

and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Mine Safety and Health Administration (MSHA) is soliciting comments on the information collection for Ground Control for Surface Coal Mines and Surface Work Areas of Underground Coal Mines.

**DATES:** All comments must be received on or before January 28, 2019.

**ADDRESSES:** Comments concerning the information collection requirements of this notice may be sent by any of the methods listed below.

• **Federal E-Rulemaking Portal:** <http://www.regulations.gov>. Follow the on-line instructions for submitting comments for docket number MSHA-2018-0039.

• **Regular Mail:** Send comments to USDOL—MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, VA 22202-5452.

• **Hand Delivery:** USDOL—Mine Safety and Health Administration, 201 12th Street South, Suite 4E401, Arlington, VA 22202-5452. Sign in at the receptionist's desk on the 4th floor via the East elevator.

**FOR FURTHER INFORMATION CONTACT:** Sheila McConnell, Director, Office of Standards, Regulations, and Variances, MSHA, at [MSHA.information.collections@dol.gov](mailto:MSHA.information.collections@dol.gov) (email); (202) 693-9440 (voice); or (202) 693-9441 (facsimile).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Each operator of a surface coal mine is required under 30 CFR 77.1000 to establish and follow a ground control plan for highwalls, pits, and spoil banks that is consistent with prudent engineering design and which will ensure safe working conditions. The mine operator is required by section 77.1000-1 to file the ground control plan with the appropriate District Manager. The mining methods employed by the operator are selected to ensure highwall, pit, and spoil bank stability. In the event of a highwall failure or material dislodgment, there may be very little time to escape possible injury; therefore, preventive measures must be taken. Each plan is based on the type of strata expected to be encountered, the height and angle of highwalls and spoil banks, and the equipment to be used at the mine. The plan is used to show how the mine operator will maintain safe working conditions around the highwalls, pits,

and spoil banks. Each plan is reviewed by MSHA to ensure that highwalls, pits, and spoil banks are maintained in a safe condition through the use of sound engineering design.

**II. Desired Focus of Comments**

MSHA is soliciting comments concerning the proposed information collection related to Ground Control for Surface Coal Mines and Surface Work Areas of Underground Coal Mines. MSHA is particularly interested in comments that:

- Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information has practical utility;
- Evaluate the accuracy of MSHA's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;
- Suggest methods to enhance the quality, utility, and clarity of the information to be collected; and
- 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.

The information collection request will be available on <http://www.regulations.gov>. MSHA cautions the commenter against providing any information in the submission that should not be publicly disclosed. Full comments, including personal information provided, will be made available on [www.regulations.gov](http://www.regulations.gov) and [www.reginfo.gov](http://www.reginfo.gov).

The public may also examine publicly available documents at USDOL—Mine Safety and Health Administration, 201 12th Street South, Suite 4E401, Arlington, VA 22202-5452. Sign in at the receptionist's desk on the 4th floor via the East elevator.

Questions about the information collection requirements may be directed to the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

**III. Current Actions**

This request for collection of information contains provisions for Ground Control for Surface Coal Mines and Surface Work Areas of Underground Coal Mines. MSHA has updated the data with respect to the number of respondents, responses, burden hours, and burden costs supporting this information collection request.

*Type of Review:* Extension, without change, of a currently approved collection.

*Agency:* Mine Safety and Health Administration.

*OMB Number:* 1219-0026.

*Affected Public:* Business or other for-profit.

*Number of Respondents:* 270.

*Frequency:* On occasion.

*Number of Responses:* 270.

*Annual Burden Hours:* 1,848 hours.

*Annual Respondent or Recordkeeper Cost:* \$513.

Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

**Roslyn B. Fontaine,**

*Certifying Officer.*

[FR Doc. 2018-25963 Filed 11-28-18; 8:45 am]

**BILLING CODE 4510-43-P**

**NATIONAL FOUNDATION OF THE ARTS AND HUMANITIES**

**National Endowment for the Arts**

**Membership of the National Endowment for the Arts Senior Executive Service Performance Review Board**

**SUMMARY:** This notice announces the membership of the National Endowment for the Arts (NEA) Senior Executive Service (SES) Performance Review Board (PRB).

**DATES:** *Applicable Date:* November 15, 2018.

**ADDRESSES:** Send comments concerning this notice to: National Endowment for the Arts, 400 7th Street SW, Washington, DC 20506.

**FOR FURTHER INFORMATION CONTACT:** Craig McCord Sr. by telephone at (202) 682-5473 or by email at [mccordc@arts.gov](mailto:mccordc@arts.gov).

**SUPPLEMENTARY INFORMATION:** 4314 (c)(1) through (5) of Title 5, U.S.C., requires each agency to establish, in accordance with regulations prescribed by the Office of Personnel Management, one or more SES Performance Review Boards. The Board shall review and evaluate the initial appraisal of a senior executive's performance by the supervisor, along with any response by the senior executive, and make recommendations to the appointing authority relative to the performance of the senior executive.

The following persons have been selected to serve on the Performance Review Board of the National Endowment for the Arts (NEA):

Michael Griffin—Chief of Staff, NEA  
 Ann Eilers—Deputy Chairman for  
 Management & Budget, NEA  
 Sunil Iyengar—Director, Research &  
 Analysis, NEA  
 Jeanette Duncan—Chief Information  
 Officer, NEA  
 Tony Chauveaux—Deputy Chairman for  
 Programs & Partnerships, NEA  
 Adam Wolfson—Assistant Chairman for  
 Programs, NEH  
 Nancy Weiss—General Counsel, IMLS

Dated: November 26, 2018.

**Gregory Gendron,**

*Director of Administrative Services, National  
 Endowment for the Arts.*

[FR Doc. 2018-25967 Filed 11-28-18; 8:45 am]

**BILLING CODE P**

**OFFICE OF THE DIRECTOR OF  
 NATIONAL INTELLIGENCE**

**Privacy Act of 1974; System of  
 Records**

**AGENCY:** Office of the Director of  
 National Intelligence (ODNI).

**ACTION:** Notice of a new system of  
 records.

**SUMMARY:** ODNI provides notice that it  
 is establishing one new Privacy Act  
 system of records at the National  
 Counterintelligence and Security Center  
 (NCSC). This new system of records is  
 titled the NCSC Continuous Evaluation  
 System, also identified as ODNI/NCSC-  
 003. This notice is necessary to inform  
 the public of the existence and character  
 of records that the agency maintains.

Continuous Evaluation (CE) is a  
 personnel security investigative process  
 used to review the continued eligibility  
 of individuals who have been  
 determined eligible for access to  
 classified information or to hold a  
 sensitive position. Individuals subject to  
 CE include current Executive Branch  
 employees, detailees, contractors, and  
 other sponsored individuals who are  
 cleared for access to classified  
 information or to hold a sensitive  
 position. The Departments and Agencies  
 (D/As) that sponsor these individuals  
 for access to classified information or to  
 hold a sensitive position “enroll” the  
 individuals (enrollees) for CE by  
 electronically entering their identifying  
 information into a technical system that  
 carries out the CE capability.

All D/As are required to submit their  
 qualifying populations to CE. D/As may  
 choose to develop a technical CE system  
 of their own, or subscribe to CE services  
 provided by another agency. The ODNI/  
 NCSC will provide CE services to  
 subscribing agencies. The NCSC CE  
 System leverages electronic checks of

government and commercial databases  
 and, based on automated business rules,  
 transmits alerts and reports to the  
 enrolling D/A. Datasets queried in the  
 CE process are those that contain  
 security-relevant information, *e.g.*,  
 government-owned financial, law  
 enforcement, terrorism, foreign travel,  
 and current clearance status  
 information. Credit data and  
 commercially-obtained aggregated data  
 also is utilized. On receipt of the  
 electronic prompt, the personnel  
 security function at the enrolling agency  
 verifies that the alert or report received  
 pertains to the enrollee (the subject of  
 the electronic queries). Where the  
 agency verifies that the alert or report  
 pertains to the enrollee, appropriate  
 personnel security officials review the  
 nature of the alert or report to determine  
 the need for further investigation, as  
 dictated by Federal Investigative  
 Standards requirements. Information  
 obtained through the follow-on  
 investigation is considered in  
 adjudicating the enrollee’s continued  
 eligibility for access to classified  
 information or to hold a sensitive  
 position.

The NCSC CE System retains the  
 enrollment information (personal  
 identifiers as provided by the enrolling  
 D/A) in order to facilitate ongoing CE  
 checks. The system does not retain the  
 records returned from the electronic  
 database queries beyond the time  
 needed to ensure proper electronic  
 delivery to the enrolling agency. Data  
 necessary to implement CE business  
 rules, to perform program assessments,  
 and to satisfy auditing requirements will  
 be retained.

D/As conducting CE will adhere to  
 the principles articulated in the Security  
 Executive Agent Directive (SEAD)  
 relating to CE (*i.e.*, SEAD 6). A SEAD  
 provides high level guidance and  
 instruction for the conduct of a  
 personnel security process. SEAD 6  
 establishes policy and requirements  
 specifically related to CE.

**DATES:** This System of Records will go  
 into effect on December 31, 2018, unless  
 comments are received that result in a  
 contrary determination.

**ADDRESSES:** You may submit comments  
 by any of the following methods:

*Federal eRulemaking Portal:* <http://www.regulations.gov>.

*Email:* [transparency@dni.gov](mailto:transparency@dni.gov).

*Mail:* Director, Information  
 Management Division, Strategy &  
 Engagement, ODNI, Washington, DC  
 20511.

**FOR FURTHER INFORMATION CONTACT:**  
 Director, Information Management  
 Division, Strategy & Engagement, Office

of the Director of National Intelligence,  
 at the addresses provided above.

**SUPPLEMENTARY INFORMATION:** The NCSC  
 CE System implements the requirements  
 of Executive Orders 12968, as amended  
 (Access to Classified Information) and  
 13467, as amended, (Reforming  
 Processes Related to Suitability for  
 Government Employment, Fitness for  
 Contractor Employees, and Eligibility  
 for Access to Classified National  
 Security Information).

To protect classified and sensitive  
 personnel or law enforcement  
 information covered by this new system  
 of records, the Director of National  
 Intelligence (DNI) is proposing to  
 exempt this system from certain  
 requirements of the Privacy Act where  
 necessary, as permitted by law.  
 Accordingly, as required by the Privacy  
 Act, a proposed rule is being published  
 concurrently with this notice seeking  
 public comment regarding exemptions  
 claimed for this system. By previously  
 established rule, the DNI may exercise  
 derivative exemption authority by  
 preserving the exempt status of records  
 received from providing agencies when  
 the reason for the exemption remains  
 valid. See 32 CFR part 1701.20 (a)(2) (73  
 FR 16531, 16537).

**SYSTEM NAME AND NUMBER:**

Continuous Evaluation Records  
 (ODNI/NCSC-003).

**SECURITY CLASSIFICATION:**

The classification of records in this  
 system ranges from UNCLASSIFIED to  
 TOP SECRET.

**SYSTEM LOCATION:**

National Counterintelligence and  
 Security Center, Office of the Director of  
 National Intelligence, Washington, DC  
 20511.

**SYSTEM MANAGER(S):**

Assistant Director, Special Security  
 Directorate, ODNI/NCSC, Washington,  
 DC 20511.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

The Intelligence Reform and  
 Terrorism Prevention Act of 2004,  
 Public Law 108-458, 118 Stat. 3638  
 (Dec. 17, 2004); the National Security  
 Act of 1947, as amended, 50 U.S.C. 3023  
*et seq.*; the Counterintelligence  
 Enhancement Act of 2002, as amended,  
 50 U.S.C. 3382; Executive Order 12333,  
 46 FR 59941 (1981), as amended by  
 Executive Order 13284, 68 FR 4075  
 (2003), Executive Order 13355, 69 FR  
 53593 (2004), and Executive Order  
 13470, 73 FR 45325 (2008); Executive  
 Order 13488, 74 FR 4111 (2009), as  
 amended by Executive Order 13764, 82