

**DEPARTMENT OF STATE****[Public Notice: 11927]****30-Day Notice of Proposed Information Collection: Request for Commodity Jurisdiction Determination**

**ACTION:** Notice of request for public comment and submission to OMB of proposed collection of information.

**SUMMARY:** The Department of State has submitted the information collection described below to the Office of Management and Budget (OMB) for approval. In accordance with the Paperwork Reduction Act of 1995 we are requesting comments on this collection from all interested individuals and organizations. The purpose of this Notice is to allow 30 days for public comment.

**DATES:** Submit comments up to December 30, 2022.

**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](http://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:** Direct requests for additional information regarding the collection listed in this notice, including requests for copies of the proposed collection instrument and supporting documents, to Andrea Battista, who may be reached at [battistaal@state.gov](mailto:battistaal@state.gov) via email and 202-992-0973 via phone.

**SUPPLEMENTARY INFORMATION:**

- **Title of Information Collection:** Request for Commodity Jurisdiction Determination.
- **OMB Control Number:** 1405-0163.
- **Type of Request:** Revision of a currently approved collection.
- **Originating Office:** Directorate of Defense Trade Controls (PM/DDTC).
- **Form Number:** DS-4076.
- **Respondents:** Any person requesting a commodity jurisdiction determination.
- **Estimated Number of Responses:** 400.
- **Average Time per Response:** 4 hours.
- **Total Estimated Burden Time:** 1,600 hours.
- **Frequency:** On occasion.
- **Obligation to Respond:** Voluntary.

We are soliciting public comments to permit the Department to:

- Evaluate whether the proposed information collection is necessary for the proper functions of the Department.

- Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used.

- Enhance the quality, utility, and clarity of the information to be collected.

- Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

- Please note that comments submitted in response to this Notice are public record. Before including any detailed personal information, you should be aware that your comments as submitted, including your personal information, will be available for public review.

**Abstract of Proposed Collection**

Pursuant to ITAR section 120.4, a person, as defined by ITAR section 120.14, may request a written determination from the Department of State stating whether a particular article or defense service is covered by the United States Munitions List (USML). Form DS-4076 is the means by which respondents may submit this request. Information submitted via DS-4076 will be shared with the Department of Defense, Department of Commerce, and other USG agencies, as needed, during the commodity jurisdiction process. Determinations will be made on a case-by-case basis based on the commodity's form, fit, function, and performance capability.

**Methodology**

Respondents must generally submit the DS-4076 electronically through DDTC's electronic system. Respondents may access the DS-4076 on DDTC's website, [www.pmddtc.state.gov](http://www.pmddtc.state.gov), under “Commodity Jurisdictions (CJs).” Respondents who are unable to access DDTC's website may mail a signed DS-4076, along with a brief cover letter explaining their inability to file the electronic DS-4076, to the Office of Defense Trade Controls Policy, Department of State, 2401 E St. NW, Suite H1304, Washington, DC 20522.

**Kevin E Bryant,**

*Deputy Director, Office of Directives Management, Department of State.*

[FR Doc. 2022-26103 Filed 11-29-22; 8:45 am]

**BILLING CODE 4710-25-P**

**DEPARTMENT OF STATE****[Public Notice: 11926]****30-Day Notice of Proposed Information Collection: Technology Security/Clearance Plans, Screening Records, and Non-Disclosure Agreements**

**ACTION:** Notice of request for public comment and submission to OMB of proposed collection of information.

**SUMMARY:** The Department of State has submitted the information collection described below to the Office of Management and Budget (OMB) for approval. In accordance with the Paperwork Reduction Act of 1995 we are requesting comments on this collection from all interested individuals and organizations. The purpose of this Notice is to allow 30 days for public comment.

**DATES:** Submit comments up to December 30, 2022.

**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](http://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:**

Direct requests for additional information regarding the collection listed in this notice, including requests for copies of the proposed collection instrument and supporting documents, to Andrea Battista, who may be reached at [battistaal@state.gov](mailto:battistaal@state.gov) via email and 202-992-0973 via phone.

**SUPPLEMENTARY INFORMATION:**

- **Title of Information Collection:** Technology Security/Clearance Plans, Screening Records, and Non-Disclosure Agreements Pursuant to 22 CFR 126.18(c)(2).

- **OMB Control Number:** 1405-0195.
- **Type of Request:** Extension of Currently Approved Collection.

- **Originating Office:** Bureau of Political-Military Affairs, Directorate of Defense Trade Controls (PM/DDTC).

- **Form Number:** No form.
- **Respondents:** Business and Nonprofit Organizations.

- **Estimated Number of Respondents:** 10,000.

- **Estimated Number of Responses:** 10,000.

- **Average Time per Response:** 10 hours.

- **Total Estimated Burden Time:** 100,000 hours.
- **Frequency:** On occasion.

- *Obligation to Respond:* Mandatory. We are soliciting public comments to permit the Department to:
  - Evaluate whether the proposed information collection is necessary for the proper functions of the Department.
  - Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used.
  - Enhance the quality, utility, and clarity of the information to be collected.
  - Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Please note that comments submitted in response to this Notice are public record. Before including any detailed personal information, you should be aware that your comments as submitted, including your personal information, will be available for public review.

#### Abstract of Proposed Collection

The export, temporary import, and brokering of defense articles, defense services, and related technical data are licensed by the Directorate of Defense Trade Controls (DDTC) in accordance with the International Traffic in Arms Regulations ("ITAR," 22 CFR parts 120 through 130) and section 38 of the Arms Export Control Act.

ITAR section 126.18 eliminates, subject to certain conditions, the requirement for an approval by DDTC of the transfer of unclassified defense articles, which includes technical data, to or within a foreign business entity, foreign governmental entity, or international organization that is an authorized end-user or consignee (including transfers to approved sub-licensees) for defense articles, including the transfer to dual nationals or third-country nationals who are bona fide regular employees directly employed by the foreign consignee or end-user.

To use ITAR section 126.18, effective procedures must be in place to prevent diversion to any destination, entity, or for purposes other than those authorized by the applicable export license or other authorization. Those conditions can be met by requiring a security clearance approved by the host nation government for its employees, or by the end-user or consignee having in place a process to screen all its employees and to have executed a Non-Disclosure Agreement that provides assurances that the employee will not transfer any defense articles to persons or entities unless specifically authorized by the consignee or end-user. ITAR section 126.18(c)(2)

also provides that the technology security/clearance plans and screening records shall be made available to DDTC or its agents for law enforcement purposes upon request.

#### Methodology

When information kept on file pursuant to this recordkeeping requirement is required to be sent to the Directorate of Defense Trade Controls, it may be sent electronically or by mail according to guidance given by DDTC.

**Kevin E Bryant,**

*Deputy Director, Office of Directives Management, Department of State.*

[FR Doc. 2022-26102 Filed 11-29-22; 8:45 am]

**BILLING CODE 4710-25-P**

states (collectively, RJC Railroads). For a complete list of these rail carriers and the states in which they operate, see the November 14, 2022 verified notice of exemption at pages 2–3 for a list of carriers and pages 5–6 for a list of states. The verified notice is available on the Board's website at [www.stb.gov](http://www.stb.gov).

Applicants certify that: (1) RFCC and RJC Railroads would not connect with each other or any other railroad in the corporate family; (2) the continuance in control is not part of a series of anticipated transactions that would connect the carriers with each other or any railroad in the corporate family; and (3) the transaction does not involve a Class I rail carrier. Therefore, the proposed transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. However, 49 U.S.C. 11326(c) does not provide for labor protection for transactions under 49 U.S.C. 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions to stay must be filed no later than December 7, 2022 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36646, must be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E Street SW, Washington, DC 20423–0001. In addition, a copy of each pleading must be served on Applicants' representative, Catherine S. Wright, Jackson Kelly PLLC, 100 West Main Street, Suite 700, Lexington, KY 40588–2150.

According to Applicants, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic preservation reporting requirements under 49 CFR 1105.8(b).

Board decisions and notices are available at [www.stb.gov](http://www.stb.gov).

Decided: November 23, 2022.

## SURFACE TRANSPORTATION BOARD

[Docket No. FD 36646]

### R. J. Corman Railroad Group, LLC and R. J. Corman Railroad Company, LLC—Continuance in Control Exemption—Raleigh and Fayetteville Railroad, LLC

R. J. Corman Railroad Group, LLC (RJCG), and R. J. Corman Railroad Company, LLC (RJCRC), noncarrier holding companies (collectively, Applicants), filed a verified notice of exemption under 49 CFR 1180.2(d)(2) to continue in control of the Raleigh and Fayetteville Railroad, LLC (RFCC), upon RFCC's becoming a Class III rail carrier.

This notice of exemption is related to a concurrently filed notice of exemption in *Raleigh & Fayetteville Railroad—Acquisition, Lease & Operation Exemption with Interchange Commitment—Norfolk Southern Railway*, Docket No. FD 36645, in which RFCC seeks to acquire approximately 42.38 miles of rail line from Norfolk Southern Railway Company (NSR), lease approximately 19.88 miles of rail line from NSR, assume NSR's trackage rights over 0.59 miles of rail line owned by CSX Transportation, Inc., totaling approximately 62.85 miles, and to operate those lines, which form a contiguous rail line between Raleigh and Fayetteville in Wake, Harnett, and Cumberland Counties, N.C. (the Line).

The transaction may be consummated on or after December 14, 2022, the effective date of the exemption (30 days after the verified notice was filed).

According to the verified notice, Applicants control two non-operating Class III rail carriers, R. J. Corman Railroad Property, LLC, and R. J. Corman Railroad Company/Ashland, LLC, and 17 other operating Class III rail carriers, collectively operating in 13