

DEPARTMENT OF HOMELAND SECURITY

Transportation Security Administration

Intent To Request Approval From OMB of One New Public Collection of Information: Highway Corporate Security Review

AGENCY: Transportation Security Administration, DHS.

ACTION: Notice of reinstatement.

SUMMARY: The Transportation Security Administration (TSA) invites public comment on an information collection requirement abstracted below that we will submit to the Office of Management and Budget (OMB) for approval in compliance with the Paperwork Reduction Act. This collection will assess the current security practices in the highway and motor carrier industry by way of its Highway Corporate Security Program, which encompasses site visits and interviews, and is part of the larger domain awareness, prevention, and protection program supporting TSA's and the Department of Homeland Security's missions.

DATES: Submit comments by August 14, 2009.

ADDRESSES: Comments may be mailed or delivered to Ginger LeMay, PRA Officer, Office of Information Technology, Transportation Security Administration, 601 South 12th Street, Arlington, VA 20598-6011.

FOR FURTHER INFORMATION CONTACT: Ginger LeMay, PRA Officer, Office of Information Technology, TSA-11, Transportation Security Administration, 601 South 12th Street, Arlington, VA 20598-6011; telephone (571) 227-3616; e-mail: ginger.lemay@dhs.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. Therefore, in preparation for OMB review and approval of the following information collection, TSA is soliciting comments to—

(1) Evaluate whether the proposed information requirement 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;

(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 using appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Information Collection Requirement

Reinstatement of *OMB Control Number 1652-0036; Corporate Security Review*. Under the Aviation and Transportation Security Act (ATSA)¹ and delegated authority from the Secretary of Homeland Security, TSA has broad responsibility and authority for “security in all modes of transportation * * * including security responsibilities * * * over modes of transportation that are exercised by the Department of Transportation,”² TSA has additional authorities as well. TSA is specifically empowered to develop policies, strategies, and plans for dealing with threats to transportation,³ ensure the adequacy of security measures for the transportation of cargo,⁴ oversee the implementation and ensure the adequacy of security measures at transportation facilities,⁵ and carry out other appropriate duties relating to transportation security.⁶

One way TSA carries out its surface transportation responsibilities is by assessing the current security practices in the trucking, school bus, and motor coach industries as well as at State Departments of Transportation (DOTs), by way of its Corporate Security Review (CSR) program. The CSR program encompasses site visits and interviews, and is one piece of a much larger domain awareness, prevention, and protection program in support of TSA's and the Department of Homeland Security's missions. TSA is seeking to reinstate its OMB approval for this information collection so that TSA can continue to ascertain minimum security standards and identify coverage gaps,

¹ Public Law 107-71, 115 Stat. 597 (November 19, 2001).

² See 49 U.S.C. 114(d). The TSA Assistant Secretary's current authorities under ATSA have been delegated to him by the Secretary of Homeland Security. Section 403(2) of the Homeland Security Act (HSA) of 2002, Public Law 107-296, 116 Stat. 2315 (2002), transferred all functions of TSA, including those of the Secretary of Transportation and the Under Secretary of Transportation of Security related to TSA, to the Secretary of Homeland Security. Pursuant to DHS Delegation Number 7060.2, the Secretary delegated to the Assistant Secretary (then referred to as the Administrator of TSA), subject to the Secretary's guidance and control, the authority vested in the Secretary with respect to TSA, including that in sec. 403(2) of the HSA.

³ 49 U.S.C. 114(f)(3).

⁴ 49 U.S.C. 114(f)(10).

⁵ 49 U.S.C. 114(f)(11).

⁶ 49 U.S.C. 114(f)(15).

activities that are critical to carrying out its transportation security mission.

The CSR is an “instructive” review that provides TSA with an understanding of certain surface transportation owner/operators' security programs, if they have adopted such programs. In carrying out CSRs, Transportation Security Specialists from TSA's Highway and Motor Carrier Division and Transportation Security Inspectors—Surface (TSI-S) conduct site visits of trucking, school bus, and motor coach companies and State DOTs throughout the nation. The TSA representatives analyze the owner's/operator's security plan, if the owner/operator has adopted one, and determine if the mitigation measures included in the plan are being properly implemented. In addition to examining the security plan document, TSA reviews one or more assets of the owner/operator or State DOT.

During the site visits, TSA completes a CSR form, which asks questions concerning eleven topics: Management and oversight of the security plan, threat assessment, criticality assessment, vulnerability assessment, personnel security, training, physical security countermeasures, en route security, information technology security, security exercises and drills, and a hazardous materials addendum. TSA conducts this collection through voluntary face-to-face visits at the headquarters of the subject surface transportation owners/operators. Typically, TSA sends one to three employees to conduct a two to three hour discussion/interview with representatives from the owner/operator. TSA plans to collect information from businesses of all sizes in the course of conducting these surface mode CSRs.

TSA conducts these interviews to ascertain information on security measures and to identify security gaps. The interviews also provide the TSA with a method to encourage the surface transportation owners/operators affected by the CSRs to be diligent in effecting and maintaining security-related improvements. This program provides TSA with real-time information on current security practices within the trucking, school bus, and motor coach modes of the surface transportation sector. This information allows TSA to adapt programs to the changing threat dynamically, while incorporating an understanding of the improvements owners/operators make in their security posture. Without this information, the ability of the TSA to perform its security mission would be severely hindered.

Additionally, the relationships these face-to-face contacts foster are critical to the Federal Government's ability to reach out to the surface transportation stakeholders affected by the CSRs. The relationships foster a sense of trust and a willingness to share information with the Federal Government. TSA assures respondents that the portion of their responses that is deemed Sensitive Security Information will be handled as such, as described in 49 CFR parts 15 and 1520.

The annual hour burden for this information collection is estimated to be 1,200 hours. While TSA estimates a total of 400 potential respondents, this estimate is based on TSA conducting 400 visits per year, each visit lasting two to three hours. The total annual cost burden to respondents is \$0.00.

Issued in Arlington, Virginia, on June 9, 2009.

Ginger LeMay,

Paperwork Reduction Act Officer, Business Improvements and Communications, Office of Information Technology.

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DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

Agency Information Collection Activities: Form I-102, Extension of a Currently Approved Information Collection; Comment Request

ACTION: 30-Day Notice of Information Collection Under Review: Form I-102, Application for Replacement/Initial Nonimmigrant Arrival-Departure Document; OMB Control No. 1615-0079.

The Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The information collection was previously published in the **Federal Register** on March 10, 2009, at 74 FR 10260, allowing for a 60-day public comment period. USCIS did not receive any comments for this information collection.

The purpose of this notice is to allow an additional 30 days for public comments. Comments are encouraged and will be accepted until July 15, 2009.

This process is conducted in accordance with 5 CFR 1320.10.

Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, should be directed to the Department of Homeland Security (DHS), and to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), USCIS Desk Officer. Comments may be submitted to: USCIS, Chief, Regulatory Products Division, Clearance Office, 111 Massachusetts Avenue, Washington, DC 20529-2210. Comments may also be submitted to DHS via facsimile to 202-272-8352 or via e-mail at rfs.regs@dhs.gov, and to the OMB USCIS Desk Officer via facsimile at 202-395-6974 or via e-mail at oir_submission@omb.eop.gov.

When submitting comments by e-mail, please make sure to add OMB Control Number 1615-0079 in the subject box. Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

- (1) Evaluate whether the 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 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 of an existing information collection.

(2) *Title of the Form/Collection:* Application for Replacement/Initial Nonimmigrant Arrival-Departure Document.

(3) *Agency form number, if any, and the applicable component of the Department of Homeland Security sponsoring the collection:* Form I-102. U.S. Citizenship and Immigration Services.

(4) *Affected public who will be asked or required to respond, as well as a brief*

abstract: Primary: Individuals or Households. Nonimmigrants temporarily residing in the United States use this form to request a replacement of his or her arrival evidence document.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 12,195 responses at 25 minutes (.416) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 5,073 annual burden hours.

If you need a copy of the proposed information collection instrument, or additional information, please visit the Web site at: <http://www.regulations.gov/search/index.jsp>.

If additional information is required contact: USCIS, Regulatory Products Division, 111 Massachusetts Avenue, Washington, DC 20529-2210, (202) 272-8377.

Stephen Tarragon,

Deputy Chief, Regulatory Products Division, U.S. Citizenship and Immigration Services.

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DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

Agency Information Collection Activities: Form I-694, Extension of a Currently Approved Information Collection; Comment Request

ACTION: 30-day notice of information collection under review: Form I-694, Notice of Appeal of Decision Under Section 210 or 245A of the Immigration and Nationality Act; OMB Control No. 1615-0034.

The Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The information collection was previously published in the **Federal Register** on March 10, 2009, at 74 FR 10262, allowing for a 60-day public comment period. USCIS did not receive any comments for this information collection.

The purpose of this notice is to allow an additional 30 days for public comments. Comments are encouraged and will be accepted until July 15, 2009.