

Estimated Time per Respondent: 6.00 hours.
Total Burden Hours: 9,200 hours.
Total Burden Cost (capital/startup): \$15,005,400.
Total Recordkeeping Burden: \$0.
Total Burden Cost: \$15,623,400.
Instrument: Security Vulnerability Assessment and Alternative Security Program Submitted in Lieu of the Security Vulnerability Assessment.
Frequency: "On occasion" and "Other."
Affected Public: Business or other for-profit.
Number of Respondents: 211 respondents.
Estimated Time per Respondent: 2.65 hours.
Total Burden Hours: 900 hours.
Total Burden Cost (capital/startup): \$0.
Total Recordkeeping Burden: \$0.
Total Burden Cost: \$58,600.
Instrument: Site Security Plan and Alternative Security Program Submitted in Lieu of the Site Security Plan.
Frequency: "On occasion" and "Other."
Affected Public: Business or other for-profit.
Number of Respondents: 211 respondents.
Estimated Time per Respondent: 18.75 hours.
Total Burden Hours: 8,000 hours.
Total Burden Cost (capital/startup): \$0.
Total Recordkeeping Burden: \$438,800.
Total Burden Cost: \$976,400.
Instrument: CFATS Helpdesk.
Frequency: "On occasion" and "Other."
Affected Public: Business or other for-profit.
Number of Respondents: 15,000 respondents.
Estimated Time per Respondent: 0.17 hours.
Total Burden Hours: 2,550 annual burden hours.
Total Burden Cost (capital/startup): \$0.
Total Recordkeeping Burden: \$0.
Total Burden Cost: \$172,700.
Instrument: CSAT User Registration.
Frequency: "On occasion" and "Other."
Affected Public: Business or other for-profit.
Number of Respondents: 1000 respondents.
Estimated Time per Respondent: 2 hours.
Total Burden Hours: 2,000 hours.
Total Burden Cost (capital/startup): \$283,600.
Total Recordkeeping Burden: \$0.
Total Burden Cost: \$419,000.
Instrument: Identification of Facilities and Assets At Risk.
Frequency: "On occasion" and "Other."
Affected Public: Business or other for-profit.

Number of Respondents: 211 respondents.
Estimated Time per Respondent: 0.17 hours.
Total Burden Hours: 40 hours.
Total Burden Cost (capital/startup): \$34,600.
Total Recordkeeping Burden: \$0.
Total Burden Cost: \$37,000.
 Dated: April 7, 2016.

Scott Libby,
 Deputy Chief Information Officer, National Protection and Programs Directorate,
 Department of Homeland Security.

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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.

Authority: 8 U.S.C. 1182(d)(3)(B)(i).
 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 (i)(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
- Karenni Nationalities People's Liberation Front
- Kawthoolei Muslim Liberation Front
- Kuki National Army
- Mon National Liberation Army

- Mon National Warrior Army
- Myeik-Dawei 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 Reunification Organization/ Zomi Revolutionary Army provided that the alien satisfies the relevant agency authority that the alien:
 - (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 scope of sec. 212(a)(3)(B) of the INA, 8 U.S.C. 1182(a)(3)(B);
 - (d) has not participated in, or knowingly provided material support to, terrorist activities that targeted noncombatant persons or U.S. interests;
 - (e) poses no danger to the safety and security of the United States; and
 - (f) warrants an exemption from the relevant inadmissibility provision(s) in 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

United States or its agencies or officers or any other person.

In accordance with sec. 212(d)(3)(B)(ii) of the INA, 8 U.S.C. 1182(d)(3)(B)(ii), a report on the aliens to whom this exercise of authority is applied, on the basis of case-by-case decisions by the U.S. Department of Homeland Security or by the U.S. Department of State, shall be provided to the specified congressional committees not later than 90 days after the end of the fiscal year.

This determination is based on an assessment related to the national security and foreign policy interests of the United States as they apply to the particular persons described herein and shall not have any application with respect to other persons or to other provisions of U.S. law.

Jeh Charles Johnson,
Secretary.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R3-ES-2016-N070;
FXES11130300000-167-FF03E00000]

Endangered and Threatened Wildlife and Plants; Permit Applications

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability of permit applications; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications to conduct certain activities with endangered species. With some exceptions, the Endangered Species Act (Act) prohibits activities with endangered or threatened species unless a Federal permit allows such activity. The Act requires that we invite public comment before issuing these permits.

DATES: We must receive any written comments on or before May 13, 2016.

ADDRESSES: Send written comments by U.S. mail to the Regional Director, Attn: Carlita Payne, U.S. Fish and Wildlife Service, Ecological Services, 5600 American Blvd. West, Suite 990, Bloomington, MN 55437-1458; or by electronic mail to permitsR3ES@fws.gov.

FOR FURTHER INFORMATION CONTACT: Carlita Payne, (612) 713-5343.

SUPPLEMENTARY INFORMATION:

Background

We invite public comment on the following permit applications for certain activities with endangered species authorized by section 10(a)(1)(A) of the Act (16 U.S.C. 1531 *et seq.*) and our regulations governing the taking of endangered species in the Code of Federal Regulations (CFR) at 50 CFR part 17. Submit your written data, comments, or request for a copy of the complete application to the mailing address or email address shown in **ADDRESSES**.

Permit Applications

Permit Application Number: TE206781

Applicant: Ecological Specialists, Inc., O'Fallon, MO

The applicant requests a permit renewal, with amendment to take (capture and release, capture and relocate) federally listed mussels throughout the States of Arkansas, Iowa, Illinois, Indiana, Kentucky, Maryland, Michigan, Minnesota, Missouri, Nebraska, New York, Pennsylvania, Oklahoma, Ohio, South Dakota, Tennessee, Virginia, Wisconsin, and West Virginia. The following mussel species are included:

Pocketbook, Ouachita rock	<i>Arkansia wheeleri</i> .
Bean, rayed	<i>Villosa fabalis</i> .
Catspaw, white (pearlymussel)	<i>Epioblasma obliquata perobliqua</i> .
Higgins eye (pearlymussel)	<i>Lampsilis higginsii</i> .
Mapleleaf, winged	<i>Quadrula fragosa</i> .
Mussel, scaleshell	<i>Leptodea leptodon</i> .
Mussel, sheepnose	<i>Plethobasus cyphus</i> .
Mussel, snuffbox	<i>Epioblasma triquetra</i> .
Pearlymussel, Curtis	<i>Epioblasma florentina curtisii</i> .
Pearlymussel, purple cat's paw	<i>Epioblasma obliquata obliquata</i> .
Spectaclecase (mussel)	<i>Cumberlandia monodonta</i> .
Acornshell, southern	<i>Epioblasma othcaloogensis</i> .
Bean, Cumberland (pearlymussel)	<i>Villosa trabalis</i> .
Blossom, green (pearlymussel)	<i>Epioblasma torulosa gubernaculum</i> .
Blossom, tubercled (pearlymussel)	<i>Epioblasma torulosa torulosa</i> .
Blossom, turgid (pearlymussel)	<i>Epioblasma turgidula</i> .
Blossom, yellow (pearlymussel)	<i>Epioblasma florentina florentina</i> .
Combshell, Cumberlandian	<i>Epioblasma brevidens</i> .
Combshell, upland	<i>Epioblasma metastrata</i> .
Elktoe, Appalachian	<i>Alasmidonta raveneliana</i> .
Elktoe, Cumberland	<i>Alasmidonta atropurpurea</i> .
Fanshell	<i>Cyprogenia stegaria</i> .
Fatmucket, Arkansas	<i>Lampsilis powellii</i> .
Kidneyshell, triangular	<i>Ptychobranthus greenii</i> .
Lampmussel, Alabama	<i>Lampsilis virescens</i> .
Lilliput, pale (pearlymussel)	<i>Toxolasma cylindrellus</i> .
Moccasinshell, Coosa	<i>Medionidus parvulus</i> .
Monkeyface, Cumberland (pearlymussel)	<i>Quadrula intermedia</i> .
Mucket, pink (pearlymussel)	<i>Lampsilis abrupta</i> .
Mussel, oyster	<i>Epioblasma capsaeformis</i> .
Pearlymussel, birdwing	<i>Lemiox rimosus</i> .
Pearlymussel, cracking	<i>Hemistena lata</i> .
Pearlymussel, dromedary	<i>Dromus dromas</i> .
Pearlymussel, littlewing	<i>Pegias fabula</i> .
Pigtoe, Cumberland	<i>Pleurobema gibberum</i> .