

are reminded of the need to comply with the Cargo Preference Act in 46 CFR part 38, if applicable.

In accordance with the provisions of Section 117 of the SAFETEA-LU Technical Corrections Act of 2008 (Pub. L. 110-244, 122 stat. 1572), FHWA is providing this notice as its finding that a waiver of Buy America requirements is appropriate. FHWA invites public comment on this finding for an additional five (5) days following the effective date of the finding. Comments may be submitted to FHWA's website via the link provided to the waiver page noted above.

*Authority:* 23 U.S.C. 313; Pub. L. 110-244; Pub. L. 116-260; 23 CFR 635.410.

**Stephanie Pollack,**

*Deputy Administrator, Federal Highway Administration.*

[FR Doc. 2022-02449 Filed 2-4-22; 8:45 am]

**BILLING CODE 4910-22-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Railroad Administration**

[Docket No. FRA-2010-0033]

**New Jersey Transit'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 January 14, 2022, New Jersey Transit (NJT) 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 February 28, 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-2010-0033. 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](mailto: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 49 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 Title 49 Code of Federal Regulations (CFR) Section 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 January 14, 2022, NJT submitted an RFA to its PTCSP for its Advanced Speed Enforcement System II (ASES II) and that RFA is available in Docket No. FRA-2010-0033.

Interested parties are invited to comment on NJT'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 [regulations.gov](https://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. 2022-02512 Filed 2-4-22; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Federal Railroad Administration**

[Docket No. FRA-2022-0006]

**Request for Information for the Corridor Identification and Development Program**

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

**ACTION:** Request for information (RFI).

**SUMMARY:** On November 15, 2021, President Biden signed into law the Infrastructure Investment and Jobs Act, also known as the Bipartisan Infrastructure Law (BIL). The BIL provides historic appropriations for railroad transportation grant programs administered by the Federal Railroad Administration (FRA), and also authorizes new programs to enhance rail safety and to repair, restore, improve, and expand the nation's rail network. Among those new programs is the Corridor Identification and Development Program (the Program), which creates a new framework to facilitate the development of new, enhanced, and restored intercity passenger rail corridors throughout the country. The BIL requires the Secretary of Transportation to establish the Program within 180 days of enactment (*i.e.*, May 14, 2022). This responsibility is delegated to FRA. In this request for information (RFI), FRA is seeking comments on the Program and how it can best serve stakeholders and the public in facilitating the development of intercity passenger rail corridors.

**DATES:** Written comments on this RFI must be received on or before March 9,

2022. FRA will consider comments filed after this date to the extent practicable.

**ADDRESSES:** Comments should refer to docket number FRA–2022–0006 and be submitted by at <http://www.regulations.gov>. Search by using the docket number and follow the instructions for submitting comments.

**Instructions:** All submissions must include the agency name and docket number for this RFI.

**Note:** All comments received, including any personal information, will be posted without change to the docket and will be accessible to the public at <http://www.regulations.gov>. You should not include information in your comment that you do not want to be made public. Input submitted online via [www.regulations.gov](http://www.regulations.gov) is not immediately posted to the site. It may take several business days before your submission is posted.

**FOR FURTHER INFORMATION CONTACT:** For further information related to this RFI, please contact Peter Schwartz, Chief, Project Engineering and Transportation Planning Division, by email: [PaxRailDev@dot.gov](mailto:PaxRailDev@dot.gov) or by telephone: 202–493–6360.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Program is intended to facilitate the development of intercity passenger rail corridors. Public Law 117–58 sec. 22308 (Nov. 15, 2021); 49 U.S.C. 25101(a) (while this citation may not yet be available in some online versions of the U.S. Code, the text may be found at <https://www.congress.gov/117/plaws/publ58/PLAW-117publ58.pdf> at 135 STAT. 730). The Program includes: (1) A process for eligible entities to submit proposals for the development of intercity passenger rail corridors; (2) a process for FRA to review and select such proposals; (3) criteria for determining the level of readiness for Federal financial assistance of intercity passenger rail corridors; (4) a process for preparing service development plans (SDPs); (5) the creation of a pipeline of intercity passenger rail corridor projects; (6) planning guidance; and (7) such other features as FRA considers relevant. 49 U.S.C. 25101(a)(1)–(7).

FRA seeks information from all those interested in the Program on how the Program should be implemented to best facilitate the development of intercity passenger rail corridors. Where available and appropriate, FRA requests that respondents provide relevant technical information, statutory or regulatory citations, data, or other evidence to support their comments. FRA also requests that responses to this RFI be organized by the topics outlined

below, including references, as applicable, to the numbered questions. Respondents are encouraged to address in their responses any topics they believe to be relevant to the Program and are not limited to addressing only those topics and questions outlined below.

##### Roles and Responsibilities Within the Program

While FRA has a central role in the administration of the Program, the BIL also calls for important roles for other parties—including States, Amtrak, host railroads, labor organizations, and other stakeholders—who typically have responsibilities in intercity passenger rail development efforts. For example, Amtrak, States, groups of States, entities implementing interstate compacts, regional passenger rail authorities, regional planning organizations, political subdivisions of a State, federally recognized Tribes, and other public entities, as determined by FRA, are all eligible to submit proposals for the development of intercity passenger rail corridors under the Program. 49 U.S.C. 25101(b). In addition, in partnering on the preparation of an SDP, FRA must partner with the entity that submitted the proposal, relevant States, and Amtrak, as appropriate, and also must consult with Amtrak, appropriate State and regional transportation authorities and local officials, employee labor organizations, host railroads, and other stakeholders, as determined by the Secretary. 49 U.S.C. 25101(d) and (e).

1. What is the appropriate role for Amtrak, in the submission and development of proposals submitted by other entities, for corridors that currently are or would be intended to be operated by Amtrak?

2. What are the appropriate roles for FRA and other parties in the preparation of SDPs under 49 U.S.C. 25101(d), or in other Program activities?

##### Service Development Plans

As noted, for each intercity passenger rail corridor selected for development under the Program, FRA must partner with the entity that submitted the proposal, relevant States, and Amtrak, as appropriate, to prepare an SDP (or to update an existing SDP). 49 U.S.C. 25101(d). As further detailed in the statute, the SDP must include: (1) A detailed description of the proposed intercity passenger rail service; (2) a corridor project inventory, identifying the capital projects necessary to achieve the proposed intercity passenger rail service and the order in which Federal funding will be sought; (3) a schedule, and any associated phasing, of projects

and related service initiation or changes; (4) project sponsors and other entities expected to participate in carrying out the plan; (5) a description of how the corridor would comply with Federal rail safety and security laws, orders, and regulations; (6) the locations of existing and proposed stations; (7) the needs for rolling stock and other equipment; (8) a financial plan; (9) a description of how the corridor would contribute to the development of a multi-State regional network of intercity passenger rail; (10) an intermodal plan; (11) a description of the anticipated environmental benefits; and (12) a description of the corridor's impacts on highway and aviation congestion, energy consumption, land use, and economic development. 49 U.S.C. 25101(d)(1)–(12).

3. Where permissible, should SDPs under the Program have the option to be prepared as longer-range planning documents, so that the implementation of the new or improved service (through the implementation of the projects included in the “corridor project inventory,” and advancement of such projects into the project pipeline) may be sequenced or phased over time?

4. Where permissible, should SDPs under the Program develop and narrow alternatives for implementing a new or improved service through the use of a planning process undertaken in advance of environmental review under the National Environmental Policy Act (NEPA) (e.g., in a manner similar to that applicable to highway and transit projects under appendix A to 23 CFR part 450—Linking the Transportation Planning and NEPA Processes)?

5. How should public involvement and environmental considerations be incorporated into the preparation of SDPs under the Program, and how might that vary depending on whether or not SDPs develop and narrow alternatives (as described in Question #4)?

6. 49 U.S.C. 25101(e) requires that FRA consult with certain stakeholders in the preparation of SDPs under the Program. What approaches could FRA take to ensure the consultation process is effective and meaningful?

##### Project Pipeline

As noted above, under the Program, FRA must annually submit a project pipeline to Congress that, as further detailed in the statute: (1) Identifies intercity passenger rail corridors selected for development; (2) identifies capital projects for Federal investment; (3) specifies the order in which FRA would provide financial assistance, including a method and plan for apportioning funds; (4) takes into

consideration the appropriate sequence and phasing of projects; (5) takes into consideration the existing commitments and anticipated funding levels; (6) is prioritized based on the level of readiness of the corridor; and (7) reflects consultation with Amtrak. 49 U.S.C. 25101(g)(1)–(7). The statute does not specify what level of development should be achieved prior to identifying a capital project for Federal investment in the pipeline.

7. Should capital projects identified in the project pipeline be required to be ready for immediate implementation (*i.e.*, final design and construction), and be supported by a completed environmental determination under NEPA, completed preliminary engineering, and (as applicable) agreements with the relevant host railroad(s)?

8. If a capital project must be ready for immediate implementation in order to be included in the project pipeline (see Question #7), should FRA establish a “pre-Pipeline” of projects that have been identified in the “corridor project inventories” included in the SDPs prepared under 49 U.S.C. 25101(d), and that are in the process of being readied for implementation (*e.g.*, in the process of environmental review under NEPA, undergoing completion of preliminary engineering, etc.), but which are not ready for implementation?

9. Through what means, and in consideration of what factors (beyond those enumerated in 49 U.S.C. 25101(g)(4)–(7)), should FRA establish the order (or prioritization) of the list of capital projects eligible for funding identified under the project pipeline, as called for in 49 U.S.C. 25101(g)(3)?

#### Funding of Program Activities

The BIL makes funding available to carry out planning and development activities related to the Program. Public Law 117–58 22307; 49 U.S.C. 24911(k). The statute includes three examples of activities that may be undertaken using this funding, including: (1) Providing funding to public entities for the development of SDPs selected under the Program; (2) facilitating and providing guidance for intercity passenger rail systems planning; and (3) providing funding for the development and refinement of intercity passenger rail systems planning analytical tools and models. 49 U.S.C. 24911(k)(1)–(3). The statute does not limit the use of such funding to these three examples.

10. What other Program activities should be undertaken with the support of funding provided under 49 U.S.C. 24911(k)?

#### Readiness of Proposals for Selection into the Program

The statute specifies criteria for the selection of corridors for the Program. However, these criteria do not fully address the readiness of a proposed corridor for development under the Program.

11. Should FRA consider readiness factors not otherwise described in the statute when evaluating proposals submitted for the Program, and if so, what factors would be relevant in assessing readiness?

12. In determining the readiness of a proposal, should FRA consider the degree of commitment to the eventual implementation of the proposal demonstrated by: (1) The entity submitting the proposal, (2) the proposed service sponsor(s), and/or (3) the proposed capital project sponsor(s)?

#### Criteria for the Selection of Proposals

When selecting intercity passenger rail corridors for the Program, FRA must consider fourteen specific criteria. 49 U.S.C. 25101(c).

13. Of the fourteen selection criteria enumerated in 49 U.S.C. 25101(c), are certain criteria of greater importance to the successful development of an intercity passenger rail corridor?

14. What other considerations may be appropriate in evaluating proposals for corridors to be developed under the Program?

#### Selectivity of the Program

FRA must solicit and select intercity passenger rail corridor proposals for development under the Program, and must partner with the entity that submitted the proposal to prepare an SDP for a selected proposal. While FRA must apply certain corridor selection criteria, the statute does not address the selectivity of the Program.

15. In general, how selective should the Program be, particularly during the period directly following its establishment? Should all proposals that meet a minimum threshold be selected for development under the Program, or should only a limited number of top proposals be selected, and if so, why?

16. What considerations are relevant for determining the selectivity of the Program?

Issued in Washington, DC

#### Paul Nissenbaum,

Associate Administrator, Office of Railroad Policy and Development.

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## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### Notice To Solicit Transit Advisory Committee for Safety Member Applications

**AGENCY:** Federal Transit Administration, Department of Transportation.

**ACTION:** Notice to Solicit Transit Advisory Committee for Safety Member Applications.

**SUMMARY:** The Federal Transit Administration (FTA) is seeking applications for individuals to serve as members, for two-year terms, on the Transit Advisory Committee for Safety (TRACS). The TRACS provides information, advice, and recommendations to the U.S. Secretary of Transportation (Secretary) and FTA Administrator (Administrator) in response to tasks assigned to TRACS. The TRACS does not exercise program management responsibilities and makes no decisions directly affecting the programs on which it provides advice. The Secretary may accept or reject a recommendation made by TRACS and is not bound to pursue any recommendation from TRACS.

**DATES:** Interested persons must submit their applications to FTA by March 9, 2022.

#### FOR FURTHER INFORMATION CONTACT:

Joseph DeLorenzo, TRACS Designated Federal Officer, Associate Administrator, FTA Office of Transit Safety and Oversight, (202) 366–1783, *Joseph.DeLorenzo@dot.gov*; or Bridget Zamperini, TRACS Program Manager, FTA Office of Transit Safety and Oversight, *TRACS@dot.gov*. Please address all mail to the Office of Transit Safety and Oversight, Federal Transit Administration, 1200 New Jersey Avenue SE, Washington, DC 20590–0001.

#### SUPPLEMENTAL INFORMATION:

##### Nominations

FTA invites qualified individuals interested in serving on TRACS to apply to FTA for appointment. The Administrator will recommend nominees for appointment by the Secretary. Appointments are for two-year terms; however, a member may reapply to serve additional terms, in the event that the TRACS Charter is renewed. Applicants should be knowledgeable of trends and issues related to rail transit and/or bus transit safety. Along with their experience in the rail transit and/or bus transit industry, applicants will also be evaluated and selected based on factors