



## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2025-0003]

#### Proposed Agency Information Collection Activities; Comment Request

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice of information collection; request for comment.

**SUMMARY:** Under the Paperwork Reduction Act of 1995 (PRA) and its implementing regulations, this notice announces that FRA is forwarding the Information Collection Request (ICR) summarized below to the Office of Management and Budget (OMB) for review and comment. The ICR describes the information collection and its expected burden. On April 29, 2025, FRA published a notice providing a 60-day period for public comment on the ICR. FRA received no comments in response to the notice.

**DATES:** Interested persons are invited to submit comments on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**ADDRESSES:** Written comments and recommendations for the proposed ICR should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find the particular ICR by selecting “Currently under Review - Open for Public Comments” or by using the search function.

**FOR FURTHER INFORMATION CONTACT:** Ms. Arlette Mussington, Information Collection Clearance Officer, at email: [arlette.mussington@dot.gov](mailto:arlette.mussington@dot.gov) or telephone: (571) 609-1285 or Ms. Joanne Swafford, Information Collection Clearance Officer, at email: [joanne.swafford@dot.gov](mailto:joanne.swafford@dot.gov) or telephone: (757) 897-9908.

**SUPPLEMENTARY INFORMATION:** The PRA, 44 U.S.C. 3501–3520, and its implementing regulations, 5 CFR part 1320, require Federal agencies to issue two notices

seeking public comment on information collection activities before OMB may approve paperwork packages. *See* 44 U.S.C. 3506, 3507; 5 CFR 1320.8 through 1320.12. On April 29, 2025, FRA published a 60-day notice in the *Federal Register* soliciting public comment on the ICR for which it is now seeking OMB approval. *See* 90 FR 17879. FRA has received no comments related to the proposed collection of information.

Before OMB decides whether to approve this proposed collection of information, it must provide 30-days' notice for public comment. Federal law requires OMB to approve or disapprove paperwork packages between 30 and 60 days after the 30-day notice is published. 44 U.S.C. 3507(b)–(c); 5 CFR 1320.12(d); *see also* 60 FR 44978, 44983, Aug. 29, 1995. The 30-day notice informs the regulated community of their opportunity to file relevant comments and affords the agency adequate time to consider public comments before it renders a decision. 60 FR 44983, Aug. 29, 1995. Therefore, respondents should submit their respective comments to OMB within 30 days of publication to best ensure having their full effect.

Comments are invited on the following ICR regarding: (1) whether the information collection activities are necessary for FRA to properly execute its functions, including whether the information will have practical utility; (2) the accuracy of FRA's estimates of the burden of the information collection activities, including the validity of the methodology and assumptions used to determine the estimates; (3) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (4) ways to minimize the burden of information collection activities on the public, including the use of automated collection techniques or other forms of information technology.

The summary below describes the ICR that FRA will submit for OMB clearance as the PRA requires:

*Title:* Disqualification Proceedings.

*OMB Control Number:* 2130–0529.

*Abstract:* Title 49 CFR part 209, subpart D (subpart D) codifies FRA procedures to provide due process to individuals whom FRA proposes to disqualify from sensitive safety service, as authorized by 49 U.S.C. 20111. The only section in subpart D that contains information collection requirements subject to the PRA is 49 CFR 209.331, Enforcement of disqualification order, which requires: (a) a railroad employing or formerly employing a disqualified individual to disclose the terms and conditions of the order to the individual's new or prospective employer railroad; (b) a railroad considering hiring an individual in a safety-sensitive position to inquire with the individual's prior employer, if the former employer is a railroad, whether the individual is serving under a disqualification order; and (c) a disqualified individual to inform the individual's current and prospective railroad employers, and provide a copy of the order. As explained in its 60-day notice, FRA is removing the burden estimates that were included in the last renewal of this ICR, pertaining to §§ 209.307 and 209.309, because the information described in those sections is collected "during the conduct of an administrative action, investigation, or audit involving an agency against specific individuals or entities." See 5 CFR 1320.4(a)(2).

*Type of Request:* Extension without change (with changes in estimates) of a currently approved collection.

*Affected Public:* 754 railroads and 181,210 railroad employees.

*Form(s):* N/A.

*Respondent Universe:* 754 railroads and 181,210 railroad employees.

*Frequency of Submission:* On occasion.

*Total Estimated Annual Responses:* 4.

*Total Estimated Annual Burden:* 2 hours.

*Total Estimated Annual Burden Hour Dollar Cost Equivalent: \$178.26.*

FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information that does not display a currently valid OMB control number.

**Authority:** 44 U.S.C. 3501–3520.

**Christopher S. Van Nostrand,**

*Deputy Chief Counsel.*

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