

Dated: September 20, 2000.

**Richard W. Surdi,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 00-24586 Filed 9-22-00; 8:45am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Proposed Collection; Comment Request

**AGENCY:** Defense Security Service.

**ACTION:** Notice.

In compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Defense Security Service (DSS) announces the proposed continuation of a public information collection affecting cleared DoD contractors and seeks public comments on the provision thereof. Comments are invited on: (a) Whether the proposed collection shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the information to be collected; and (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 November 24, 2000.

**ADDRESSES:** Written comments and recommendations on the proposed information collection should be sent to Defense Security Service, Chief Operations Division, ATTN: Mr. Richard L. Lawhorn, 1340 Braddock Place, Alexandria, VA 22314-1650.

**FOR FURTHER INFORMATION CONTACT:** To request more information on this proposed data collection or obtain a copy of the proposal and associated collection instrument, please write to the above address, or call Defense Security Service, (703) 325-5327 or (703) 325-6050.

**Title, Associated Forms, and OMB Number:** "Department of Defense Security Agreement", "Appendage to Department of Defense Security Agreement", "Certificate Pertaining to Foreign Interests" (DD Forms, 441, 441-1 and Standard Form (SF) 328) respectively; OMB No. 0704-0194.

**Needs and Uses:** Executive Order (EO) 12829, "National Industrial Security Program (NISP)", stipulates that the Secretary of Defense shall serve as the

Executive Agent for inspecting and monitoring the contractors, licensees, and grantees who require or will require access, to or who store or will store classified information; and for determining the eligibility for access to classified information of contractors, licensees, and grantees and their respective employees. EO 12829 also authorizes the Executive Agent to issue, after consultation with affected agencies, standard forms that will promote the implementation of the NISP. The specific requirements necessary to protect classified information released to private industry are set forth in DoD 5200.22M, "National Industrial Security Program Operating Manual (NISPOM); they must execute DD Form 441, "Department of Defense Security Agreement", which is the initial contract between industry and the government. This legally binding document details the responsibility of both parties and obligates the contractor to fulfill the requirements outlined in DoD 5220.22M. The DD Form 441-1, Appendage to Department of Defense Security Agreement," is used to extend the agreements to branch offices of the contractor. SF Form 328, "Certificate Pertaining to Foreign Interests," must be submitted to provide certification regarding elements of Foreign Ownership, Control or Influence (FOCI) as stipulated in paragraph 2-302b of the NISPOM.

**Affected Public:** Business, University, Institution or other profit and non-profit organizations.

**Annual Burden Hours:** 533.33-4,480

**Number of Respondents:** 3,200

**Responses Per Respondent:** 1-2

**Average Burden Per Respondent:** DD Form 441: 14 minutes; DD Form 441-1: 10 minutes; SF 328: 70 minutes (1 hr & 10 min); DD Form 441 and SF 328: 84 min (1 hr & 24 min).

**Frequency:** One time and/or on occasion (e.g. initial facility clearance processing, when the respondent changes: name, organizational structure, moves; or upon request, etc.)

#### SUPPLEMENTARY INFORMATION:

##### Summary of Information Collection

The execution of the DD Form 441, 441-1 and SF 328 is a factor in making a determination as to whether a contractor is eligible to have a facility security clearance and/or participate in the National Industrial Security Program (NISP). It is also a legal basis for imposing NISP security requirements on eligible contractors. 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. DoD estimates the annual usage of the DD Form 441, 441-1 and SF 328 to be 3,200. In addition, the Department of Energy estimates the usage of the SF 328 to be 500 per year. NRC estimated that usage of the SF 328 is zero at this time. The form is authorized for local reproduction and will be available electronically on the World Wide Web. The forms will display OMB approval number 0704-0194.

**Patricia L. Toppings,**

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

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Proposed Collection; Comment Request

**AGENCY:** Defense Security Service.

**ACTION:** Notice.

In compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Defense Security Service announces the proposed continuation of a public information collection affecting cleared Department of Defense contractors and seeks public comments on the provision 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 November 24, 2000.

**ADDRESSES:** Written comments and recommendations on the proposed information collection should be sent to: Defense Industrial Security Clearance Office (DISCO), ATTN: Mr. James O'Heron, Deputy Director, P.O. Box 2499, Columbus, OH 43216-5006.

**FOR FURTHER INFORMATION CONTACT:** To request more information on this proposed information collection or to obtain a copy of the proposal and