

however, only the canine questionnaire includes specific questions about leashes, water bowls, and kennels, as equipment needed to maintain readiness. This tailoring allows for a large question pool, while ensuring specificity depending on the discipline being assessed.

The information from each individual unit is collected into the database. Upon completion of inputting the unit information, the program, using the appropriate algorithms, creates a capabilities analysis report for the unit commander. The report identifies current capabilities, existing gaps, and makes recommendations for closing those gaps. Additionally, the NCCAD allows the unit commander to identify the most efficient and effective purchases of resources to close those gaps. At the State, regional, and National-levels, the data is aggregated within the selected discipline and provides a snapshot of the counter-IED capabilities across the discipline. OBP also intends to identify the lowest, highest, median, and average capability levels across units, States, regions, disciplines, and the Nation. This data will be used to provide snapshots of the C-IED capabilities and gaps to inform decision-makers on policy decisions, resource allocation for capability enhancement, and crisis management. Data collected will be used in readiness planning, as well as steady-state and crisis decision support during threats or incidents. NCCAD data will assist operational decision-makers and resource providers in developing investment justifications that support State homeland security strategies and national priorities.

The National Incident Management System (NIMS) Resource Typing assessment is a subset of the NCCAD assessment questions which identify the number and type of bomb response teams that a unit has based on its composition. There are seven tasks with a total of 32 questions. Resource Typing Definitions are used to categorize, by capability, the resources requested, deployed, and used in incidents. Measurable standards identifying resource capabilities and performance levels serve as the basis for this categorization. National NIMS resource types support a common language for the mobilization of resources (equipment, teams, units, and personnel) prior to, during, and after major incidents. Resource users at all levels use these definitions as a consistent basis when identifying and inventorying their resources for capability estimation, planning and for mobilization during mutual aid efforts.

National NIMS resource types represent the minimum criteria for the associated component and capability.

All responses are collected via electronic means via the virtual assessment program. While the actual data collection is done through the NCCAD database through IP Gateway, OBP personnel facilitate the collection of the data by assisting users via a face-to-face discussion or webinar. This is particularly useful for first time users to understand the nuances of the NCCAD system and how they can use their assessment to help justify resource requests and help with steady-state and threat-initiated decision-making. It is NCCAD policy to not accept the questionnaires in paper format. If there is a power outage at the event site or if the website is down due to technical reasons, facilitators have copies of the paper format for stakeholders to continue filling out. Facilitators do not collect these hard copies. Stakeholders keep them to update the electronic assessment when they next access it. OBP is cutting down this possibility even more by beginning the utilization of tablets and hotspots for those individuals who do not have laptops or internet access.

This is a new information collection. OMB is particularly interested in comments that:

1. Evaluate whether the proposed collection of information 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 of the proposed collection of information, including the validity of the methodology and assumptions used;
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 through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

*Title of Collection:* National Counter-Improvised Explosive Device Capabilities Analysis Database.

*OMB Control Number:* 1670-NEW.

*Frequency:* Annually.

*Affected Public:* State, Local, Tribal, and Territorial Governments.

*Number of Annualized Respondents:* 2,717.

*Estimated Time per Respondent:* 2 hours.

*Total Annualized Burden Hours:* 3,735 hours.

*Total Annualized Respondent Opportunity Cost:* \$161,839.

*Total Respondent Out-of-Pocket Cost:* \$0.

*Total Annualized Government Cost:* \$1,055,581.

**Michael Dalmado,**

*Chief Information Security Officer.*

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**BILLING CODE 9110-9P-P**

## DEPARTMENT OF HOMELAND SECURITY

### Transportation Security Administration

#### Opening of Registration for Certified Cargo Screening Facilities-Canine

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

**ACTION:** Notice.

**SUMMARY:** The Transportation Security Administration (TSA) is announcing the opportunity for explosives detection canine teams and canine team providers to become a registered Certified Cargo Screening Facility-Canine (CCSF-K9) under TSA's Certified Cargo Screening Program (CCSP). This notice provides information necessary for qualified, interested persons to initiate the registration process.

**DATES:** Applicable November 27, 2018.

**ADDRESSES:** Interested persons can contact [3PK9aircargosecurity@tsa.dhs.gov](mailto:3PK9aircargosecurity@tsa.dhs.gov) to obtain a copy of the information discussed in this notice.

**FOR FURTHER INFORMATION CONTACT:** Michael P. Daniel, Section Chief, Cargo Risk Reduction, Compliance Division, Security Operations, TSA. Mr. Daniel can be reached at (571) 227-2228, or by email to [3PK9aircargosecurity@tsa.dhs.gov](mailto:3PK9aircargosecurity@tsa.dhs.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

###### A. Statutory Authority

The Implementing Recommendations of the 9/11 Commission Act of 2007 (Pub. L. 110-53, 121 Stat. 266, Aug. 3, 2007) (9/11 Act) mandated the Department of Homeland Security (DHS) to require 100 percent screening of air cargo transported on passenger aircraft at a level commensurate with requirements for screening of checked baggage.<sup>1</sup> In defining "screening," the statute specifically includes the use of "explosives detection canine teams

<sup>1</sup> See 9/11 Act sec. 1602, codified at 49 U.S.C. 4490l(g).

certified by [TSA].”<sup>2</sup> Section 1941 of the TSA Modernization Act of 2018 directs TSA to develop and issue standards for the use of third-party canine teams for the primary screening of air cargo.<sup>3</sup>

### *B. Third-Party Canine-Cargo Program*

TSA’s Third-Party Canine-Cargo (3PK9–C) program, which fulfills the requirements in sec. 1941 of the TSA Modernization Act, provides an effective and efficient method for screening cargo consistent with TSA’s authority under 49 U.S.C. 44901. There are three primary non-governmental participants in TSA’s 3PK9–C Program: (1) 3PK9–C Certifiers, authorized through an Order issued by TSA to certify canine teams as meeting TSA’s certification standards;<sup>4</sup> (2) regulated entities with an approved amendment to their security program required by 49 CFR parts 1544, 1546, or 1549 permitting use of certified canine teams to screen air cargo; and (3) canine team providers (could also include an independent canine team) authorized to screen cargo consistent with security program requirements issued under the CCSP, discussed in more detail below. Participation in any part of the 3PK9–C program is voluntary, but any certifier, regulated entity, or provider that chooses to participate in the program must comply with all requirements in the applicable documents.

### *C. Certified Cargo Screening Facility-Canine (CCSF–K9)*

TSA issued the CCSP regulation in 2009 to provide an approved method for regulated entities to screen 100 percent of all cargo to be transported on passenger aircraft. The program established a new regulatory framework that allowed a third-party to screen cargo to TSA standards, relieving the air carrier of the space, time, and cost pressures associated with screening cargo using technical means on airport grounds.<sup>5</sup> The CCSF–K9 is a natural evolution of the CCSP program, as it provides another approved method for third parties to screen cargo to TSA

standards at minimal cost, and at the most efficient time and place. Any cargo screening program that is compliant with the CCSP regulation meets all TSA screening standards required to transport cargo aboard passenger aircraft or any other aircraft, including all-cargo aircraft.

### **II. How To Become a Registered CCSF–K9**

To operate as a CCSF–K9, a canine provider must register with the CCSP and be approved as a holder of the Certified Cargo Security Program–Canine, issued under 49 CFR part 1549. For the purposes of this notice, the term “CCSF–K9” refers to the registered-holder of this security program. The security program includes both the requirements to become a CCSF–K9 and the operational requirements for screening air cargo. Under the framework for the 3PK9–C Program, a CCSF–K9 must seek certification of its canine teams by a 3PK9–C Certifier. Any contracts under which the CCSF–K9 will provide Certified 3PK9–C Teams, must be identified in the CCSF–K9’s Operational Implementation Plan (OIP), including locations where screening will be conducted. The OIP must be submitted as part of the canine provider’s application and updated throughout the CCSF–K9s participation in the 3PK9–C program. The regulated entity must also have a TSA-approved or accepted amendment to its required security program that allows use of a CCSF–K9 to screen air cargo, defines the process for transferring cargo to and from the CCSF–K9, establishes requirements for the regulated entity to conduct alarm resolution using a screening method approved by TSA, and requires recordkeeping of certain program documents.

This notice is being published to ensure all interested persons are aware of the opportunity to become CCSF–K9s. To initiate the registration process, canine team providers must submit an initial email indicating their interest to be a CCSF–K9 to the email address identified above under **ADDRESSES**. TSA will respond with additional information regarding the application requirements, including the required procedures to obtain access to Sensitive Security Information (SSI) pursuant to 49 CFR part 1520. Once access to SSI is permitted, the provider will receive a copy of the standard security program for CCSF–K9s, which includes the requirements for participation in the 3PK9–C Program. As stated in 49 CFR part 1549, all canine team providers must provide the information required by TSA and undergo an onsite corporate

assessment performed by TSA.<sup>6</sup> TSA will use this information to evaluate the provider’s qualifications and readiness to participate in the 3PK9–C Program.

All interested canine team providers must submit the following information before receiving any additional documentation from TSA regarding and CCSF–K9 and application:

- Corporate profile information to TSA, including information on the company’s corporate affiliation, corporate physical location, canine field locations, and information on canine team certifications.
- SSI acknowledgement, training, and non-disclosure agreement.
- Letter of intent and affidavit signed by relevant principal(s).
- Legal documentation describing the corporation, ID verification, and work authorization for specific individuals.

Once approved by TSA, the CCSF–K9 must comply with statutory and regulatory requirements for the screening of air cargo intended for transport on aircraft operated pursuant to a TSA-approved or accepted security program under 49 CFR parts 1544 or 1546, or a facilities-based CCSF operating pursuant to a TSA-approved security program under 49 CFR part 1549. The CCSF–K9 must also ensure that all employees and authorized representatives who have duties and responsibilities for any requirement in the security program successfully complete TSA’s requirements for a Security Threat Assessments (STA), which may include a fingerprint-based criminal history records check, and are trained to ensure the effective performance of those responsibilities, and are knowledgeable of their security responsibilities.

Unless otherwise approved by TSA, the provider must apply for a security program and certification to operate as a CCSF–K9 no less than 90 days before commencing operations.<sup>7</sup> Completed applications should be submitted to TSA at the addressed identified above under **ADDRESSES**. The CCSF–K9 may commence operations under the security program after its receives written approval from TSA that all TSA’s requirements are met, including but not limited to an assessment by TSA, successful completion of required training, approval of the OIP, and satisfactory adjudication of an STA as required by the security program. Initial approval of a CCSF–K9’s registration is effective for 18 months from the date of issuance.

<sup>6</sup> See 49 CFR 1549.7.

<sup>7</sup> *Id.* 1549.7(a)(1).

<sup>2</sup> *Id.* at sec. 44901(g)(5). See also 49 CFR 1544.205(g)(2).

<sup>3</sup> See Division K of the FAA Reauthorization Act of 2018, Public Law 115–254 (132 Stat. 3186, Oct. 5, 2018) (TSA Modernization Act).

<sup>4</sup> See Notice, Opening of Application Period for Third-Party Canine-Cargo Certifiers, 83 FR 23287 (May 18, 2018); Notice, Announcement of Approved Third-Party Canine-Cargo Certifiers, and Start of Certification Events, 83 FR 55558 (Nov. 6, 2018).

<sup>5</sup> See Air Cargo Screening, interim final rule (IFR), 74 FR 47704 (Sept. 16, 2009), codified at 49 CFR part 1549.

Dated: November 21, 2018.

**Darby LaJoye,**

*Executive Assistant Administrator, Security Operations.*

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## DEPARTMENT OF HOMELAND SECURITY

### U.S. Citizenship and Immigration Services

[OMB Control Number 1615-0030]

#### Agency Information Collection Activities; Extension, Without Change, of a Currently Approved Collection: Application for Waiver of the Foreign Residence Requirement of Section 212(e) of the Immigration and Nationality Act

**AGENCY:** U.S. Citizenship and Immigration Services, Department of Homeland Security.

**ACTION:** 60-Day notice.

**SUMMARY:** The Department of Homeland Security (DHS), U.S. Citizenship and Immigration (USCIS) invites the general public and other Federal agencies to comment upon this proposed extension of a currently approved collection of information. In accordance with the Paperwork Reduction Act (PRA) of 1995, the information collection notice is published in the **Federal Register** to obtain comments regarding the nature of the information collection, the categories of respondents, the estimated burden (*i.e.* the time, effort, and resources used by the respondents to respond), the estimated cost to the respondent, and the actual information collection instruments.

**DATES:** Comments are encouraged and will be accepted for 60 days until January 28, 2019.

**ADDRESSES:** All submissions received must include the OMB Control Number 1615-0030 in the body of the letter, the agency name and Docket ID USCIS-2008-0012. To avoid duplicate submissions, please use only *one* of the following methods to submit comments:

(1) *Online.* Submit comments via the Federal eRulemaking Portal website at <http://www.regulations.gov> under e-Docket ID number USCIS-2008-0012;

(2) *Mail.* Submit written comments to DHS, USCIS, Office of Policy and Strategy, Chief, Regulatory Coordination Division, 20 Massachusetts Avenue NW, Washington, DC 20529-2140.

**FOR FURTHER INFORMATION CONTACT:** USCIS, Office of Policy and Strategy, Regulatory Coordination Division,

Samantha Deshommes, Chief, 20 Massachusetts Avenue NW, Washington, DC 20529-2140, telephone number 202-272-8377 (This is not a toll-free number. Comments are not accepted via telephone message). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS website at <http://www.uscis.gov>, or call the USCIS National Customer Service Center at 800-375-5283 (TTY 800-767-1833).

#### SUPPLEMENTARY INFORMATION:

##### Comments

You may access the information collection instrument with instructions, or additional information by visiting the Federal eRulemaking Portal site at: <http://www.regulations.gov> and enter USCIS-2008-0012 in the search box. 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 consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy Act notice that is available via the link in the footer of <http://www.regulations.gov>.

Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information 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 of the proposed collection of information, including the validity of the methodology and assumptions used;

(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 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.

#### Overview of This Information Collection

(1) *Type of Information Collection:* Extension, Without Change, of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Application for Waiver of the Foreign Residence Requirement of Section 212(e) of the Immigration and Nationality Act.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* I-612; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* *Primary:* Individuals or households. This information collection is necessary and may be submitted only by an alien who believes that compliance with foreign residence requirements would impose exceptional hardship on his or her spouse or child who is a citizen of the United States, or a lawful permanent resident; or that returning to the country of his or her nationality or last permanent residence would subject him or her to persecution on account of race, religion, or political opinion. Certain aliens admitted to the United States as exchange visitors are subject to the foreign residence requirements of section 212(e) of the Immigration and Nationality Act (the Act). Section 212(e) of the Act also provides for a waiver of the foreign residence requirements in certain instances.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection I-612 is 7,200 and the estimated hour burden per response is .333 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection is 2,398 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is \$882,000.

Dated: November 21, 2018.

**Jerry L. Rigdon,**

*Deputy Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.*

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