

(a) *Facility Security Officer Training.* Licensees or other entities subject to part 95 are responsible for ensuring that the Facility Security Officer, and other personnel performing security duties, complete security training deemed appropriate by the CSA. Training requirements must be based on the facility's involvement with classified information and may include a Facility Security Officer Orientation Course and, for Facility Security Officers at facilities with safeguarding capability, a Facility Security Officer Program Management Course. Training, if required, should be completed within 1 year of appointment to the position of Facility Security Officer.

(b) *Government-Provided Briefings.* The CSA is responsible for providing initial security briefings to the Facility Security Officer, and for ensuring that other briefings required for special categories of information are provided.

(c) *Temporary Help Suppliers.* A temporary help supplier, or other contractor who employs cleared individuals solely for dispatch elsewhere, is responsible for ensuring that required briefings are provided to their cleared personnel. The temporary help supplier or the using licensee's, certificate holder's, or other person's facility may conduct these briefings.

(d) *Classified Information Nondisclosure Agreement (SF-312).* The SF-312 is an agreement between the United States and an individual who is cleared for access to classified information. An employee issued an initial access authorization must, in accordance with the requirements of § 25.23 of this chapter, execute an SF-312 before being granted access to classified information. The Facility Security Officer shall forward the executed SF-312 to the CSA for retention. If the employee refuses to execute the SF-312, the licensee or other facility shall deny the employee access to classified information and submit a report to the CSA. The SF-312 must be signed and dated by the employee and witnessed. The employee's and witness' signatures must bear the same date.

(e) *Access to Classified Information.* Employees may have access to classified information only if:

(1) A favorable determination of eligibility for access has been made with respect to such employee by the CSA;

(2) The employee has signed an approved non-disclosure agreement; and

(3) The employee has a need-to-know the information.

(f) *Initial Security Briefings.* Initial training shall be provided to every

employee who has met the standards for access to classified information in accordance with paragraph (e) of this section before the employee is granted access to classified information. The initial training shall include the following topics:

- (1) A Threat Awareness Briefing;
- (2) A Defensive Security Briefing;
- (3) An overview of the security classification system;
- (4) Employee reporting obligations and requirements; and
- (5) Security procedures and duties applicable to the employee's job.

(g) *Refresher Briefings.* The licensee or other entities subject to part 95 shall conduct refresher briefings for all cleared employees at least annually. As a minimum, the refresher briefing must reinforce the information provided during the initial briefing and inform employees of appropriate changes in security regulations. This requirement may be satisfied by use of audio/video materials and/or by issuing written materials to cleared employees.

(h) Persons who apply derivative classification markings shall receive training specific to the proper application of the derivative classification principles of Executive Order 13526, *Classified National Security Information* (75 FR 707; January 5, 2010), before derivatively classifying information and at least once every 2 years thereafter.

(i) *Debriefings.* Licensee and other facilities shall debrief cleared employees at the time of termination of employment (discharge, resignation, or retirement); when an employee's access authorization is terminated, suspended, or revoked; and upon termination of the Facility Clearance.

(j) Records reflecting an individual's initial and refresher security orientations and security termination must be maintained for 3 years after termination of the individual's access authorization.

Dated at Rockville, Maryland, this 23rd day of July, 2013.

For the Nuclear Regulatory Commission.

**R. William Borchardt,**  
*Executive Director for Operations.*

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## DEPARTMENT OF DEFENSE

### Department of the Navy

#### 32 CFR Part 706

#### Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972

**AGENCY:** Department of the Navy, DoD.  
**ACTION:** Final rule.

**SUMMARY:** The Department of the Navy (DoN) is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Deputy Assistant Judge Advocate General (DAJAG)(Admiralty and Maritime Law) has determined that USS INDEPENDENCE (LCS 2) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with certain provisions of the 72 COLREGS without interfering with its special function as a naval ship. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

**DATES:** This rule is effective August 7, 2013 and is applicable beginning July 24, 2013.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant Jocelyn Loftus-Williams, JAGC, U.S. Navy, Admiralty Attorney, (Admiralty and Maritime Law), Office of the Judge Advocate General, Department of the Navy, 1322 Patterson Ave., SE., Suite 3000, Washington Navy Yard, DC 20374-5066, telephone number: 202-685-5040.

**SUPPLEMENTARY INFORMATION:** Pursuant to the authority granted in 33 U.S.C. 1605, the DoN amends 32 CFR Part 706.

This amendment provides notice that the DAJAG (Admiralty and Maritime Law), of the DoN, under authority delegated by the Secretary of the Navy, has certified that USS INDEPENDENCE (LCS 2) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with the following specific provisions of 72 COLREGS without interfering with its special function as a naval ship: Annex I paragraph 2 (a)(i), pertaining to the location of the forward masthead light at a height not less than 12 meters above the hull; Annex I, paragraph 3(a), pertaining to the location of the forward masthead light in the forward quarter of the ship, and the horizontal distance between the forward and after masthead lights. The DAJAG (Admiralty and Maritime Law) has also certified that the lights involved are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed herein will adversely affect the vessel's ability to perform its military functions.

#### List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), and Vessels.

For the reasons set forth in the preamble, the DoN amends part 706 of title 32 of the Code of Federal Regulations as follows:

#### PART 706—CERTIFICATIONS AND EXEMPTIONS UNDER THE INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA, 1972

■ 1. The authority citation for part 706 continues to read as follows:

Authority: 33 U.S.C. 1605.

■ 2. Section 706.2 is amended as follows:

■ A. In Table One by revising the entry for USS INDEPENDENCE (LCS 2);

■ B. In Table Five, by revising the entry for USS INDEPENDENCE (LCS 2).

The revisions read as follows:

#### § 706.2 Certifications of the Secretary of the Navy Under Executive Order 11964 and 33 U.S.C. 1605.

\* \* \* \* \*

TABLE ONE

Vessel	Number	Distance in meters of forward masthead light below minimum required height § 2(a)(i) annex I
USS INDEPENDENCE .....	LCS 2 .....	4.14

TABLE FIVE

Vessel	Number	Masthead lights not over all other lights and obstructions. annex I, sec. 2(f)	Forward mast-head light not in forward quarter of ship. annex I, sec. 3(a)	After masthead light less than 1/2 ship's length aft of forward masthead light. annex I, sec. 3(a)	Percentage horizontal separation attained
USS INDEPENDENCE .....	LCS 2 .....		X	X	15.2

Approved: July 24, 2013.

A.B. Fischer,

Captain, JAGC, U.S. Navy, Deputy Assistant Judge Advocate General (Admiralty and Maritime Law).

Dated: July 30, 2013.

D.G. Zimmerman,

Lieutenant Commander, Office of the Judge Advocate General, U.S. Navy, Alternate Federal Register Liaison Officer.

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#### DEPARTMENT OF HOMELAND SECURITY

#### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2013-0628]

#### Safety Zone; AVI Resort and Casino Labor Day Fireworks Display; Colorado River

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce a Safety Zone for the AVI Resort and Casino Labor Day Fireworks Display located on the Colorado River in Laughlin, Nevada from 8 p.m. until 9:45 p.m. on September 1, 2013. This action is necessary for the safety of spectators and participants, including all crews, vessels and persons on navigable waters during the AVI Resort and Casino

Fireworks. During the enforcement period, in accordance with the established Safety Zone, entry into transiting through or anchoring in the Safety Zone is prohibited to all vessels not registered with the event sponsor as participants or official patrol vessels, unless specifically authorized by the Captain of the Port Sector San Diego or a designated representative.

**DATES:** The regulations in 33 CFR 165.1124, Table 1, Item 4, will be enforced from 8 p.m. through 9:45 p.m. on September 1, 2013.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice of enforcement, call Lieutenant John Bannon, U.S. Coast Guard Sector San Diego at 619-278-7261, or by email at [John.E.Bannon@uscg.mil](mailto:John.E.Bannon@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the Safety Zone on the Colorado River for the AVI Resort and Casino Labor Day Fireworks Display in 33 CFR 165.1124, Table 1,