

**DEPARTMENT OF DEFENSE****Office of the Secretary****[Docket ID: DoD-2014-OS-0076]****Proposed Collection; Comment Request****AGENCY:** Office of the Secretary of Defense, DoD.**ACTION:** Notice.

**SUMMARY:** In compliance with the *Paperwork Reduction Act of 1995*, the Defense Security Service (DSS) announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

**DATES:** Consideration will be given to all comments received by December 8, 2015.

**ADDRESSES:** You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301-9010.

**Instructions:** All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at <http://www.regulations.gov> for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

**FOR FURTHER INFORMATION CONTACT:** To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Defense Industrial Security Clearance Office (DISCO), 2780 Airport Drive, Suite 400, Columbus, OH 43219-2268, or call DISCO at (614) 827-1530/1528.

**SUPPLEMENTARY INFORMATION:**

*Title; Associated Form; and OMB Number:* Personnel Security Clearance Change Notification; NISCO Form 562; OMB Control Number 0704-0418.

*Needs and Uses:* DISCO Form 562 is used by contractors participating in the National Industrial Security Program to report various changes in employee personnel clearance status or identification information, e.g., reinstatements, conversions, terminations, changes in name or other previously submitted information.

*Affected Public:* Business or other for-profit; not-for-profit institutions.

*Annual Burden Hours:* 45,816 hours.

*Number of Respondents:* 11,454.

*Responses per Respondent:* 20.

*Annual Responses:* 229,080.

*Average Burden per Response:* 12 minutes.

*Frequency:* On occasion.

The execution of the DISCO Form 562 is a factor in making a determination as to whether a contractor employee is eligible to have a security clearance. These requirements are necessary in order to preserve and maintain the security of the United States through establishing standards to prevent the improper disclosure of classified information.

Dated: October 5, 2015.

**Aaron Siegel,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

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**BILLING CODE 5001-06-P**

**DEPARTMENT OF DEFENSE****Office of the Secretary****[Docket ID: DoD-2014-OS-0077]****Proposed Collection; Comment Request****AGENCY:** Office of the Secretary of Defense, DoD.**ACTION:** Notice.

**SUMMARY:** In compliance with the *Paperwork Reduction Act of 1995*, the Defense Security Service (DSS) announces a proposed public information collection and seeks public

comment on the provisions thereof. Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

**DATES:** Consideration will be given to all comments received by December 8, 2015.

**ADDRESSES:** You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301-9010.

**Instructions:** All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at <http://www.regulations.gov> for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

**FOR FURTHER INFORMATION CONTACT:** To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Defense Security Service, ATTN: Ms. Helmut Hawkins, Industrial Security Program Policy, Clearance Oversight Office, 1340 Braddock Place, Alexandria, VA 22314.

**SUPPLEMENTARY INFORMATION:**

*Title; Associated Form; and OMB Number:* Industry Cost Collection Report Survey; OMB Control Number 0704-0458.

*Needs and Uses:* Executive Order 12829, "National Industrial Security Program" requires the Department of Defense to account each year for the costs associated with implementation of the National Industrial Security Program and report those costs to the Director of the Information Security Oversight Office (ISOO). In furtherance of this requirement, and pursuant with 32 CFR, Subpart F, section 2001.61(b); Classified National Security Information; Final Rule, the Secretary of Defense, acting as executive agent for NISP, is obligated to collect cost estimates for classification-related activities of contractors, licensees, certificate holders, and grantees and report them to ISOO annually. The cost collection methodology employed since 1996 was validated with the ISOO in December 2007. Participation in the survey is strictly voluntary. Input is integrated into total cost figure for the President and is never associated with a specific facility.

*Affected Public:* A statistical sample of active and cleared businesses, or other profit and non-profit organizations under Department of Defense Security Cognizance, approved for storage of classified materials.

*Annual Burden Hours:* 125 hours.

*Number of Respondents:* 749.

*Responses per Respondent:* 1.

*Annual Responses:* 749.

*Average Burden per Response:* 10 minutes.

*Frequency:* Annually.

Collection of this data is required to comply with the reporting requirements of Executive Order 12829, "National Industrial Security Program." This collection of information requests the assistance of the Facility Security Officer to provide estimates of annual security labor cost in burdened, current year dollars and the estimated percentage of security labor dollars to the total security costs for the facility. Security labor is defined as personnel whose positions exist to support operations and staff in the implementation of government security requirements for the protection of classified information. Guards who are required as supplemental controls are included in security labor. This data will be incorporated into a report produced to ISOO for the estimated cost of securing classified information within industry. The survey will be distributed electronically via a Web-based commercial survey tool.

Dated: October 5, 2015.

**Aaron Siegel,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

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## DEPARTMENT OF DEFENSE

### Department of the Army, U.S. Army Corps of Engineers

#### Notice of Availability of Supplemental Information Report for Berryessa Creek Element, Coyote and Berryessa Creek, Flood Control Project, Santa Clara County, CA

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers, DOD.

**ACTION:** Public notice.

**SUMMARY:** The U.S. Army Corps of Engineers (Corps) has prepared a Supplemental Information Report (SIR) to provide an update to the General Re-evaluation Report/Environmental Impact Statement (GRR/EIS) for the Berryessa Creek Element of the Coyote and Berryessa Creek, California, Flood Control Project (Project), that the Corps may be invoking the Clean Water Act (CWA) § 404(r) exemption. The Project initially sought to obtain a water quality certification from the Regional Water Quality Control Board, San Francisco Region (RWQCB) pursuant to the CWA § 401(a) (401 Certification). During the course of extensive coordination over the last six months, the RWQCB has stated that it may be unable or unwilling to issue a 401 Certification for the Project. Therefore, in an effort to preserve the ability to improve flood risk management in this area without excessive delay, the Corps may invoke 404(r) exemption in lieu of obtaining a 401 Certification from the RWQCB.

**FOR FURTHER INFORMATION CONTACT:**

Amanda Cruz, U.S. Army Corps of Engineers, San Francisco District, Plan Formulation Section, 1455 Market Street, 17th Floor, San Francisco, CA 94103-1398, (415) 503-6955, [Amanda.b.cruz@usace.army.mil](mailto:Amanda.b.cruz@usace.army.mil).

**SUPPLEMENTARY INFORMATION:** The March 2014 Final GRR/EIS of the Project, and its accompanying CWA § 404(b)(1) alternatives analysis, recommended the proposed design of a earthen trapezoidal channel section with varying bottom width and 2H:1V side slopes that provides protection against the one-percent annual chance exceedance flood event from I-680 in San Jose to Calaveras Boulevard in Milpitas (hereinafter "Project"). These environmental analyses determined the

Project to be the National Economic Development Plan (NED), the National Environmental Policy Act (NEPA) environmentally preferable alternative, the California Environmental Quality Act (CEQA) § 15126.6(e)(2) environmentally superior alternative, and the CWA § 404 Least Environmental Damaging Practicable Alternative (LEDPA). The Corps' Director of Civil Works signed the Record of Decision (ROD) on May 29, 2014.

With the goal of promoting partnership, it has been the Corps' position to obtain 401 Certification for all its projects, regardless of the availability of 404(r) exemption. However, if the RWQCB is unable or unwilling to provide such a certification then the Corps will initiate 404(r) exemption procedures and acknowledge this in the appropriate NEPA document, which has been determined to be an SIR.

Section 404(r) creates an exemption from the water quality certification requirement under Section 401(a) for projects (1) specifically authorized by Congress for which (2) an environmental impact statement has been created that (3) includes consideration of the 404(b)(1) guidelines, which (4) has been transmitted to Congress prior to the appropriation of construction funds. Congress authorized construction of the Project in the Water Resources Development Act of 1990, Public Law 101-640, § 101(a)(5), 103 Stat. 4604 (1990) and as stated above, the Corps completed the GRR/EIS in March 2014. The 404(b)(1) Alternatives Analysis was included in the GRR/EIS as Appendix A: Part V. With the completion of this SIR, the Corps will officially transmit the updated GRR/EIS to Congress prior to the appropriation of construction funding. Once done, the Corps will have met all the requirements to utilize 404(r) exemption.

The Corps is confident that the Project is fully conforming to all Federal and State laws, regulations, and requirements. In the absence of RWQCB issuing a 401 Certification, the Corps may use 404(r) exemption. In light of the fact that the Project meets all requirements of 404(r) exemption without any modifications, there are no substantial changes or new significant circumstances or information that would trigger the need for a supplement