

(4) If derogatory information surfaces within the 5 years before the reinvestigation, the DoD Component will take action to protect children by reassigning or suspending from having contact with children, any individual, contractor or volunteer until the case is resolved.

(f) *Self-reporting.* (1) Individuals who have regular contact with children under 18 years of age in DoD-sanctioned programs who have a completed background check are required to immediately report subsequent automatic disqualification criteria under paragraph (c)(1) of this section and presumptive disqualification criteria under paragraphs (c)(2)(i), (iv), and (v) of this section.

(2) The DoD Components will establish procedures for:

(i) Informing individuals of the requirement to immediately report any incident or conviction that may invalidate their prior background check and make them ineligible to work or have contact with children.

(ii) Responding to and evaluating reports made by such individuals, and taking appropriate action until the case has been resolved or closed.

(g) *Eligibility to perform duties under LOSS.* The DoD Components will establish Component-specific procedures, policies, and requirements, subject to the requirements of this paragraph, to permit applicants for whom a criminal history background check has been initiated but not yet completed, to perform duties under LOSS upon favorable findings of preliminary investigations.

(1) *No presumption of right.* No individual will be permitted to perform duties under LOSS in a position subject to criminal history background check without authorizing policy or other written permission from a DoD Component head.

(2) *Preliminary investigations required.* No individual will be permitted to perform duties under LOSS in a position subject to criminal history background check unless the following investigative elements have been reviewed and determined favorably:

(i) An IRC, including installation law enforcement records check, drug and alcohol records, and FAP records check for a minimum of 2 years before the date of the application if the individual has a preexisting DoD affiliation.

(ii) Initial results from the advanced FBI fingerprint criminal history background check (not the full check).

(3) *Exception for non-specified volunteers.* Due to the controlled, limited duration of an activity for these individuals, an advanced FBI

fingerprint criminal history background check is not required. Non-specified volunteers will be permitted to perform duties and services under LOSS for the duration of the activity.

(4) *Supervisor requirements.* The supervisor must be a person who:

(i) Has undergone and successfully completed the required background check.

(ii) Has complied, as required, with the periodic reinvestigation requirement for a recurring criminal history background check.

(iii) Has not previously exhibited reckless disregard for an obligation to supervise an employee, contractor, or volunteer.

(5) *Video surveillance.* The use of video surveillance equipment to provide temporary oversight for individuals whose required background checks have been initiated but not completed is acceptable provided it is continuously monitored by an individual who has undergone and successfully completed all required background checks. This provision shall meet the intent of a flexible and reasonable alternative for "direct sight supervision."

(6) *Conspicuous identification of individuals subject to LOSS.* Individuals permitted to perform duties solely under LOSS must be conspicuously marked by means of distinctive clothing, badges, wristbands, or other visible and apparent markings. The purpose of such markings must be communicated to staff, customers, parents, and guardians by conspicuous posting or printed information.

(7) *Permissible performance of duties without supervision.* Individuals otherwise required to perform duties only under LOSS may perform duties without supervision if:

(i) Interaction with a child occurs in the presence of the child's parent or guardian;

(ii) Interaction with children is in a medical facility, subject to supervisory policies of the facility, and in the presence of a mandated reporter of child abuse; or

(iii) Interaction is necessary to prevent death or serious harm to the child, and supervision is impractical or unfeasible (e.g., response to a medical emergency, emergency evacuation of a child from a hazardous location).

Dated: September 11, 2015.

**Aaron Siegel,**

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

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2015-0849]

#### Drawbridge Operation Regulations; New Jersey Intracoastal Waterway, Atlantic City, NJ and Delaware River, Delair, NJ

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of deviation from drawbridge regulations.

**SUMMARY:** The Coast Guard has issued a temporary deviation from the operating schedules that govern the AMTRAK Bridge over Beach Thorofare, New Jersey Intracoastal Waterway, mile 68.9, at Atlantic City, NJ, and the AMTRAK Bridge over Delaware River, mile 104.6, at Delair, NJ. This deviation allows the bridges to remain in the closed-to-navigation position to facilitate the 2015 Papal Visit to Philadelphia, PA.

**DATES:** This deviation is effective from 5 a.m. on September 26, 2015, to 3 a.m. on September 28, 2015.

**ADDRESSES:** The docket for this deviation, [USCG-2015-0849], is available at <http://www.regulations.gov>. Type the docket number in the "SEARCH" box and click "SEARCH". Click on Open Docket Folder on the line associated with this deviation. You may also visit the Docket Management Facility in Room W12-140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary deviation, call or email Mr. Hal R. Pitts, Bridge Administration Branch Fifth District, Coast Guard; telephone (757) 398-6222, email [Hal.R.Pitts@uscg.mil](mailto:Hal.R.Pitts@uscg.mil). If you have questions on viewing the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202-366-9826.

**SUPPLEMENTARY INFORMATION:** The New Jersey Transit, who owns and operates the AMTRAK Bridge over Beach Thorofare and AMTRAK Bridge over Delaware River, has requested a temporary deviation from the current operating regulations set out in 33 CFR 117.733(d) and 117.716, respectively, to facilitate movement of trains during the 2015 Papal Visit to Philadelphia, PA.

Under the normal operating schedule for the AMTRAK Bridge over Beach

Thorofare, New Jersey Intracoastal Waterway, mile 68.9, at Atlantic City, NJ; the bridge shall open on signal from 11 p.m. to 6 a.m.; from 6 a.m. to 11 p.m., open on signal from 20 minutes to 30 minutes after each hour and remain open for all waiting vessels; opening of the draw may be delayed for ten minutes except as provide in 33 CFR 117.31(b); However, if a train is moving toward the bridge and has crossed the home signal for the bridge before the signal requesting the opening of the bridge is given, that train may continue across the bridge and must clear the bridge interlocks before stopping. Under the normal operating schedule for the AMTRAK Bridge over Delaware River, mile 104.6, at Delair, NJ, the bridgneed not open when there is a train in the bridge block approaching the bridge with the intention of crossing, or within five minutes of the known time of the passage of a scheduled passenger train; the opening of a bridge may not be delayed for more than 10 minutes, after the signal to open is given. The vertical clearances in the closed-to-navigation position of the AMTRAK Bridge over Beach Thorofare and AMTRAK Bridge over Delaware River are 5 feet and 49 feet, respectively, above mean high water.

Under this temporary deviation, the bridges will not be required to open on signal or within ten minutes of a signal from 5 a.m. on September 26, 2015, to 3 a.m. on September 28, 2015. Mariners requesting an opening shall provide at least one hour notice and may be required to adjust their voyage plan to transit through the bridge at a specified time. Beach Thorofare, New Jersey Intracoastal Waterway is used by a variety of vessels including small commercial fishing vessels, recreational vessels and tug and barge traffic. The Delaware River is used by a variety of vessels including deep draft ocean-going vessels, small commercial fishing vessels, recreational vessels and tug and barge traffic. The Coast Guard has carefully coordinated the restrictions with commercial and recreational waterway users.

Vessels able to pass through the bridges in the closed position may do so at anytime. The bridges will be able to open for emergencies and there is no alternate route for vessels unable to pass through the bridges in the closed position. The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notice to Mariners of the change in operating schedules for these bridges so that vessels can arrange their transits to minimize any impacts caused by this temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridges must return to their regular operating schedules immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: September 10, 2015.

**Hal R. Pitts,**

*Bridge Program Manager, Fifth Coast Guard District.*

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**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2015-0848]

#### Drawbridge Operation Regulations; Mantua Creek, Paulsboro, NJ and Raccoon Creek, Bridgeport, NJ

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of deviation from drawbridge regulations.

**SUMMARY:** The Coast Guard has issued a temporary deviation from the operating schedules that govern the S.R. 44 Bridge over Mantua Creek, mile 1.7, at Paulsboro, NJ and Route 130 Bridge over Raccoon Creek, mile 1.8, at Bridgeport, NJ. This deviation allows the bridges to remain in the closed-to-navigation position to facilitate the 2015 Papal Visit to Philadelphia, PA.

**DATES:** This deviation is effective from 7 a.m. on September 26, 2015, to 11 p.m. on September 28, 2015.

**ADDRESSES:** The docket for this deviation, [USCG-2015-0848], is available at <http://www.regulations.gov>. Type the docket number in the "SEARCH" box and click "SEARCH". Click on Open Docket Folder on the line associated with this deviation. You may also visit the Docket Management Facility in Room W12-140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary deviation, call or email Mr. Hal R. Pitts, Bridge Administration Branch Fifth District, Coast Guard; telephone (757) 398-6222, email [Hal.R.Pitts@uscg.mil](mailto:Hal.R.Pitts@uscg.mil). If you have questions on viewing the docket, call Cheryl Collins, Program

Manager, Docket Operations, telephone 202-366-9826.

**SUPPLEMENTARY INFORMATION:** The New Jersey Department of Transportation, who owns and operates the S.R. 44 Bridge and Route 130 Bridge, has requested a temporary deviation from the current operating regulations set out in 33 CFR 117.729 and 117.741, respectively, to facilitate movement of vehicles during the 2015 Papal Visit to Philadelphia, PA.

Under the normal operating schedule for the S.R. 44 Bridge over Mantua Creek, mile 1.7, at Paulsboro, NJ and Route 130 Bridge over Raccoon Creek, mile 1.8, at Bridgeport, NJ; the bridges shall open on signal from May 1 through October 31, from 7 a.m. to 11 p.m.; and all other times, if at least four hours notice is given. The vertical clearances in the closed-to-navigation position of the S.R. 44 Bridge and Route 130 Bridge are 25 feet and 4 feet, respectively, above mean high water.

Under this temporary deviation, the bridges will be closed to navigation from 7 a.m. to 11 p.m. each day starting September 26 through September 28, 2015, except for scheduled daily openings at 7 a.m. and 7 p.m. The bridges will operate per the normal operating schedules between 11 p.m. and 7 a.m. Mantua Creek and Raccoon Creek are used by a variety of vessels including small commercial fishing vessels and recreational vessels. The Coast Guard has carefully coordinated the restrictions with commercial and recreational waterway users.

Vessels able to pass through the bridges in the closed position may do so at anytime. The bridges will be able to open for emergencies and there is no alternate route for vessels unable to pass through the bridges in the closed position. The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notice to Mariners of the change in operating schedules for these bridges so that vessels can arrange their transits to minimize any impacts caused by this temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridges must return to their regular operating schedules immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: September 10, 2015.

**Hal R. Pitts,**

*Bridge Program Manager, Fifth Coast Guard District.*

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