropriate Federal agency to assist the State in its response to the situation.

**Affected Public:** State, Tribe, or Territory Government.

**Number of Respondents:** 40

**Number of Responses:** 19,220.

**Estimated Total Annual Burden Hours:** 6,559 hours.

**Estimated Cost:** The estimated annual cost to respondents for the hour burden is \$475,003. There are no annual costs to respondents for operations and maintenance costs for technical services. There are no annual start-up or

<sup>7</sup> “[T]he individual designated by the President in subsection (c)(2) [of section 708 of the DPA] to administer the voluntary agreement, or plan of action.” 50 U.S.C. 4558(h)(7).

<sup>8</sup> Under 50 U.S.C. 4558(h)(8), the Sponsor generally must publish in the **Federal Register** prior notice of any meeting held to carry out a voluntary agreement or plan of action. However, when the Sponsor finds that the matters to be discussed at such meeting fall within the purview of matters described in 5 U.S.C. 552b(c), notice of the meeting may instead be published in the **Federal Register** within ten days of the date of the meeting. See 50 U.S.C. 4558(h)(8).