

“plans of action,” to implement that voluntary agreement. A defense to actions brought under the antitrust laws is available to each participant acting within the scope of a voluntary agreement and plan of action that has come into force under the DPA.

The DPA requires that each proposed plan of action be reviewed by the Attorney General prior to becoming effective. If, after consulting with the Chairman of the Federal Trade Commission, the Attorney General finds that the purposes of the DPA’s plans of action provision “may not reasonably be achieved through a . . . plan of action having less anticompetitive effects or without any . . . plan of action,” the plan of action may become effective. 50 U.S.C. 4558(f)(1)(B). All functions which the Attorney General is required or authorized to perform by section 708 of the DPA have been delegated to the Assistant Attorney General, Antitrust Division. 28 CFR. 0.40(l).

On August 17, 2020, the Voluntary Agreement for the Manufacture and Distribution of Critical Healthcare Resources Necessary to Respond to a Pandemic (“Voluntary Agreement”) became effective. The proposed Plan of Action contains documented methods to implement the Voluntary Agreement by creating a mechanism to immediately meet exigent PPE requests anywhere in the Nation, and to ensure that actions to support PPE stockpiling and reserves do not interfere with immediate requirements that would result in an unacceptable risk to healthcare providers or other potential PPE recipients. This mechanism involves the establishment several Sub-Committees by PPE type, which are designed to foster a close working relationship among FEMA, the Department of Health and Human Services (“HHS”), and participants in the Sub-Committees to address national defense needs through cooperative action under the direction and active supervision of FEMA. The proposed Plan of Action includes terms, conditions and procedures under which participants agree voluntarily to participate in the Sub-Committees. FEMA has certified that the proposed Plan of Action is necessary to provide for the national defense in the event of a pandemic.

FEMA requested that the Assistant Attorney General, Antitrust Division, issue a finding that the proposed Plan of Action satisfies the statutory criteria set forth in 50 U.S.C. 4558(f)(1)(B). The Assistant Attorney General, Antitrust Division, reviewed the proposed Plan of Action and consulted on it with the Chairman of the Federal Trade Commission. On December 2, 2020, by

letter to Peter Gaynor, FEMA Administrator, Makan Delrahim, Assistant Attorney General, Antitrust Division, issued a finding, pursuant to 50 U.S.C. 4558(f)(1)(B), that the purposes of the DPA’s plans of action provision “may not reasonably be achieved through a . . . plan of action having less anticompetitive effects or without any . . . plan of action.”

**David G.B. Lawrence,**  
*Chief, Competition Policy & Advocacy Section.*

[FR Doc. 2020–26848 Filed 12–4–20; 8:45 am]

**BILLING CODE 4410–11–P**

## **EMPLOYMENT AND TRAINING ADMINISTRATION**

### **Federal-State Unemployment Compensation Program: Certifications for 2020 Under the Federal Unemployment Tax Act; Correction**

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice; correction.

**SUMMARY:** The Employment and Training Administration, Labor, published a document in the **Federal Register** of November 6, 2020, concerning the annual certifications under the Federal Unemployment Tax Act. The document contained draft verbiage instead of the final approved verbiage.

#### **SUPPLEMENTARY INFORMATION:**

#### **Correction**

In the **Federal Register** of November 6, 2020, in FR Doc. 2020–24650 (85 FR 71101), on page 71101, correct under the **SUMMARY** caption, in paragraph two, column two to read:

Enclosed, pursuant to the requirements of the Federal Unemployment Tax Act, are an original and a copy of two separate certifications regarding state unemployment compensation laws, for the 12-month period ending on October 31, 2020. One certification is for the “normal” federal unemployment tax credit required under the Internal Revenue Code of 1986, and the other certification is for the “additional” tax credit under the Code. Both certifications list all 53 jurisdictions.

In paragraph four, column two, correct to read:

### **CERTIFICATION OF STATES TO THE SECRETARY OF THE TREASURY PURSUANT TO SECTION 3304(c) OF THE INTERNAL REVENUE CODE OF 1986**

Pursuant to Section 3304(c) of the Internal Revenue Code of 1986 (26 U.S.C. 3304(c)), I hereby certify to the Secretary of the Treasury the following States (including the District of Columbia, the Commonwealth of Puerto

Rico, and the Virgin Islands), for the 12-month period ending on October 31, 2020. These States’ unemployment compensation laws, which have previously been approved under the Federal Unemployment Tax Act, meet the requirements of Section 3304(c) of the Code;

And in paragraph four, column three, correct to read:

### **CERTIFICATION OF STATE UNEMPLOYMENT COMPENSATION LAWS TO THE SECRETARY OF THE TREASURY PURSUANT TO SECTION 3303(b)(1) OF THE INTERNAL REVENUE CODE OF 1986**

Pursuant to Section 3303(b)(1) of the Internal Revenue Code of 1986 (26 U.S.C. 3303(b)(1)), I hereby certify to the Secretary of the Treasury the unemployment compensation laws of the following States (including the District of Columbia, the Commonwealth of Puerto Rico, and the Virgin Islands), for the 12-month period ending on October 31, 2020. These States’ laws have previously been certified under Section 3303(b)(3) of the Code.

**John Pallasch,**

*Assistant Secretary for Employment and Training, Labor.*

[FR Doc. 2020–26855 Filed 12–4–20; 8:45 am]

**BILLING CODE 4510–FW–P**

## **DEPARTMENT OF LABOR**

### **Agency Information Collection Activities; Submission for OMB Review; Comment Request; Suspension of Pension Benefits Pursuant to Regulations**

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** The Department of Labor (DOL) is submitting this Employee Benefits Security Administration (EBSA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

**DATES:** The OMB will consider all written comments that agency receives on or before January 6, 2021.

**ADDRESSES:** Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of

the functions of the Department, including whether the information will have practical utility; (2) if the information will be processed and used in a timely manner; (3) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (4) ways to enhance the quality, utility and clarity of the information collection; and (5) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

**FOR FURTHER INFORMATION CONTACT:** Mara Blumenthal by telephone at 202-693-8538 (this is not a toll-free number) or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**SUPPLEMENTARY INFORMATION:** Section 203(a)(3)(B) of the Employee Retirement Income Security Act of 1974 (ERISA) governs the circumstances under which pension plans may suspend pension benefit payments to retirees who return to work or to participants who continue to work beyond normal retirement age. This section sets forth the circumstances and conditions under which such benefit payments may be suspended. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on April 29, 2020 (85 FR 23856).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

*Agency:* DOL-EBSA.

*Title of Collection:* Suspension of Pension Benefits Pursuant to Regulations 29 CFR 2530.203-3.

*OMB Control Number:* 1210-0048.

*Affected Public:* Private Sector—Businesses or other for-profits.

*Total Estimated Number of Respondents:* 39,457.

*Total Estimated Number of Responses:* 171,221.

*Total Estimated Annual Time Burden:* 132,639.

*Total Estimated Annual Other Costs Burden:* \$ 48,524.

**Authority:** 44 U.S.C. 3507(a)(1)(D).

Dated: December 2, 2020.

**Anthony May,**

*Management and Program Analyst.*

[FR Doc. 2020-26852 Filed 12-4-20; 8:45 am]

**BILLING CODE 4510-29-P**

## DEPARTMENT OF LABOR

### Agency Information Collection Activities; Submission for OMB Review; Comment Request; Employee Retirement Income Security Act Prohibited Transaction Class Exemption 1981-8, Investment of Plan Assets in Certain Types of Short-Term Investments

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** The Department of Labor (DOL) is submitting this Employee Benefits Security Administration (EBSA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

**DATES:** The OMB will consider all written comments that agency receives on or before January 6, 2021.

**ADDRESSES:** Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) if the information will be processed and used in a timely manner; (3) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (4) ways to enhance the quality, utility and clarity of the information collection; and (5) ways to minimize the burden of the collection of information on those who are to respond, including the use of

automated collection techniques or other forms of information technology.

**FOR FURTHER INFORMATION CONTACT:** Mara Blumenthal by telephone at 202-693-8538 (this is not a toll-free number) or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**SUPPLEMENTARY INFORMATION:** The Employee Retirement Income Security Act of 1974 (ERISA), and the Internal Revenue Code (the Code), provide that the Secretary of Labor and the Secretary of Treasury, respectively, may grant exemptions from certain prohibited transaction provisions under ERISA and the Code. Section 408(a) of ERISA authorizes the Secretary of Labor to grant administrative exemptions from the restrictions of section 406 of ERISA while section 4975(c)(2) of the Code authorizes the Secretary of Treasury or his delegate to grant exemptions from the prohibitions of section 4975(c)(1). This class exemption (PTE 81-8), exempts from the prohibited transaction restrictions the investment of plan assets in certain short-term investments in debt obligations issued by certain persons who provide services to the plan or are affiliated with such service providers. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on April 29, 2020 (85 FR 23856).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

*Agency:* DOL-EBSA.

*Title of Collection:* Employee Retirement Income Security Act Prohibited Transaction Class Exemption 1981-8, Investment of Plan Assets in Certain Types of Short-Term Investments.

*OMB Control Number:* 1210-0061.