

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration**

[Docket No. FAA-2022-0040]

Agency Information Collection**Activities: Requests for Comments; Clearance of a New Approval of Information Collection: Compliance and Enforcement Actions (CEA) & Voluntary Disclosure Report (VDR)****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 for an information collection. The collection involves Regulated Entity (RE) users that create and submit Compliance and Enforcement Action (CE) activity and Voluntary Disclosure Report (VDR) submittals to the FAA. The FAA enters and processes this activity and submittals using the Aviation Safety Knowledge Management Environment Compliance and Enforcement Actions (ASKME CEA) application. The information to be collected will be used to support processing CE and VDR processing for ASKME CEA application users and is necessary because it automates the process by which REs may disclose to the FAA potential occurrence of noncompliance to requirements.

DATES: Written comments should be submitted by December 2, 2022.**ADDRESSES:** Please send written comments:

By Electronic Docket:
www.regulations.gov (Enter docket number into search field).

By mail: [Walter Woodard, FAA Mike Monroney Aeronautical Center, 6500 S MacArthur Blvd., Bldg 12, Oklahoma City, OK 73169].

By fax: Not available.

FOR FURTHER INFORMATION CONTACT:

Walter Woodard by email at: walter.woodard@faa.gov; phone: 405-954-3968

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-XXXX.

Title: Compliance and Enforcement Actions (CEA), Voluntary Disclosure Report (VDR).

Form Numbers: There is no standard form to use for CEA and VDR submissions.

Type of Review: A new information collection.

Background: The CEA system supports ASKME users. ASKME users are AIR employees who perform oversight activities of design and manufacturing regulated entities, including production approval holders, design approval holders, and organizational designation authorization holders. REs such as manufacturers, delegated organizations (Organization Designation Authorization) and design holders regulated by the FAA will communicate and exchange information with the FAA. The ASKME CEA is an internal web-based application and provides a more efficient process for CE and VDR activity received from manufacturers, delegated organizations and design holders.

Compliance and Enforcement Actions (CEA)

Title 49 United States Code, Subtitle VII—Aviation Programs encourages the development of civil aeronautics, and promotes safety in air commerce. Sections 44709, 44711 and 44736 allow the Department of Transportation or the Administrator of the Federal Aviation Administration (FAA) to re-inspect and perform oversight activities for civil aircraft, aircraft engine, propeller, appliance, design organization, production certificate holder, and Organization Designation Authorizations. An Organization Designation Authorization or "ODA" is an authorization by the FAA under section 44702(d) for an organization composed of 1 or more ODA units to perform approved functions on behalf of the FAA. See 49 U.S.C. 44736.

Section 44709 allows the FAA to re-inspect at any time a civil aircraft, aircraft engine, propeller, appliance, design organization, production certificate holder, air navigation facility, or air agency, or reexamine an airman holding a certificate issued under 49 U.S.C. 44703.

Section 44711 prohibits a person from violating a term of an air agency, design organization certificate, or production certificate or a regulation prescribed or order issued under section

44701(a) or (b) or any of sections 44702-44716 related to the holder of the certificate;

Under section 44736, when overseeing an ODA holder, the Administrator of the FAA shall conduct regular oversight activities by inspecting the ODA holder's delegated functions and taking action based on validated inspection findings.

When the FAA officials perform Section 44709 re-inspection or oversight activities and discovers violations, they process them using FAA Orders 8000.373B, Federal Aviation Administration Compliance Program, 2150.3C, FAA Compliance and Enforcement Program and AIR-002-035 Aircraft Certification Service (AIR) Compliance and Enforcement Process.

Voluntary Disclosure Report (VDR)

Title 14 Code of Federal Regulations, part 193 of the Federal Aviation Administration (FAA) regulations provides that certain information submitted to the FAA on a voluntary basis is not to be disclosed. This part implements statutory provision 49 U.S.C. 40123. The purpose of part 193 is to encourage the aviation community to voluntarily share information with the FAA so that the agency may work cooperatively with industry to identify modifications to rules, policies, and procedures needed to improve safety, security, and efficiency of the National Airspace System. The information collection associated with part 193 also supports the Department of Transportation's Strategic Goal of Safety and Security.

To encourage people to voluntarily submit desired information, § 40123 was added to Title 49, United States Code, in the Federal Aviation Reauthorization Act of 1996. Section 40123 allows the Administrator, through FAA regulations, to protect from disclosure voluntarily provided information relating to safety and security issues.

The White House Commission on Aviation Safety and Security issued a recommendationⁱ on this subject. In Recommendation 1.8, the Commission noted that the most effective way to identify problems is for the people who operate the system to self-disclose the information, but that people will not provide information to the FAA unless it can be protected.

FAA programs that are covered under Part 193 are the Voluntary Safety Reporting Programs (FAA Order 7200.20), Air Traffic and Technical Operations Safety Action Programs (FAA Order 7200.22), Flight Operational

ⁱ <https://www.hsdl.org/?abstract&did=1839>.

Quality Assurance (FAA Order 8000.81), Aviation Safety Action Program (FAA Order 8000.82), and Voluntary Disclosure Reporting Program (FAA Order 8000.89).

The AIR ASKME CEA application supports the electronic processing of the three main compliance and enforcement actions as defined by FAA Order 2150.3C, Compliance and Enforcement Program. These actions are Voluntary Disclosure Reports, Compliance Actions and Enforcement Actions.

Respondents: Respondents are aviation design and manufacturing regulated entities, including production approval holders, design approval holders, and organization designation authorization holders. Responding to the collection of data is voluntary and will respond to actions in writing and processed by the FAA through the ASKME CEA application. FAA staff of AIR including Aviation Safety Inspectors (ASIs), Aviation Safety Engineers (ASEs), their supervisors and managers, and Organization Designation Authorization (ODA) Organization Management Team (OMT) members receive information submitted by the regulated entities.

Frequency: As needed.

Estimated Average Burden per Response: These reports require an average of 17 hour each to prepare.

Estimated Total Annual Burden: The total estimated burden hours based on the average Compliance and Enforcement/VDR closed cases activity from the CEA & Boeing Aviation Safety Oversight Office (BASSO) databases annually is 6048.

Editorial Note: This document was received for publication by the Office of the Federal Register on September 28, 2022. AIR-952

Issued in Washington, DC, on April 6, 2022.

Walter Woodard,

ASKME Business Program Manager.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA-2010-0032]

Metro-North Railroad's Request To Amend Its Positive Train Control Safety Plan and Positive Train Control System

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

ACTION: Notice of availability and request for comments.

SUMMARY: This document provides the public with notice that, on September 20, 2022, Metro-North Railroad (MNCW) submitted a request for amendment (RFA) to its FRA-approved Positive Train Control Safety Plan (PTCSP). As this RFA may involve a request for FRA's approval of proposed material modifications to an FRA-certified positive train control (PTC) system, FRA is publishing this notice and inviting public comment on the railroad's RFA to its PTCSP.

DATES: FRA will consider comments received by October 24, 2022. FRA may consider comments received after that date to the extent practicable and without delaying implementation of valuable or necessary modifications to a PTC system.

ADDRESSES:

Comments: Comments may be submitted by going to <https://www.regulations.gov> and following the online instructions for submitting comments.

Instructions: All submissions must include the agency name and the applicable docket number. The relevant PTC docket number for this host railroad is Docket No. FRA-2010-0032. For convenience, all active PTC dockets are hyperlinked on FRA's website at <https://railroads.dot.gov/train-control/ptc/ptc-annual-and-quarterly-reports>. All comments received will be posted without change to <https://www.regulations.gov>; this includes any personal information.

FOR FURTHER INFORMATION CONTACT:

Gabe Neal, Staff Director, Signal, Train Control, and Crossings Division, telephone: 816-516-7168, email: Gabe.Neal@dot.gov.

SUPPLEMENTARY INFORMATION: In general, Title 49 United States Code (U.S.C.) section 20157(h) requires FRA to certify that a host railroad's PTC system complies with Title 49 Code of Federal Regulations (CFR) part 236, subpart I, before the technology may be operated in revenue service. Before making certain changes to an FRA-certified PTC system or the associated FRA-approved PTCSP, a host railroad must submit, and obtain FRA's approval of, an RFA to its PTCSP under 49 CFR 236.1021.

Under 49 CFR 236.1021(e), FRA's regulations provide that FRA will publish a notice in the **Federal Register** and invite public comment in accordance with 49 CFR part 211, if an RFA includes a request for approval of a material modification of a signal and train control system. Accordingly, this

notice informs the public that, on September 20, 2022, MNCW submitted an RFA to its PTCSP for its Advanced Civil Speed Enforcement System II (ACSES II) and that RFA is available in Docket No. FRA-2010-0032.

Interested parties are invited to comment on MNCW's RFA to its PTCSP by submitting written comments or data. During FRA's review of this railroad's RFA, FRA will consider any comments or data submitted within the timeline specified in this notice and to the extent practicable, without delaying implementation of valuable or necessary modifications to a PTC system. *See* 49 CFR 236.1021; *see also* 49 CFR 236.1011(e). Under 49 CFR 236.1021, FRA maintains the authority to approve, approve with conditions, or deny a railroad's RFA to its PTCSP at FRA's sole discretion.

Privacy Act Notice

In accordance with 49 CFR 211.3, FRA solicits comments from the public to better inform its decisions. DOT posts these comments, without edit, including any personal information the commenter provides, to <https://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* <https://www.regulations.gov/privacy-notice> for the privacy notice of www.regulations.gov. To facilitate comment tracking, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. If you wish to provide comments containing proprietary or confidential information, please contact FRA for alternate submission instructions.

Issued in Washington, DC

Carolyn R. Hayward-Williams,

Director, Office of Railroad Systems and Technology.

[FR Doc. 2022-21378 Filed 9-30-22; 8:45 am]

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DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

[Docket No.: OFAC-2022-0004]

Agency Information Collection Activities; Proposed Collection; Comment Request for Persons Providing Remittance Forwarding Services to Cuba

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice and request for comments.