

50 of Title 10 of the CFR to incorporate additional emergency preparedness requirements, including 16 planning standards for onsite and offsite emergency plans as required by PL 96–295. FEMA mirrors these 16 planning standards in part 350, specifically at 44 CFR 350.5. In the communities surrounding commercial NPPs, 44 CFR 350.5(b) directs FEMA’s REP Program to review offsite radiological emergency plans and preparedness. Approved plans and preparedness “must be determined to adequately protect the public health and safety by providing reasonable assurance that appropriate protective measures can be taken offsite in the event of a radiological emergency.” FEMA defines reasonable assurance as a determination that State, Tribal, local, and utility offsite plans and preparedness are adequate to protect public health and safety in the emergency planning areas of commercial NPPs. FEMA will consider plans, procedures, personnel, training, facilities, equipment, drills, and exercises, which in its professional judgment are important to the effective implementation of protective measures offsite in the event or any incident at a commercial NPP. FEMA will make its adequacy determination, supported by other Federal agencies, as necessary, by conducting inspections, providing Staff Assistance Visits (SAVs), organizing, conducting and reviewing training, participating in, observing and evaluating drills and exercises, and by being an engaged partner with Federal, State, Tribal, and local government officials and industry stakeholders. State, Tribal, or local government participation in offsite radiological emergency planning and preparedness is voluntary. However, participation in the REP planning and preparedness process necessitates adherence to the program requirements as set forth in 44 CFR part 350, the joint NRC/FEMA document NUREG–0645/FEMA–REP–1, Rev. 1, “Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants” (and supplements), and the REP Program Manual (RPM). If State, Tribal, or local governments choose not to participate in REP planning, 44 CFR part 352 outlines the licensee’s obligation to develop offsite plans/procedures to protect the public health and safety in accordance with the requirements in Executive Order 12657, as amended.

*Title:* Federal Assistance for Offsite Radiological Emergency Preparedness and Planning.

*Type of Information Collection:* Extension, without change, of a

currently approved information collection.

*OMB Number:* 1660–0024.

*FEMA Forms:* There are no forms for this collection; rather the regulatory text details the content in which information is transmitted to FEMA.

*Abstract:* The intent of this request is the collection of comments on an extension, without change, of a currently approved information collection an OMB control number representing all information collections related to FEMA REP Program requirements described in 44 CFR parts 350 and 352.

*Affected Public:* State, Local or Tribal Government; and business and other for profits.

*Estimated Number of Respondents:* 153.

*Estimated Number of Responses:* 153.

*Estimated Total Annual Burden Hours:* 5,360.

*Estimated Total Annual Respondent Cost:* \$311,458.

*Estimated Respondents’ Operation and Maintenance Costs:* \$0.

*Estimated Respondents’ Capital and Start-Up Costs:* \$0.

*Estimated Total Annual Cost to the Federal Government:* \$566,163.

*Comments:* Comments may be submitted as indicated in the **ADDRESSES** caption above. Comments are solicited to (a) evaluate whether the proposed data collection is necessary for the proper performance of the agency, including whether the information shall have practical utility; (b) 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; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) 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 submission of responses.

**Tammi Hines,**

*Acting Records Management Branch Chief,  
Office of the Chief Administrative Officer,  
Mission Support, Federal Emergency  
Management Agency, Department of  
Homeland Security.*

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## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

[Docket ID FEMA–2019–0010; OMB No. 1660–0083]

### Agency Information Collection Activities: Proposed Collection; Comment Request; Community Disaster Loan (CDL) Program

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

**ACTION:** 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 and other Federal agencies 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 Community Disaster Loan (CDL) Program. This revision will combine collections found under OMB Control Numbers 1660–0082 and 1660–0083. Upon approval of this revision, OMB Control Number 1660–0082, Application for Community Disaster Loan Cancellation will be discontinued.

**DATES:** Comments must be submitted on or before June 24, 2019.

**ADDRESSES:** To avoid duplicate submissions to the docket, please use only one of the following means to submit comments:

(1) *Online.* Submit comments at [www.regulations.gov](http://www.regulations.gov) under Docket ID FEMA–2019–0010. Follow the instructions for submitting comments.

(2) *Mail.* Submit written comments to Docket Manager, Office of Chief Counsel, DHS/FEMA, 500 C Street SW, Room 8NE, Washington, DC 20472–3100.

All submissions received must include the agency name and Docket ID. Regardless of the method used for submitting comments or material, 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 Act notice that is available via the link in the footer of [www.regulations.gov](http://www.regulations.gov).

**FOR FURTHER INFORMATION CONTACT:** Martha Polanco, Program Manager,

Disaster Assistance Directorate, Public Assistance Division, (202) 212-5761. 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:** The Community Disaster Loan (CDL) Program is authorized by Section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended, 42 U.S.C. 5184, and implementing regulations at 44 CFR subpart K. The Assistant Administrator may make a CDL to any local government which has suffered a substantial loss of tax or other revenues as a result of a major disaster or emergency and which demonstrates a need for Federal financial assistance in order to perform its governmental functions. FEMA shall cancel repayment of all or part of a CDL to the extent that the Assistant Administrator for the Disaster Assistance Directorate determines that revenues of the local government during the full three fiscal year period following the disaster are insufficient, as a result of the disaster, to meet the operating budget for the local government, including additional unreimbursed disaster-related expenses for a municipal operating character.

#### Collection of Information

*Title:* Community Disaster Loan Program.

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

*OMB Number:* 1660-0083.

*Form Titles and Numbers:* FEMA Form 090-0-4, Letter of Application; FEMA Form 090-0-1, Certification of Eligibility for Community Disaster Loans; FEMA Form 116-0-1, Promissory Note; FEMA Form 085-0-1, Local Government Resolution—Collateral Security; FEMA Form 112-0-3c, Certification Regarding Lobbying; FEMA Form 009-0-15, Application for Loan Cancellation.

*Abstract:* The loan package for the CDL Program provides Local governments that have suffered substantial loss of tax or other revenues as a result of a major disaster or emergency, the opportunity to obtain financial assistance in order to perform their governmental functions. The loan must be justified on the basis of need and actual expenses.

*Affected Public:* State, local or Tribal Government.

*Number of Respondents:* 360.

*Number of Responses:* 360.

*Estimated Total Annual Burden Hours:* 1,006.67 hours.

*Estimated Total Annual Respondent Cost:* \$53,937.11.

*Estimated Respondents' Operation and Maintenance Costs:* \$0.

*Estimated Respondents' Capital and Start-Up Costs:* \$0.

*Estimated Total Annual Cost to the Federal Government:* \$1,022,264.28.

#### Comments

Comments may be submitted as indicated in the **ADDRESSES** caption above. Comments are solicited to (a) evaluate whether the proposed data collection is necessary for the proper performance of the agency, including whether the information shall have practical utility; (b) 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; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) 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 submission of responses.

**William H. Holzerland,**

*Sr. Director of Information Management Division, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.*

[FR Doc. 2019-08185 Filed 4-23-19; 8:45 am]

**BILLING CODE 9111-19-P**

## DEPARTMENT OF HOMELAND SECURITY

### Office of the Secretary

#### Determination Pursuant to Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as Amended

**AGENCY:** Office of the Secretary, Department of Homeland Security.

**ACTION:** Notice of determination.

**SUMMARY:** The Secretary of Homeland Security has determined, pursuant to law, that it is necessary to waive certain laws, regulations, and other legal requirements in order to ensure the expeditious construction of barriers and roads in the vicinity of the international land border near San Luis, Arizona.

**DATES:** This determination takes effect on April 24, 2019.

**SUPPLEMENTARY INFORMATION:** Important mission requirements of the Department of Homeland Security (“DHS”) include

border security and the detection and prevention of illegal entry into the United States. Border security is critical to the nation's national security. Recognizing the critical importance of border security, Congress has mandated DHS to achieve and maintain operational control of the international land border. Secure Fence Act of 2006, Public Law 109-367, section 2, 120 Stat. 2638 (Oct. 26, 2006) (8 U.S.C. 1701 note). Congress defined “operational control” as the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband. *Id.* Consistent with that mandate from Congress, the President's Executive Order on Border Security and Immigration Enforcement Improvements directed executive departments and agencies to deploy all lawful means to secure the southern border. Executive Order 13767, section 1. In order to achieve that end, the President directed, among other things, that I take immediate steps to prevent all unlawful entries into the United States, including the immediate construction of physical infrastructure to prevent illegal entry. Executive Order 13767, section 4(a).

Congress has provided to the Secretary of Homeland Security a number of authorities necessary to carry out DHS's border security mission. One of those authorities is found at section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended (“IIRIRA”). Public Law 104-208, Div. C, 110 Stat. 3009-546, 3009-554 (Sept. 30, 1996) (8 U.S.C. 1103 note), as amended by the REAL ID Act of 2005, Public Law 109-13, Div. B, 119 Stat. 231, 302, 306 (May 11, 2005) (8 U.S.C. 1103 note), as amended by the Secure Fence Act of 2006, Public Law 109-367, section 3, 120 Stat. 2638 (Oct. 26, 2006) (8 U.S.C. 1103 note), as amended by the Department of Homeland Security Appropriations Act, 2008, Public Law 110-161, Div. E, Title V, § 564, 121 Stat. 2090 (Dec. 26, 2007). In section 102(a) of IIRIRA, Congress provided that the Secretary of Homeland Security shall take such actions as may be necessary to install additional physical barriers and roads (including the removal of obstacles to detection of illegal entrants) in the vicinity of the United States border to deter illegal crossings in areas of high illegal entry into the United States. In section 102(b) of IIRIRA, Congress mandated the installation of additional fencing, barriers, roads, lighting, cameras, and sensors on the southwest border. Finally, in section 102(c) of