

the agency for alternate submission instructions.

**Authority:** 49 U.S.C. 20103, 20107, 20162, 21301, 21304, 21311; 28 U.S.C. 2461 note; 49 CFR 1.89; and Pub. L. 110-432, sec. 402, 122 Stat. 4884.

Issued in Washington, DC.

**John Karl Alexy,**

*Associate Administrator for Railroad Safety Chief Safety Officer.*

[FR Doc. 2023-18033 Filed 8-21-23; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### 49 CFR Part 246

[Docket No. FRA-2022-0020, Notice No. 3]

RIN 2130-AC92

#### Certification of Signal Employees

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

**ACTION:** Notice of proposed rulemaking (NPRM); extension of comment period.

**SUMMARY:** On May 31, 2023, FRA published an NPRM proposing to require railroads to develop written programs for certifying signal employees and to submit those written certification programs to FRA for approval prior to implementation. On July 5, 2023, FRA published a notice extending the comment period by 30 days. By this notice, FRA is extending the NPRM's comment period by an additional 15 days.

**DATES:** The comment period for the NPRM, scheduled to close on August 30, 2023, is extended until September 14, 2023.

**ADDRESSES:**

*Comments:* Comments related to Docket No. FRA-2022-0020, Notice No. 1, 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, docket name, and docket number or Regulatory Identification Number (RIN) for this rulemaking (2130-AC92). Note that all comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading in the **SUPPLEMENTARY INFORMATION** section of this document for Privacy Act information related to any submitted comments or materials.

*Docket:* For access to the docket to read background documents or comments received, go to <https://www.regulations.gov> and follow the online instructions for accessing the docket.

**FOR FURTHER INFORMATION CONTACT:**

Gabe Neal, Staff Director, Signal, Train Control, and Crossings Division, telephone: (816) 516-7168 or email: [Gabe.Neal@dot.gov](mailto:Gabe.Neal@dot.gov); or Kathryn Gresham, Attorney Adviser, Office of the Chief Counsel, telephone: (202) 577-7142 or email: [Kathryn.Gresham@dot.gov](mailto:Kathryn.Gresham@dot.gov).

**SUPPLEMENTARY INFORMATION:** On July 28, 2023, FRA provided information in the rulemaking docket about the accidents that were analyzed by FRA in the regulatory impact analysis.<sup>1</sup> In an August 5, 2023, petition, the American Short Line and Regional Railroad Association (ASLRRA) requested a 30-day extension of the NPRM's<sup>2</sup> comment period to analyze the information and its impact on ASLRRA's member railroads.

The comment period for this NPRM is scheduled to close on August 30, 2023.<sup>3</sup> As FRA is partially granting ASLRRA's request, the comment period is now extended 15 days to September 14, 2023.

**Privacy Act**

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, to <https://www.regulations.gov>, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through [www.dot.gov/privacy](http://www.dot.gov/privacy). To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

**Authority:** 49 U.S.C. 20103, 20107, 20162, 21301, 21304, 21311; 28 U.S.C. 2461 note; 49 CFR 1.89; and Pub. L. 110-432, sec. 402, 122 Stat. 4884.

<sup>1</sup> <https://www.regulations.gov/document/FRA-2022-0020-0010>.

<sup>2</sup> 88 FR 35632 (May 31, 2023).

<sup>3</sup> 88 FR 42907 (July 5, 2023).

Issued in Washington, DC.

**John Karl Alexy,**

*Associate Administrator for Railroad Safety Chief Safety Officer.*

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## DEPARTMENT OF HOMELAND SECURITY

### Transportation Security Administration

[Docket No. TSA-2023-0001]

RIN 1652-AA69

49 CFR Parts 1500, 1530, 1570, 1572, 1580, 1582, 1584

#### Vetting of Certain Surface Transportation Employees

**AGENCY:** Transportation Security Administration, DHS.

**ACTION:** Notice of proposed rulemaking (NPRM); Extension of comment period.

**SUMMARY:** On May 23, 2023, the Transportation Security Administration (TSA) published a notice of proposed rulemaking (NPRM) proposing security vetting of certain public transportation, railroad, and over-the-road-bus (OTRB) employees. Through this notice, TSA is extending the comment period to October 1, 2023, to provide additional time for the public to submit comments.

**DATES:** The comment period for the NPRM published at 88 FR 33472 (May 23, 2023), is extended from August 21, 2023, to October 1, 2023.

**ADDRESSES:** You may submit comments, identified by the TSA docket number to this rulemaking, to the Federal Docket Management System (FDMS), a government-wide, electronic docket management system. To avoid duplication, please use only one of the following methods:

- *Electronic Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Mail:* Docket Management Facility (M-30), U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590-0001. The Department of Transportation (DOT), which maintains and processes TSA's official regulatory dockets, will scan the submission and post it to FDMS. Comments must be postmarked by the date indicated above.
- *Fax:* (202) 493-2251.

See the **SUPPLEMENTARY INFORMATION** section for format and other information about comment submissions.

**FOR FURTHER INFORMATION CONTACT:**

*For program questions:* Victor Parker, Surface Division, Policy, Plans, and Engagement, TSA–28, Transportation Security Administration, 6595 Springfield Center Drive, Springfield, VA 20598–6002; telephone (571) 227–1039; email [VettingPolicy@tsa.dhs.gov](mailto:VettingPolicy@tsa.dhs.gov).

*For legal questions:* Christine Beyer, Chief Counsel’s office, TSA–2, Transportation Security Administration, 6595 Springfield Center Drive, Springfield, VA 20598–6002; telephone (571) 227–2484; facsimile (571) 227–1380; email [tsa.surface.vetting@tsa.dhs.gov](mailto:tsa.surface.vetting@tsa.dhs.gov).

#### SUPPLEMENTARY INFORMATION:

##### Comment Period Extension

On May 23, 2023, TSA issued its NPRM entitled *Vetting of Certain Surface Transportation Employees* (88 FR 33472), and provided the public 90 days to submit comments on the proposal, or until August 21, 2023. Interested parties have requested an extension of the public comment period to give them additional time to respond to the NPRM. While TSA believes that the current 90-day comment period is sufficient for full and meaningful public participation, TSA agrees to extend the comment period to October 1, 2023, to allow the public an additional period to prepare and file comments.

##### Request for Comment

TSA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. We also invite comments relating to the economic, environmental, energy, or federalism impacts that might result from this rulemaking action, as well as on TSA’s collections of information under the Paperwork Reduction Act as described further below. See the **ADDRESSES** section above for information on where to submit comments.

##### Submitting Comments

With each comment, please identify the docket number at the beginning of your comments, reference a specific portion or section of the rulemaking, explain the reason for any recommended change, and include supporting data. We recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

You may submit comments and material electronically, by mail, or fax as provided under the **ADDRESSES** section, but please submit your comments and material by only one

means. If you submit comments by mail or delivery, submit them in an unbound format, no larger than 8.5 by 11 inches, suitable for copying and electronic filing.

If you would like TSA to acknowledge receipt of comments submitted by mail, include with your comments a self-addressed, stamped postcard or envelope on which the docket number appears and we will mail it to you.

All comments, except those that include confidential or sensitive security information (SSI)<sup>1</sup> will be posted to <https://www.regulations.gov>, and will include any personal information you have provided. Should you wish your personally identifiable information redacted prior to filing in the docket, please clearly indicate this request in your submission to TSA. TSA will consider all comments that are in the docket on or before the closing date for comments and will consider comments filed late to the extent practicable. The docket is available for public inspection before and after the comment closing date.

##### Handling of Certain Sensitive Information Submitted in Public Comments

Do not submit comments that include trade secrets, confidential commercial or financial information, SSI, or protected critical infrastructure information to the public regulatory docket. Comments containing this type of information should be submitted separately from other comments, appropriately marked as containing such information, and submitted by mail to the addresses listed in the **FOR FURTHER INFORMATION CONTACT** section. TSA will take the following actions for all submissions containing SSI:

- TSA will not place comments containing SSI in the public docket and will handle them in accordance with applicable safeguards and restrictions on access.
- TSA will hold documents containing SSI, confidential business information, or trade secrets in a separate file to which the public does not have access, and place a note in the public docket explaining that commenters have submitted such documents.
- TSA may include a redacted version of the comment in the public docket.

<sup>1</sup> “Sensitive Security Information” or “SSI” is information obtained or developed in the conduct of security activities, the disclosure of which would constitute an unwarranted invasion of privacy, reveal trade secrets or privileged or confidential information, or be detrimental to the security of transportation. The protection of SSI is governed by 49 CFR part 1520.

- TSA will treat requests to examine or copy information that is not in the public docket as any other request under the Freedom of Information Act (5 U.S.C. 552) and the Department of Homeland Security’s (DHS) Freedom of Information Act regulation found in 6 CFR part 5.

##### Reviewing Docket Comments and Documents

Please be aware that anyone is able to search the electronic form of all comments in any of our dockets by the name of the individual, association, business entity, labor union, *etc.*, who submitted the comment. For more about privacy and the docket, review the Privacy and Security Notice for the Federal Docket Management System at <https://www.regulations.gov/privacyNotice>, as well as the System of Records Notice DOT/ALL 14—Federal Docket Management System (73 FR 3316, January 17, 2008) and the System of Records Notice DHS/ALL 044—eRulemaking (85 FR 14226, March 11, 2020).

You may review TSA’s electronic public docket at <https://www.regulations.gov>. In addition, DOT’s Docket Management Facility provides a physical facility, staff, equipment, and assistance to the public. To obtain assistance or to review items in TSA’s public docket, you may visit this facility between 9 a.m. and 5 p.m., Monday through Friday, excluding legal holidays, or call (202) 366–9826. This DOT facility is located in the West Building Ground Floor, Room W12–140 at 1200 New Jersey Avenue SE, Washington, DC 20590.

##### Availability of Published Rulemaking Documents

You can find an electronic copy of this rulemaking using the internet by accessing the Government Publishing Office’s web page at <https://www.govinfo.gov/app/collection/FR/to> view the daily published **Federal Register** edition or accessing the Office of the Federal Register’s web page at <https://www.federalregister.gov>. Copies are also available by contacting the individual identified for “General Questions” in the **FOR FURTHER INFORMATION CONTACT** section.

**Stacey Fitzmaurice,**

*Executive Assistant Administrator,  
Operations Support.*

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