DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Diabetes and Digestive and Kidney Diseases; Notice of Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of meetings of the National Diabetes and Digestive and Kidney Diseases Advisory Council.

The meetings will be open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.


Date: May 18, 2016.

Open: 2:00 p.m. to 4:00 p.m.

Agenda: To review the Division’s scientific and planning activities.

Place: National Institutes of Health, Building 31, C Wing 6th Floor, Conference Center, Room 10, 31 Center Drive, Bethesda, MD 20892.

Contact Person: Brent B. Stanfield, Ph.D., Director, Division of Extramural Activities, National Institutes of Diabetes and Digestive and Kidney Diseases, 6707 Democracy Blvd., Room 7323, MSC 5452, Bethesda, MD 20892, (301) 594–8843, stanfibr@niddk.nih.gov.


Date: May 18, 2016.

Open: 4:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Building 31, C Wing 6th Floor, Conference Center, Room 10, 31 Center Drive, Bethesda, MD 20892.

Contact Person: Brent B. Stanfield, Ph.D., Director, Division of Extramural Activities, National Institutes of Diabetes and Digestive and Kidney Diseases, 6707 Democracy Blvd., Room 7323, MSC 5452, Bethesda, MD 20892, (301) 594–8843, stanfibr@niddk.nih.gov.


Date: May 18, 2016.

Open: 5:00 p.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Building 31, C Wing 6th Floor, Conference Center, Room 10, 31 Center Drive, Bethesda, MD 20892.

Contact Person: Brent B. Stanfield, Ph.D., Director, Division of Extramural Activities, National Institutes of Diabetes and Digestive and Kidney Diseases, 6707 Democracy Blvd., Room 7323, MSC 5452, Bethesda, MD 20892, (301) 594–8843, stanfibr@niddk.nih.gov.


Date: May 18, 2016.

Open: 6:00 p.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Building 31, C Wing 6th Floor, Conference Center, Room 10, 31 Center Drive, Bethesda, MD 20892.

Contact Person: Brent B. Stanfield, Ph.D., Director, Division of Extramural Activities, National Institutes of Diabetes and Digestive and Kidney Diseases, 6707 Democracy Blvd., Room 7323, MSC 5452, Bethesda, MD 20892, (301) 594–8843, stanfibr@niddk.nih.gov.

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

The Department of Interior, NHI has instituted stringent procedures for entrance onto the NIH campus. All visitor vehicles, including taxicabs, hotel, and airport shuttles will be inspected before being allowed on campus. Visitors will be asked to show a form of identification (for example, a government-issued photo ID, driver’s license, or passport) and to state the purpose of their visit.

Information is also available on the Institute’s/Center’s home page: www.niddk.nih.gov/fund/divisions/DEA/Council/councildesc.htm., where an agenda and any additional information for the meeting will be posted when available.

Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research; 93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS.

Dated: April 6, 2016.

David Clary,
Program Analyst, Office of Federal Advisory Committee Policy.

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

Chemical Security Assessment Tool (CSAT)

AGENCY: National Protection and Programs Directorate, DHS.

ACTION: 30-Day Notice and request for comments; Revision of Information Collection Request: 1670–0007.

SUMMARY: The Department of Homeland Security (DHS or the Department), National Protection and Programs Directorate (NPPD), Office of Infrastructure Protection (IP), Infrastructure Security Compliance Division (ISCD), will submit the following Information Collection Request (ICR) to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. chapter 35). The Department previously
published this ICR, in the Federal Register on November 18, 2015, for a 60-day public comment period.\(^1\)

In this notice NPPD is: (1) Responding to two commenters who submitted comments in response to the 60-day notice previously published for this ICR and (2) inviting public comment concerning this ICR for an additional 30 days.

**DATES:** Comments are encouraged and will be accepted until May 13, 2016. This process is conducted in accordance with 5 CFR 1320.8.

**ADDRESSES:** Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, OMB. Comments should be addressed to OMB Desk Officer, Department of Homeland Security, National Protection and Programs Directorate. Comments must be identified by the docket number DHS–2015–0058 and may be submitted using one of the following methods:

- **Email:** oira_submission@omb.eop.gov. Include the docket number in the subject line of the message.
- **Fax:** (202) 395–5806.

**Instructions:** All submissions received must include the words “Department of Homeland Security” and the docket number for this action. Comments received will be posted without alteration at [http://www.regulations.gov](http://www.regulations.gov), including any personal information provided.

Comments that include trade secrets, confidential commercial or financial information, Chemical-terrorism Vulnerability Information (CVI),\(^2\) Sensitive Security Information (SSI),\(^3\) or Protected Critical Infrastructure Information (PCII)\(^4\) should not be submitted to the public regulatory docket. Please submit such comments separately from other comments in response to this notice. Comments containing trade secrets, confidential commercial or financial information, CVI, SSI, or PCII should be appropriately marked and packaged in accordance with applicable requirements and submitted by mail to the Office of Information and Regulatory Affairs, OMB. Comments should be addressed to OMB Desk Officer, Department of Homeland Security, National Protection and Programs Directorate. Comments must be identified by the docket number DHS–2015–0058.

The Office of Management and Budget 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.

**FOR FURTHER INFORMATION CONTACT:** Chemical Facility Anti-Terrorism Standards (CFATS) Program Manager, DHS/NPPD/IP/ISCD, CFATS@hq.dhs.gov.

**SUPPLEMENTARY INFORMATION:** Section 550 of the Homeland Security Appropriations Act of 2007, Public Law 109–295 (2006), provided the Department with the authority to regulate the security of high-risk chemical facilities. On April 9, 2007, the Department issued an Interim Final Rule (IFR), implementing this statutory mandate at 72 FR 17688. In December 2014, the President signed into law the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014 (the CFATS Act of 2014), Public Law 113–254, which authorized the Chemical Facility Anti-Terrorism Standards program in the Homeland Security Act of 2002, as amended, Public Law 107–296.\(^5\)

The CFATS regulations (available at 6 CFR part 27) govern the security at covered chemical facilities that have been determined by the Department to be at high risk for terrorist attack. See 6 CFR part 27. The CFATS represent national-level effort to minimize the terrorism risk to such facilities. Its design and implementation balance maintaining economic vitality with securing facilities and their surrounding communities. The regulations were designed to take advantage of protective measures already in place and to allow facilities to employ a wide range of tailored measures to satisfy the regulations’ Risk-Based Performance Standards (RBPS).

The Department collects the core regulatory data necessary to implement CFATS through the portions of the CSAT covered under this collection. For more information about CFATS and CSAT, you may access [www.dhs.gov/chemicalsecurity](http://www.dhs.gov/chemicalsecurity). The current information collection for CSAT (IC 1670–0007) will expire on April 30, 2016.\(^6\)

**Responses To Comments Submitted During 60-Day Comment Period**

The Department invited comments on four questions:

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.

In response to the 60-Day Notice that solicited comments about the CSAT ICR, the Department received 12 comments from 2 commenters. The 2 commenters were 1 private citizen and 1 industry association.

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Comments Related to Whether the Proposed Collection of Information is Necessary for the Proper Performance of the Function of the Agency, Including Whether the Information Will Have Practical Utility

The Department did not receive any comments suggesting that the proposed collection of information was not necessary for the proper performance of the functions of the agency.

Comments Related to 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

Comment: Private Citizen commented, “It is impossible for any individual or entity to make an adequate determination or estimation of the time and costs associated with the submission of the revised Top-Screen document. Although the revised document is available to DHS it has not been published and is not available to this commenter or other interested entity.”

Response: The Department calculated the reduction in Top-Screen time and costs by measuring the time users were logged into the CSAT system completing a Top-Screen between Calendar Year 2012–2014. DHS expects that this level of time will remain the same with the new Top-Screen survey.

Comment: Private Citizen commented, “It is impossible for any individual or entity to make an adequate determination or estimation of the time and costs associated with the submission of the revised Security Vulnerability Assessment document. Although the revised document is available to DHS it has not been published and is not available to this commenter or other interested entity.”

Response: The Department calculated the reduction in Top-Screen time and costs by measuring the time users were logged into the CSAT system completing a Top-Screen between Calendar Year 2012–2014.

Comment: Private Citizen commented, “The assumption that Site Security Officers are the only individuals responsible for submitting Top-Screens in many instances may not be a valid assumption. There are costs associated with other individuals that may be involved in the process and in other designated positions such as Submitters and Authorizers. In many instances the Site Security Officer position is not a dedicated separate position. These duties may be/are assigned as additional duties to facility supervisory, management, and operations positions as well as engineers. The cost curve for these individuals is much greater.”

Response: The Department agrees that “The CSAT tool has redesigned the CSAT tool suite. As part of this redesign, the Department has changed the question wording where possible to make it clearer and easier to understand.

Comments Related to Minimizing the Burden of the Collection of the 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

Comment: Industry Association commented, “The CSAT tool has repetitive questions throughout the document that extend the time to complete. For example, Risk-Based Performance Standard (RBPS) 4, repeats questions from RBPS 1, 2 and 3. If the questions must be asked multiple times, it would be helpful to identify questions that would elicit a similar response.”

Response: The Department has redesigned the CSAT tool suite. As part of this redesign, the Department removed repetitive questions.

Comment: Industry Association commented, “DHS should consider the format of RBPS 18. RBPS 18 stipulates that every answer to every question must be yes. Instead of filling out a form by checking a series of boxes, those requirements could be explicitly stated with a simple signature or check box at the bottom.”

Response: The Department has taken this recommendation and merged the retention of records questions that must be answered with a yes into one question that is an affirmation statement.

Other Comments Submitted in Response to the Information Collection Request

Comment: Industry Association commented, “DHS should consider removing the chlorine rail car as a theft issue in the tiering process. Chlorine rail...
scale chlorine releases, modeled by DHS scientists. For this reason, some members have elected to use the release estimates of Pamphlet 74 in lieu of RMP*COMP, and have received notification from DHS that RMP*COMP must be used. The RMP*COMP is based on a computational model, not real-world tests studied by DHS scientists. DHS should consider, for chlorine, allowing the use of Pamphlet 74 dispersion estimates in lieu of RMP*COMP due to the higher level of accuracy and to conserve resources by using already existing dispersion analysis.”

Response: The Department has developed an improved risk methodology. As part of this improved risk methodology, the Department will consider packaging size and type in the new vulnerability factor. Although loaded rail cars, which are considered bulk transportation items, are extremely heavy and bulky, the potential for the theft of these rail cars cannot be ruled out.

Comment: Industry Association commented, “Additionally, CI [Chlorine Institute] members have received feedback on Top Screens regarding the release volume. For EPA’s RMP submissions, the single largest container is used as the release scenario. When this volume was submitted on a Top Screen, CI members were asked to instead use the full inventory of the COI [Chemical of Interest] within a 170 foot radius. Especially for members who package chlorine into multiple smaller containers, such as cylinders and ton containers, this scenario is highly impractical and improbable and has the potential to affect tier determination. It is also unclear the origins of the 170-foot radius specification.”

Response: The CFATS program is a security-based regulation that is focused on mitigating the risk of intentional acts which generate high consequences. It is possible that these acts may involve multiple cylinders, containers, etc. In contrast, the EPA Risk Management Program is a safety-based regulation that is focused on accidental releases. Thus, it is appropriate for the DHS modeling to take into account the possibility and consequences of an intentional act that results in the release of multiple cylinders/containers.

Comment: Industry Association commented, “Since 2013, CI has had a Cooperative Research and Development Agreement (CRADA) with Chemical Security Analysis Center (CSAC) within DHS. With the support of the Chlorine Institute, CSAC has conducted a series of field experiments to study the dispersion patterns and the nature of reactivity of chlorine to its surroundings. From these tests, CSAC then modeled chlorine releases and contributed those results to the newly updated Chlorine Institute Pamphlet 74, Guiding the Area Affected By A Chlorine Release. These models are based on real-world, large-

The Department’s Methodology in Estimating the Burden for the Top-Screen

This 30-Day Notice relies on the analysis and resulting burden estimates in the 60-day notice for this instrument.

The Department’s Methodology in Estimating the Burden for Site Security Plan (SSP) & Alternative Security Program (ASP) Submitted in Lieu of the Site Security Plan

This 30-Day Notice relies on the analysis and resulting burden estimates in the 60-day notice for this instrument.

The Department’s Methodology in Estimating the Burden for the Helpdesk

This 30-Day Notice relies on the analysis and resulting burden estimates in the 60-day notice for this instrument.

The Department’s Methodology in Estimating the Burden for Identification of Additional Facilities and Assets at Risk

This 30-Day Notice relies on the analysis and resulting burden estimates in the 60-day notice for this instrument.

Analysis


Title: Chemical Security Assessment Tool.

OMB Number: 1670–0007.

Instrument: CSAT Top-Screen.

Frequency: “On occasion” and “Other.”

Affected Public: Business or other for-profit.

Number of Respondents: 1,000 respondents (estimate).

Response: The Department has redesigned the CSAT tool suite. As part of this redesign, the Department has moved the questions relevant to tiering determinations from the Security Vulnerability Assessment survey to the Top-Screen survey. Along with the redesign of the CSAT tool suite DHS has also developed an improved risk methodology. In this improved risk methodology, DHS has included a new vulnerability metric, based on inherent facility characteristics that reduce vulnerability.

The Department also understands CVI training may be required for some Site Security Officer’s before being able to submit a Top-Screen. The burden for CVI training is accounted for in ICR: 1670- 30-Day Notice published, in the Federal Register, on March 18, 2013.7

The Department’s Methodology in Estimating the Burden for the Security Vulnerability Assessment (SVA) & Alternative Security Program (ASP) Submitted in Lieu of the Security Vulnerability Assessment

This 30-Day notice relies on the analysis and resulting burden estimates in the 60-day notice for this instrument.

The Department’s Methodology in Estimating the Burden for Site Security Plan (SSP) & Alternative Security Program (ASP) Submitted in Lieu of the Site Security Plan

This 30-Day Notice relies on the analysis and resulting burden estimates in the 60-day notice for this instrument.

The Department’s Methodology in Estimating the Burden for the Helpdesk

This 30-Day Notice relies on the analysis and resulting burden estimates in the 60-day notice for this instrument.

The Department’s Methodology in Estimating the Burden for Identification of Additional Facilities and Assets at Risk

This 30-Day Notice relies on the analysis and resulting burden estimates in the 60-day notice for this instrument.

Analysis


Title: Chemical Security Assessment Tool.

OMB Number: 1670–0007.

Instrument: CSAT Top-Screen.

Frequency: “On occasion” and “Other.”

Affected Public: Business or other for-profit.

Number of Respondents: 1,000 respondents (estimate).

DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

Exercise of Authority under Section 212(d)(3)(B)(i) of the Immigration and Nationality Act

AGENCY: Office of the Secretary, DHS.

ACTION: Notice of Determination.


Following consultations with the Attorney General and the Secretary of State, I have determined that the grounds of inadmissibility at sec. 212(a)(3)(B) of the Immigration and Nationality Act (INA), 8 U.S.C. 1182(a)(3)(B), bar certain aliens who do not pose a national security or public safety risk from admission to the United States and from obtaining immigration benefits or other status. Accordingly, consistent with prior exercises of the exemption authority, and in consultation with the Attorney General and the Secretary of State, I hereby conclude, as a matter of discretion in accordance with the authority granted by sec. 212(d)(3)(B)(i) of the INA, 8 U.S.C. 1182(d)(3)(B)(i), as amended, as well as the foreign policy and national security interests deemed relevant in these consultations, that sec. 212(a)(3)(B) of the INA, 8 U.S.C. 1182(a)(3)(B), excluding subclause (J)(II), shall not apply with respect to an alien for any activity or association relating to the following groups:

- All Burma Muslim Union
- Arakan Army
- Hongsawatoi Restoration Army/Party
- Kachin Independence Army
- Kachin Independence Organization
- Karen National Defense Organization
- Karen Nationalities People’s Liberation Front
- Kayah State Muslim Liberation Front
- Kuki National Army
- Mon National Liberation Army
- Mon National Warrior Army
- Myeik-Dawoi United Front
- National Democratic Front
- National United Party of Arakan
- New Democratic Army Kachin
- New Mon State Party
- Parliamentary Democracy Party
- People’s Democratic Front
- Ramanya Restoration Army
- Shan State Army
- Zomi Unification Organization/Zomi Revolutionary Army

An alien for any activity or association falling within the scope of sec. 212(a)(3)(B) of the INA, 8 U.S.C. 1182(a)(3)(B):

(a) is seeking a benefit or protection under the INA and has been determined to be otherwise eligible for the benefit or protection;

(b) has undergone and passed all relevant background and security checks;

(c) has fully disclosed, to the best of his or her knowledge, in all relevant applications and interviews with U.S. Government representatives and agents, the nature and circumstances of activities or association falling within the totality of the circumstances.

Implementation of this determination will be made by U.S. Citizenship and Immigration Services (USCIS), in consultation with U.S. Immigration and Customs Enforcement (ICE), or by U.S. consular officers, as applicable, who shall ascertain, to their satisfaction, and in their discretion, that the particular applicant meets each of the criteria set forth above.

This exercise of authority may be revoked as a matter of discretion and without notice at any time, with respect to any and all persons subject to it. Any determination made under this exercise of authority as set out above can inform but shall not control a decision regarding any subsequent benefit or protection application, unless such exercise of authority has been revoked.

This exercise of authority shall not be construed to prejudice, in any way, the ability of the U.S. government to commence subsequent criminal or civil proceedings in accordance with U.S. law involving any beneficiary of this exercise of authority (or any other person). This exercise of authority creates no substantive or procedural right or benefit that is legally enforceable by any party against the...