

Barriers to U.S. Exports for 2022 Reporting.' Commenters providing information on foreign trade barriers in more than one country should, whenever possible, provide a separate submission for each country.

The submission deadline is Tuesday, October 26, 2021, at midnight EST. USTR strongly encourages commenters to make online submissions, using *Regulations.gov*. To submit comments via *Regulations.gov*, enter docket number USTR-2021-0016 on the home page and click 'search.' The site will provide a search-results page listing all documents associated with this docket. Find a reference to this notice and click on the link entitled 'comment now.' For further information on using *Regulations.gov*, please consult the resources provided on the website by clicking on 'How to Use *Regulations.gov*' on the bottom of the home page.

*Regulations.gov* allows users to submit comments by filling in a 'type comment' field, or by attaching a document using an 'upload file' field. USTR prefers that you provide comments in an attached document. If you attach a document, please identify the name of the country to which the submission pertains in the 'type comment' field, e.g., see attached comments with respect to (name of country). USTR prefers submissions in Microsoft Word (.doc) or Adobe Acrobat (.pdf). If you use an application other than those two, please indicate the name of the application in the 'type comment' field.

Filers submitting comments containing no business confidential information (BCI) should name their file using the name of the person or entity submitting the comments. For any comments submitted electronically containing BCI, the file name of the business confidential version should begin with the characters 'BCI.' Clearly mark any page containing BCI with 'BUSINESS CONFIDENTIAL' on the top of that page. Filers of submissions containing BCI also must submit a public version of their comments that USTR will place in the docket for public inspection. The file name of the public version should begin with the character 'P.' Follow the 'BCI' and 'P' with the name of the person or entity submitting the comments.

Please do not attach separate cover letters to electronic submissions; rather, include any information that might appear in a cover letter in the comments themselves. Similarly, to the extent possible, please include any exhibits, annexes, or other attachments in the

same file as the submission itself, not as separate files.

As noted, USTR strongly urges that you file submissions through *Regulations.gov*. You must make any alternative arrangements with Spencer Smith at [Spencer.L.Smith2@ustr.eop.gov](mailto:Spencer.L.Smith2@ustr.eop.gov) or (202) 395-2974 before transmitting a comment and in advance of the deadline.

USTR will post comments in the docket for public inspection, except properly designated BCI. You can view comments on the *Regulations.gov* by entering docket number USTR-2021-0016 in the search field on the home page. General information concerning USTR is available at <https://www.ustr.gov>.

**Edward Gresser,**

*Chair of the Trade Policy Staff Committee,  
Office of the United States Trade Representative.*

[FR Doc. 2021-19934 Filed 9-14-21; 8:45 am]

BILLING CODE 3290-F1-P

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Notice of Final Agency Actions on Proposed Railroad Project in California, on Behalf of the California High Speed Rail Authority

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

**SUMMARY:** FRA, on behalf of the California High-Speed Rail Authority (Authority), is issuing this notice to announce actions taken by the Authority that are final. By this notice, FRA is advising the public of the time limit to file a claim seeking judicial review of the actions related to a proposed railroad project, the California High-Speed Rail (HSR) Authority's Bakersfield to Palmdale Project Section (Project). These actions grant approvals for project implementation pursuant to the National Environmental Policy Act (NEPA) and other laws, regulations, and executive orders.

**DATES:** A claim seeking judicial review of the agency actions on the Project will be barred unless the claim is filed on or before September 15, 2023. If the Federal law that authorizes judicial review of a claim provides a time period of less than 2 years for filing such claim, then that shorter time period applies.

**FOR FURTHER INFORMATION CONTACT:**

*For the Authority:* Scott Rothenberg, NEPA Assignment Manager, Environmental Services, California High-Speed Rail Authority, telephone:

(916) 403-6936; email: [Scott.Rothenberg@hsr.ca.gov](mailto:Scott.Rothenberg@hsr.ca.gov).

*For FRA:* Marlys Osterhues, Division Chief, Environment and Project Engineering, RPD, telephone: (202) 493-0413; email: [Marlys.Osterhues@dot.gov](mailto:Marlys.Osterhues@dot.gov).

**SUPPLEMENTARY INFORMATION:** Effective July 23, 2019, FRA assigned, and the State of California acting through the Authority assumed, environmental responsibilities for the California HSR System pursuant to 23 U.S.C. 327. Notice is given that the Authority has taken final agency actions subject to 23 U.S.C. 139(l)(1) and 49 U.S.C. 24201(a)(4) by issuing approvals for the Project.

The purpose of the California HSR System<sup>1</sup> is to provide a reliable, high-speed, electric-powered train system that links the major metropolitan areas of California, delivering predictable and consistent travel times. A further objective is to provide an interface with commercial airports, mass transit, and the highway network, and to relieve capacity constraints of the existing transportation system as increases in intercity travel demand in California occur, in a manner sensitive to and protective of California's unique natural resources. The Authority has selected Alternative 2 with the Refined César E. Chávez National Monument Design Option, Avenue M Maintenance Site and Maintenance-of-Way Facility, and the Palmdale Station identified in the Final Environmental Impact Statement (Final EIS) for the Project because the Selected Alternative (1) best satisfies the Purpose, Need, and Objectives for the Project and (2) minimizes impacts on the natural and human environment by utilizing an existing transportation corridor where practicable and incorporating mitigation measures. The actions by the Authority, and the laws under which such actions were taken, are described in the Record of Decision (ROD) and Final EIS on the Project, approved on September 3, 2021. The ROD, Final EIS, and other documents are available online in PDF at the Authority's website ([www.hsr.ca.gov](http://www.hsr.ca.gov)) and on CD-ROM by calling (916) 324-1541.

The notice applies to the ROD, Final EIS, and all other Federal agency decisions with respect to the Project as of the issuance date of this notice and

<sup>1</sup> The California HSR System would be implemented in two phases. Phase 1 would connect San Francisco to Los Angeles and Anaheim via the Pacheco Pass and the southern Central Valley. Phase 2 would extend the HSR system from the Central Valley (starting at the Merced Station) to the state's capital in Sacramento and from Los Angeles to San Diego.

all laws under which such actions were taken, including but not limited to:

1. NEPA;
2. Council on Environmental Quality regulations (1978);<sup>2</sup>
3. Fixing America's Surface Transportation Act (FAST Act);
4. Department of Transportation Act of 1966, Section 4(f);
5. Land and Water Conservation Fund (LWCF) Act of 1965, Section 6(f);
6. Clean Air Act Amendments of 1990;
7. Clean Water Act of 1977 and 1987;
8. Endangered Species Act of 1973;
9. Migratory Bird Treaty Act;
10. National Historic Preservation Act of 1966, as amended;
11. Executive Order 11990, Protection of Wetlands;
12. Executive Order 11988, Floodplain Management;
13. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations;
14. Executive Order 13112, Invasive Species.

Issued in Washington, DC.

**Jamie P. Rennert,**

*Director, Office of Infrastructure Investment.*

[FR Doc. 2021-19914 Filed 9-14-21; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

[Docket No. DOT-OST-2021-0104]

#### Agency Request for Approval of a New Information Collection(s): Disadvantaged Business Enterprise (DBE) Program Requirements

**AGENCY:** Office of the Secretary, Department of Transportation.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of Transportation (DOT or Department) invites public comments about our intention to request the Office of Management and Budget's (OMB) approval for an information collection for the Department's Disadvantaged Business Enterprise (DBE) program. The information collected is necessary to

<sup>2</sup> The Council on Environmental Quality (CEQ) issued new regulations on July 14, 2020, effective September 14, 2020, updating the NEPA implementing procedures at 40 CFR parts 1500 through 1508. However, this project initiated NEPA before the effective date and relies on the CEQ regulations as they existed prior to September 14, 2020. All subsequent citations to the CEQ regulations in the ROD and Final EIS refer to the 1978 regulations, consistent with 40 CFR 1506.13 (2020) and the preamble at 85 FR 43340.

maintain successful implementation of the DBE program, as it helps ensure that state and local recipients of DOT funds carry out the program's mission of providing a level playing field for small businesses owned and controlled by socially and economically disadvantaged individuals. We are required to publish this notice in the **Federal Register** by the Paperwork Reduction Act of 1995 (PRA).

**DATES:** Written comments should be submitted by October 15, 2021.

**ADDRESSES:** You may submit comments [identified by Docket No. DOT-OST-2021-0104] through one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- *Fax:* (202) 493-2251.

- *Mail or Hand Delivery:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

**FOR FURTHER INFORMATION CONTACT:**

Marc D. Pentino, (202)366-6968, [marc.pentino@dot.gov](mailto:marc.pentino@dot.gov) or Aarathi Haig, [aarathi.haig@dot.gov](mailto:aarathi.haig@dot.gov)/Departmental Office of Civil Rights, Office of the Secretary, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:** To assist in estimating the potential paperwork burden of these collections, the Department reached out to a small number of stakeholders to gain a general understanding of how much time they spend each year responding to these collections. However, the stakeholder responses varied so significantly that we are concerned the responses blur lines between what aspects of the program are specifically information collections versus more general requirements of the program. To help commenters provide information that will better allow the Department to include the appropriate paperwork burden within this collection, we offer the following clarifications. A "collection of information" is defined as "the obtaining, causing to be obtained, soliciting, or requiring the disclosure to an agency, third parties or the public of information by or for an agency by means of identical questions posed to, or identical reporting, recordkeeping, or disclosure requirements imposed on, ten or more persons." 5 CFR 1320.3(c)(1). The activities that constitute the "burden" associated with a collection are defined in 5 CFR

1320.3(b)(1) as "the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency." Importantly, this burden is not necessarily the same as the entire regulatory burden for a program or an aspect of a program. For example, if a regulation requires an inspection and the completion of a form documenting the inspection, the full regulatory burden would likely include both actions, while the paperwork burden would only include the time and other resources needed to complete the form.

In addition, the Department believes certain recordkeeping requirements have not been adequately accounted for in the current collection. As stated in 5 CFR 1320(m), "Recordkeeping requirement means a requirement imposed by or for an agency on persons to maintain specified records, including a requirement to: (1) Retain such records; (2) Notify third parties, the Federal government, or the public of the existence of such records; (3) Disclose such records to third parties, the Federal government, or the public; or (4) Report to third parties, the Federal government, or the public regarding such records." Thus, recordkeeping requirements can attach to records that are not necessarily covered by the PRA itself if, as in the DBE program, a requirement exists to maintain a complete case file. In that case, as the case file itself is not standardized, it would not be considered an information collection and the burden associated with developing the file would not be a paperwork burden. However, the requirement to keep that case file and, upon request, submit it to the Department, would be part of the paperwork burden.

For purposes of this 30-day notice, we have included the burden estimates we received from the small number of stakeholders we contacted as well as from the seven comments we received from the 60-day notice published in the **Federal Register** on June 15, 2021. As noted above, the Department is concerned that at least several of these estimates contain burdens associated with aspects of the program that are not paperwork burdens. To the extent feasible, the Department requests that commenters who provide burden estimates for aspects of the program identified below be as specific as possible, including what amount of time each task takes and what, if any, additional costs beyond labor costs (e.g., copying, mailing, storage, or other technology costs) are associated with each aspect of the collection.