

*Authority:* 44 U.S.C. 3501–3520.

**Brett A. Jortland,**

*Acting Chief Counsel.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA–2019–0099]

#### Petition for Approval Extension: Norfolk Southern Railway Company

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

**ACTION:** Notice of petition for extension of approval of track inspection test program.

**SUMMARY:** This document provides the public notice that on July 19, 2021, Norfolk Southern Railway Company (NS) petitioned the Federal Railroad Administration (FRA) to extend an existing temporary suspension of some visual track inspections to allow for a continuation of a previously approved Test Program designed to test track inspection technologies (*i.e.*, an autonomous track geometry measurement system) and new operational approaches to track inspections (*i.e.*, combinations of autonomous inspection and traditional visual inspections).

**FOR FURTHER INFORMATION CONTACT:** Yu-Jiang Zhang, Staff Director, Track and Structures Division, at (202) 493–6460 or [yujiang.zhang@dot.gov](mailto:yujiang.zhang@dot.gov); or Aaron Moore, Attorney, Office of the Chief Counsel, at (202) 493–7009 or [aaron.moore@dot.gov](mailto:aaron.moore@dot.gov).

**SUPPLEMENTARY INFORMATION:** On January 27, 2020, FRA conditionally approved the Test Program and NS's petition under 49 CFR 211.51 to suspend §§ 213.233(b)(3) and 213.233(c) as applied to operations under the Test Program. A copy of the Test Program, FRA's conditional approval of the Test Program, and a previously published **Federal Register** notice explaining FRA's rationale for approving the Test Program and related suspension are available for review in the docket.<sup>1</sup>

As approved, the Test Program included three separate phases over 12 months as outlined in Exhibit C of the

<sup>1</sup> <https://www.regulations.gov/document/FRA-2019-0099-0003> (Test Program); <https://www.regulations.gov/document/FRA-2019-0099-0001> (FRA's approval decision); <https://www.regulations.gov/document/FRA-2019-0099-0004> (FRA's published notice of approval).

Program.<sup>2</sup> Accordingly, NS began the Test Program on March 16, 2020. However, FRA has approved extending the Test Program twice as requested by NS. Thus, the Test Program is currently set to expire on September 31, 2021.

On March 22, 2021, NS submitted a waiver petition<sup>3</sup> to permit a reduced frequency of manual track inspections where an automated track geometry measurement system (ATGMS) is used at specific frequencies. The petition, which is similar to and based on information collected by Norfolk Southern during the Test Program, is pending FRA review.

NS is requesting to extend the Test Program until FRA issues a decision on the pending waiver petition or December 31, 2021, whichever is later. In support of its request, NS states that it will continue to comply with all other conditions and requirements of FRA's January 27, 2020, approval letter.

A copy of the petition, as well as any written communications concerning the petition, if any, are available for review online at [www.regulations.gov](http://www.regulations.gov).

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Website:* <http://www.regulations.gov>.

Follow the online instructions for submitting comments.

Communications received by September 7, 2021 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable. Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacy-notice> for the privacy notice of [www.regulations.gov](http://www.regulations.gov).

<sup>2</sup> See <https://www.regulations.gov/document/FRA-2019-0099-0003>.

<sup>3</sup> <https://www.regulations.gov/document/FRA-2021-0044-0001>.

Issued in Washington, DC.

**John Karl Alexy,**

*Associate Administrator for Railroad Safety,  
Chief Safety Officer.*

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## DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–NEW]

#### Agency Information Collection Activity: 35% Exemption Request From 85/15 Reporting Requirement

**AGENCY:** Veterans Benefits Administration, Department of Veterans Affairs.

**ACTION:** Notice.

**SUMMARY:** Veterans Benefits Administration, Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed new collection, and allow 60 days for public comment in response to the notice.

**DATES:** Written comments and recommendations on the proposed collection of information should be received on or before October 1, 2021.

**ADDRESSES:** Submit written comments on the collection of information through Federal Docket Management System (FDMS) at [www.Regulations.gov](http://www.Regulations.gov) or to Nancy J. Kessinger, Veterans Benefits Administration (20M33), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420 or email to [nancy.kessinger@va.gov](mailto:nancy.kessinger@va.gov). Please refer to “OMB Control No. 2900–NEW” in any correspondence. During the comment period, comments may be viewed online through FDMS.

**FOR FURTHER INFORMATION CONTACT:** Maribel Aponte, Office of Enterprise and Integration, Data Governance Analytics (008), 1717 H Street NW, Washington, DC 20006, (202) 266–4688 or email [maribel.aponte@va.gov](mailto:maribel.aponte@va.gov). Please refer to “OMB Control No. 2900–NEW” in any correspondence.

**SUPPLEMENTARY INFORMATION:** Under the PRA of 1995, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on:

(1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

**Authority:** Title 38 United States Code (U.S.C.) 3680A(d) and 38 Code of Federal Regulations (CFR) 21.4201.

**Title:** Exemption Request from 85/15 Reporting Requirement, VA Form 22-10216.

**OMB Control Number:** 2900-NEW.

**Type of Review:** New collection.

**Abstract:** This form will be used to satisfy requirements as outlined. The Department of Veterans Affairs (VA) is authorized to pay education benefits to Veterans and other eligible persons pursuing approved programs of education under chapters 30, 31, 32, 33, and 35 of title 38, U.S.C. and chapter 1606 of title 10, U.S.C.

As part of the benefits authorization process, Code of Federal Regulations (CR) Title 38 § 21.4201 places restrictions on enrollment based on the

percentage of students receiving financial support in any approved program. Except as otherwise provided by regulation, VA shall not approve an enrollment in any course for an eligible Veteran, not already enrolled, for any period during which more than 85 percent of the students enrolled in the course are having all or part of their tuition fees or other charges paid for them by the educational institution or by VA under title 38, U.S.C., or under title 10, U.S.C. This is known as the 85/15 Rule and is applicable to Institutions of Higher Learning (IHLs) and Non-College Degree postsecondary schools (NCDs).

The requirements apply to all courses, not otherwise exempt or waiver offered by all educational institutions, regardless whether the institution is degree-granting, proprietary profit, proprietary nonprofit, eleemosynary, public and/or tax-supported.

These schools are required to submit information necessary to determine if their programs of training are approved for the payment of VA educational assistance. This specified information is submitted either to VA or to the State Approving Agency (SAA) having jurisdiction over that school.

This regulation includes a provision that permits an exemption from routine reporting of this data for schools that assert the number of VA beneficiary students in all programs approved for GI Bill never exceeds 35% of the total

enrollment at the educational institution. If approved, such schools must still monitor and collect the data, but are exempt from routinely reporting it to VA.

**Affected Public:** Individuals and households.

**Estimated Annual Burden:** 500 hours.

**Estimated Average Burden per Respondent:** 30 minutes.

**Frequency of Response:** Annually.

**Estimated Number of Respondents:** 1,000.

By direction of the Secretary.

**Maribel Aponte,**

*VA PRA Clearance Officer, Office of Enterprise and Integration/Data Governance Analytics, Department of Veterans Affairs.*

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**DEPARTMENT OF VETERANS AFFAIRS**

**Advisory Committee on Women Veterans, Notice of Meeting**

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act that the Advisory Committee on Women Veterans will conduct a virtual site visit on August 24-27, 2021, with the Veterans Integrated Service Network (VISN) 20: Northwest Network and the VA Portland Health Care System (VAPORHCS) in Portland, OR.

Date:	Time:	Location:
August 24, 2021 .....	10:00 a.m.-2:30 p.m. (PT) .....	See Webex link and call-in information below.
August 25, 2021 .....	10:00 a.m.-2:30 p.m. (PT) .....	See Webex link and call-in information below.
August 26, 2021 .....	10:00 a.m.-2:00 p.m. (PT) .....	See Webex link and call-in information below.
August 27, 2021 .....	10:00 a.m.-11:00 p.m. (PT) .....	See Webex link and call-in information below.

The purpose of the Committee is to advise the Secretary of Veterans Affairs regarding the needs of women Veterans with respect to health care, rehabilitation, compensation, outreach and other programs and activities administered by VA designed to meet such needs. The Committee makes recommendations to the Secretary regarding such programs and activities.

On Tuesday, August 24, the agenda includes overviews of: VISN 20's facilities and programs; an overview of VISN 20 services for women Veterans; and an overview of VAPORHCS facilities, programs and community partners.

On Wednesday, August 25, the agenda includes a continuation of briefings on VAPORHCS' programs and services for women Veterans. On

Thursday, August 26, the agenda includes briefings on: Oregon State services and initiatives for women Veterans; an overview of Portland Regional Benefits Office's business lines and initiatives; and an overview of Willamette National Cemetery's services and programs.

On Friday, August 27, the committee will conduct an out-briefing with leadership from VISN 20, VAPORHCS, Portland Regional Benefits Office and Willamette National Cemetery. From 11:30 a.m.-12:30 p.m., the Committee will observe a women Veterans town hall meeting hosted by the VAPORHCS. The meeting sessions and town hall meeting are open to the public. Information about the town hall meeting will be provided to the public by the VAPORHCS.

No time will be allocated at this meeting for receiving oral presentations from the public. Interested parties should provide written comments for review by the Committee to Ms. Shannon L. Middleton at *00W@mail.va.gov* no later than August 13. Any member of the public who wishes to participate in the virtual site visit may use the following WebEx link: <https://veteransaffairs.webex.com/veteransaffairs/j.php?MTID=m0811fbff8f35b9c770c5d88657d99b68>; meeting number: 199 198 2364; password: aiPG43Znt\*7. Participants can also join by phone (toll free) at 1-404-397-1596; access code: 199 198 2364##.