

105–292), as amended (the Act), notice is hereby given that, on November 15, 2021, the Secretary of State, under authority delegated by the President, has designated each of the following as a “country of particular concern” (CPC) under section 402(b) of the Act, for having engaged in or tolerated particularly severe violations of religious freedom: Burma, China, Eritrea, Iran, the Democratic People’s Republic of Korea, Pakistan, Russia, Saudi Arabia, Tajikistan, and Turkmenistan. The Secretary simultaneously designated the following Presidential Actions for these CPCs:

For Burma, the existing ongoing restrictions referenced in 22 CFR 126.1, pursuant to section 402(c)(5) of the Act;

For China, the existing ongoing restriction on exports to China of crime control or detection instruments or equipment, under the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Pub. L. 101–246), pursuant to section 402(c)(5) of the Act;

For the Democratic People’s Republic of Korea, the existing ongoing restrictions to which the Democratic People’s Republic of Korea is subject, pursuant to sections 402 and 409 of the Trade Act of 1974 (the Jackson-Vanik Amendment), and pursuant to section 402(c)(5) of the Act;

For Eritrea, the existing ongoing restrictions referenced in 22 CFR 126.1, pursuant to section 402(c)(5) of the Act;

For Iran, the existing ongoing travel restrictions in section 221(c) of the Iran Threat Reduction and Syria Human Rights Act of 2012 (TRA) for individuals identified under section 221(a)(1)(C) of the TRA in connection with the commission of serious human rights abuses, pursuant to section 402(c)(5) of the Act;

For Pakistan, a waiver as required in the “important national interest of the United States,” pursuant to section 407 of the Act;

For Russia, the existing ongoing sanctions issued for individuals identified pursuant to section 404(a)(2) of the Russia and Moldova Jackson-Vanik Repeal and Sergei Magnitsky Rule of Law Accountability Act of 2012 and section 11 of the Support for the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014, as amended by Section 228 of the Countering America’s Adversaries Through Sanctions Act, pursuant to section 402(c)(5) of the Act;

For Saudi Arabia, a waiver as required in the “important national interest of the United States,” pursuant to section 407 of the Act;

For Tajikistan, a waiver as required in the “important national interest of the United States,” pursuant to section 407 of the Act; and

For Turkmenistan, a waiver as required in the “important national interest of the United States,” pursuant to section 407 of the Act.

In addition, the Secretary of State has designated the following countries as “special watch list” countries for engaging in or tolerating severe violations of religious freedom: Algeria, Comoros, Cuba, and Nicaragua.

The Secretary of State’s designation of “entities of particular concern” for religious freedom violations. Pursuant to Section 408(a) of the International Religious Freedom Act of 1998 (Pub. L. 105–292), notice is hereby given that, on November 15, 2021, the Secretary of State, under authority delegated by the President, has designated each of the following as an “entity of particular concern” under section 301 of the Frank R. Wolf International Religious Freedom Act of 2016 (Pub. L. 114–281), for having engaged in particularly severe violations of religious freedom: Al-Shabaab, Boko Haram, Hayat Tahrir al-Sham, the Houthis, ISIS, ISIS-Greater Sahara, ISIS-West Africa, Jamaat Nasr al-Islam wal Muslimin, and the Taliban.

FOR FURTHER INFORMATION CONTACT: Gabriela Anciola, Office of International Religious Freedom, U.S. Department of State, (Phone: (202) 647–3607 or Email: AnciolaG@state.gov).

Daniel L. Nadel,

Senior Official, Office of International Religious Freedom, U.S. Department of State.

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SURFACE TRANSPORTATION BOARD

[Docket No. EP 768]

Petition for Rulemaking To Adopt Rules Governing Private Railcar Use by Railroads

On July 26, 2021, the North America Freight Car Association, The National Grain and Feed Association (NGFA), The Chlorine Institute, and The National Oilseed Processors Association (collectively, Petitioners) filed a petition for rulemaking proposing that the Board adopt regulations, pursuant to its car service authority under 49 U.S.C. 11122(a)(2), that would allow private railcar providers¹ to assess a “private railcar delay charge” when a private freight car does not move for more than 72 consecutive hours at any point between the time it is “released for transportation” and the time it is “either constructively placed or actually placed at the private railcar provider’s facility or designated location.” (Pet. 1, 23–24.)²

¹ Petitioners define a “private railcar provider” as “a shipper, receiver, or other party who owns or leases a private railcar and provides it to a railroad for transportation.” (Pet. 23.)

² Constructive placement occurs when a rail car is available for delivery but cannot actually be placed at the receiver’s destination because of a condition attributable to the receiver, such as lack of room on the tracks in the receiver’s facility. See *Pol’y Statement on Demurrage & Accessorial Rules*

The Board received replies to the petition from the Association of American Railroads (AAR), CSX Transportation, Inc. (CSXT), Union Pacific Railroad Company (UP), the Institute for Scrap Recycling Industries, Inc. (ISRI), a group of shipper associations including the American Chemistry Council, The Fertilizer Institute, and the National Industrial Transportation League (collectively, Joint Shippers), the National Association of Chemical Distributors (NACD), the National Coal Transportation Association (NCTA), the Private Railcar Food and Beverage Association (PRFBA), American Fuel & Petrochemical Manufacturers (AFPM), the Freight Rail Customer Alliance (FRCA), and the Canadian Oilseed Processors Association (COPA),³ as well as notices of intent to participate from NGFA and the American Short Line and Regional Railroad Association. AAR, CSXT, and UP oppose the petition, while ISRI, Joint Shippers, NACD, NCTA, PRFBA, AFPM, FRCA, and COPA support it.

On September 10, 2021, Petitioners submitted a surreply to the replies, along with a motion for leave to file. On September 23, 2021, AAR and UP submitted replies to Petitioners’ motion for leave to file. AAR states that it does not object to the Board accepting Petitioners’ surreply into the record, as long as it also accepts AAR’s “brief rejoinder,” (AAR Reply 1, Sept. 23, 2021), and UP states that it takes no position on Petitioners’ motion for leave but asks the Board to reject certain claims Petitioners made in their surreply, (UP Reply 1, Sept. 23, 2021).⁴

Petitioners contend that the proposed regulations are necessary to encourage the efficient use of private freight cars, (Pet. 8–10), and to compensate private railcar providers for the costs they incur when carriers use private freight cars inefficiently, (*id.* at 12–13). In response, UP and AAR claim that the Board lacks the statutory authority under section 11122(a)(2) to adopt the proposed

& Charges, EP 757, slip op. at 8 n.22 (STB served Apr. 30, 2020).

³ Replies to the petition were due by August 30, 2021, and COPA’s reply was filed after that date. In the interest of having a more complete record, however, COPA’s reply will be accepted into the record.

⁴ Under 49 CFR 1104.13(c), a reply to a reply is not permitted. However, in the interest of a more complete record, the Board will grant Petitioners’ motion for leave. See *City of Alexandria—Pet. for Declaratory Ord.*, FD 35157, slip op. at 2 (STB served Nov. 6, 2008) (allowing a reply to a reply “[i]n the interest of compiling a full record”).

regulations. (UP Reply 2–3; AAR Reply 3–6.)⁵ AAR, CSXT, and UP contend, moreover, that the proposed regulations are unnecessary because carriers have sufficient incentives to move cars efficiently, as delayed cars hinder operations and reduce revenue. (CSXT Reply 3–4; UP Reply 7–8, Aug. 30, 2021; AAR Reply 8–9, Aug. 30, 2021.) They also argue that the proposed regulations will have a negative impact on the overall efficiency of the rail network by incentivizing carriers to move private freight cars inefficiently to avoid the charges and by reducing cooperation between carriers during periods of network stress. (CSXT Reply 6; UP Reply 9, Aug. 30, 2021; AAR Reply 16, Aug. 30, 2021.) Other respondents contend that the proposed regulations would provide appropriate financial incentives for Class I carriers to use private freight cars more efficiently, (NCTA Reply 1–2; PRFBA Reply 1; FRCA Reply 1), and offer reciprocity for demurrage charges (ISRI Reply 4; NACD Reply 1; AFPM Reply 2; COPA Reply 1–2). Furthermore, Joint Shippers ask the Board to solicit comments on how the proposed regulations would be implemented, including whether carriers would be responsible for monitoring private freight car delays and crediting amounts owed under the proposed regulations against their demurrage invoices. (Joint Shippers Reply 5.)

Petitioners' proposal and the responses to date raise important issues of interest to the Board. Therefore, to further consider Petitioners' proposal and the responses, the Board will open a proceeding. Procedures for further public comment will be established in a subsequent decision.

It is ordered:

1. Petitioners' motion for leave to file a surrepley is granted.
2. Petitioners' petition is granted to the extent that it requests that the Board open a proceeding.
3. Notice of this decision will be published in the **Federal Register**.
4. This decision is effective on its service date.

Decided: November 22, 2021.

By the Board, Board Members Begeman, Fuchs, Oberman, Primus, and Schultz.

Eden Besera,

Clearance Clerk.

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⁵ Additionally, CSXT states that it joins AAR's comments. (CSXT Reply 2.)

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. FAA–2013–0259–2245]

Agency Information Collection Activities: Requests for Comments; Clearance of a Renewed Approval of Information Collection: FAA Aircraft Noise Complaint and Inquiry System (Noise Portal)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. The FAA Regional Administrators' Offices and the FAA Noise Ombudsman will use the information voluntarily reported, on the occasion of a complaint, by the public in the FAA Noise Portal to prepare responses to their noise complaints or inquiries. The required FAA Noise Portal fields represent the minimum amount of information the FAA needs to address the public's noise complaint or question and includes: Name, email, address or cross street and a description of the noise complaint or inquiry. It is important to know the person's name and email address to respond and track the complaint. The FAA will not respond to the same complaint from the same person more than once. The address or cross street is needed for the FAA to determine potential sources of the aircraft noise issues as most people complain about aircraft in the vicinity of their residence. The description is used to provide additional details for the FAA to better address the complaint or question.

DATES: Written comments should be submitted by December 29, 2021.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

FOR FURTHER INFORMATION CONTACT: Idurre L. Isasa-Cowan by email at: idurre.cowan@faa.gov.

SUPPLEMENTARY INFORMATION:

Public Comments Invited: You are asked to comment on any aspect of this

information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

OMB Control Number: 2120–0773.

Title: FAA Aircraft Noise Complaint and Inquiry System (Noise Portal).

Form Numbers: None.

Type of Review: Renewal of an information collection.

Background: Although the FAA already receives aircraft noise complaints and inquiries from the public, the FAA's voluntary collection of the information from the public invokes the PRA process. The FAA must receive approval from the Office of Management and Budget (OMB) to collect the information in the Noise Portal. The FAA will summarize the public comments from the 60-day comment period (February 1, 2021 to April 2, 2021), and address these in a 30-day **Federal Register** notice inviting further comments. OMB has 60-days from the date of the 30-day notice to approve the FAA's voluntary collection of information in the Noise Portal. We expect the entire process will be completed by March 2022.

Respondents: The public.

Frequency: As needed.

Estimated Average Burden per

Response: 15 minutes.

Estimated Total Annual Burden: 11,250 hours.

Issued in Washington, DC, on November 23, 2021.

Idurre L. Isasa-Cowan,

Community Engagement Officer, FAA Office of the Environment and Energy (AEE).

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

[Docket No. FHWA–2021–0022]

Development of Guidance for Electric Vehicle Charging Infrastructure Deployment

AGENCY: Federal Highway Administration (FHWA), Department of Transportation (DOT).

ACTION: Notice; request for information (RFI).