

regarding the “country of origin” of a good for marking purposes. As described in detail in Section A, the U.S. Customs Service relied on advice from the Department of State in issuing Treasury Decisions 95–25 and 97–16 pertaining to the country of origin marking of imported goods produced in the West Bank or Gaza. Accordingly, and consistent with prior decisions, CBP is relying upon advice from the Department of State for purposes of defining the term “country” within the meaning of 19 CFR 134.1(a).

### C. New Guidance from the Department of State and Transition Period

Pursuant to the recent guidance from the Department of State, this document notifies the public that, for purposes of 19 U.S.C. 1304, the acceptable country of origin markings for imported goods produced in the territorial areas known as the West Bank or Gaza Strip consist of the following:

- Goods produced in the territorial areas of the West Bank where Israel continues to exercise relevant authorities—specifically Area C under the Oslo Accords and the area known as “H2” which is under Israeli administrative control consistent with the 1997 Hebron protocol—must be marked as “Israel,” “Product of Israel,” or “Made in Israel.”
- Goods produced in Areas A and B under the Oslo Accords, which are under the civilian oversight of the Palestinian Authority for these purposes, along with the area known as “H1” from the 1997 Hebron Protocol, must be marked as “West Bank,” “Product of West Bank,” or “Made in West Bank.”
- Goods produced in Gaza must be marked as “Gaza,” “Product of Gaza,” “Made in Gaza,” “Gaza Strip,” “Product of Gaza Strip,” or “Made in Gaza Strip.”
- Goods from any of these territorial areas must not be marked in conjunctive form, such as “West Bank/Gaza,” “West Bank/Gaza Strip,” “West Bank and Gaza,” or words of similar meaning.

Given commercial realities, affected parties may need a transition period to implement marking consistent with the position announced in this notice. Therefore, unless excepted from marking, goods produced in the territorial areas known as the West Bank or Gaza Strip, which are entered or withdrawn from warehouse for consumption into the United States after March 23, 2021, must be marked in accordance with the position set forth above, for purposes of 19 U.S.C. 1304.

Dated: December 18, 2020.

**Brenda B. Smith,**

*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, DHS.

**ACTION:** Announcement of meeting.

**SUMMARY:** The Federal Emergency Management Agency (FEMA) held a series of meetings 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 first meeting took place on Monday, December 14, 2020, from 2 to 4 p.m. Eastern Time (ET). The second meeting took place on Wednesday, December 16, 2020, from 2 to 4 p.m. ET. The third meeting took place on Friday, December 18, 2020, from 11 a.m. to 1 p.m. 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) Establish priorities for COVID–19 PPE under the Voluntary Agreement;
- (2) Identify the first tasks that should be completed under the Plan of Action;
- (3) Identify information gaps and areas that merit sharing (from both FEMA to private sector and vice versa); and

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

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

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

(4) Identify additional Participants that should be a part of the Voluntary Agreement and 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 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 to pursuant to 5 U.S.C. 552b(c)(9)(B).

**Pete Gaynor,**

*Administrator, Federal Emergency Management Agency.*

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

<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).

## DEPARTMENT OF HOMELAND SECURITY

### Transportation Security Administration

#### Intent To Request Extension From OMB of One Current Public Collection of Information: Airport Security

**AGENCY:** Transportation Security Administration, DHS.

**ACTION:** 60-day notice.

**SUMMARY:** The Transportation Security Administration (TSA) invites public comment on one currently approved Information Collection Request (ICR), Office of Management and Budget (OMB) control number 1652-0002, abstracted below that we will submit to OMB for an extension in compliance with the Paperwork Reduction Act (PRA). The ICR will describe the nature of the information collection and its expected burden. TSA airport security programs require airport operators to submit certain information to TSA, as well as to maintain and update records to ensure compliance with security provisions.

**DATES:** Send your comments by February 22, 2021.

**ADDRESSES:** Comments may be emailed to [TSAPRA@dhs.gov](mailto:TSAPRA@dhs.gov) or delivered to the TSA PRA Officer, Office of Information Technology (OIT), TSA-11, Transportation Security Administration, 6595 Springfield Center Drive, Springfield, VA 20598-6011.

**FOR FURTHER INFORMATION CONTACT:** Christina A. Walsh at the above address, or by telephone (571) 227-2062.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The ICR documentation will be made available at <http://www.reginfo.gov> upon its submission to OMB. Therefore, in preparation for OMB review and approval of the following information collection, TSA is soliciting comments to—

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

(2) Evaluate the accuracy of the agency's estimate of the burden;

(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 using appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Consistent with the requirements of Executive Order (E.O.) 13771, Reducing Regulation and Controlling Regulatory Costs, and E.O. 13777, Enforcing the Regulatory Reform Agenda, TSA is also requesting comments on the extent to which this request for information could be modified to reduce the burden on respondents.

#### Information Collection Requirement

*OMB Control Number 1652-0002; Airport Security Part 1542.* The information collection is used to determine compliance with 49 CFR part 1542<sup>1</sup> and to ensure passenger safety and security by monitoring airport operator security procedures. The information collection and other recordkeeping requirements that currently fall under this OMB control number are associated with an airport operator's compliance with TSA's regulatory requirements, including the following: (1) Development of an Airport Security Program (ASP) and submission to TSA; (2) submission of ASP amendments to TSA when applicable; (3) collection of data necessary to complete a fingerprint-based criminal history records check (CHRC) for those individuals with unescorted access authority to a Security Identification Display Area (SIDA), and those with authority to authorize others to have unescorted access authority to a SIDA; (4) submission to TSA of identifying information about individuals to whom the airport operator has issued identification media, such as name, address, and country of birth, in order for TSA to conduct a Security Threat Assessment (STA); and (5) information collection and recordkeeping requirements associated with airport operator compliance with Security Directives (SDs) issued pursuant to the regulation as well as compliance with alternative measures to the requirements in these SDs. This regulation also requires covered airport operators to make their security programs and

<sup>1</sup> In July 2016, OMB approved TSA's request to revise OMB Control Number 1652-0002, by including in it the recordkeeping requirements under OMB Control Number 1652-0006, Employment Standards, which also applies to 49 CFR part 1542. This action combined two previously-approved ICRs into this single request to simplify TSA collections, increase transparency, and reduce duplication.