

comment preceding submission of the collection to OMB.

**DATES:** The Department will accept comments from the public up to *November 21, 2023*.

**ADDRESSES:** You may submit comments by any of the following methods:

- *Web:* Persons with access to the internet may comment on this notice by going to *www.Regulations.gov*. You can search for the document by entering “Docket Number: DOS–2023–0028 in the Search field. Then click the “Comment Now” button and complete the comment form.

- *Email:* *PRA\_BurdenComments@state.gov*.

You must include the information collection title in any correspondence.

**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 Lauren Vinson who may be reached on *PRA\_BurdenComments@state.gov* or (202) 485–7635.

**SUPPLEMENTARY INFORMATION:**

- *Title of Information Collection:* Supplemental Questions for Visa Applicants.

- *OMB Control Number:* 1405–0226.
- *Type of Request:* Extension of a currently approved collection.

- *Originating Office:* CA/VO.

- *Form Number:* DS–5535.

- *Respondents:* Immigrant visa applicants, nonimmigrant visa applicants.

- *Estimated Number of Respondents:* 50,000.

- *Estimated Number of Responses:* 50,000.

- *Average Time per Response:* 55 minutes.

- *Total Estimated Burden Time:* 45,833 hours.

- *Frequency:* Once per respondent’s application.

- *Obligation to Respond:* Required to obtain or retain a benefit.

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 submitted with them, will be available for public review.

**Abstract of Proposed Collection**

The Immigration and Nationality Act (“INA”), 8 U.S.C. 1101 *et seq.*, sets out application and eligibility requirements for an applicant seeking to obtain nonimmigrant or immigrant visa. Most of the standards for determining visa ineligibility are detailed in INA 212(a), 8 U.S.C. 1182(a), which includes terrorist activities and other security and related grounds at INA 212(a)(3), 8 U.S.C. 1182(a)(3).

INA 221(a), 8 U.S.C. 1201(a) provides that a consular officer may issue an immigrant or nonimmigrant visa to an individual who has made a proper application, subject to applicable conditions and limitations in the INA and related regulations. Under INA 222(c), 8 U.S.C. 1202(c), every applicant for a nonimmigrant visa must provide certain identifying particulars—name, date of birth and birthplace, nationality, purpose and length of intended stay in the United States, marital status—and “such additional information necessary to the identification of the applicant, the determination of his eligibility for a nonimmigrant visa, and the enforcement of the immigration and nationality laws as may be by regulations prescribed.” Similar requirements apply to applicants for immigrant visas, pursuant to INA 222(a), 8 U.S.C. 1201(a). Under regulations set out in Title 22 of the Code of Federal Regulations, visa applications must be made on a standard form and a consular officer “may require the submission of additional necessary information or question an applicant on any relevant matter whenever the consular officer believes that the information provided in the application is inadequate to permit a determination of the applicant’s eligibility to receive a nonimmigrant visa.” 22 CFR 41.103; see also 22 CFR 42.63 (immigrant visas).

Consular officers may require submission of a completed DS–5535 to supplement the immigrant and nonimmigrant visa applications forms by asking the following questions of a subset of nonimmigrant and immigrant visa applicants:

- The applicant’s travel history over the last 15 years;

- The full names and dates of birth of any siblings/children/former spouses/domestic partners not recorded in the applicant’s visa application form;

- The applicant’s addresses during the last 15 years, if different from the applicant’s current address.

- The applicant’s prior passport numbers; and

- The applicant’s prior occupation(s) and employers (plus a brief description, if applicable) looking back 15 years.

Regarding travel history, an applicant may be requested to provide details of his or her international or domestic (within their country of nationality or residence) travel if the information is necessary to determine the applicant’s eligibility for the visa, including cases involving applicants who have been in an area while the area was under the operational control of a terrorist organization as defined in INA 212(a)(3)(B)(vi), 8 U.S.C.

1182(a)(3)(B)(vi). Applicants may be asked to recount or explain the details of their travel and when possible, provide supporting documentation.

**Methodology**

Consular officers will be asking these questions of a subset of nonimmigrant and immigrant visa applicants worldwide either orally or by providing a copy of the questions electronically or on paper. The applicant can respond orally, via email, via written response or via Microsoft e-version. The e-version of the information collection asks identical questions to the paper version. There are slight differences in formatting due to the different platforms. In some instances, when a paper copy is provided the applicant may still be permitted to return it electronically.

**Julie M. Stuft,**

*Acting Deputy Assistant Secretary, Bureau of Consular Affairs, Department of State.*

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**BILLING CODE 4710–06–P**

**SURFACE TRANSPORTATION BOARD**

**60-Day Notice of Intent To Seek Extension of Approval of Collection: Demurrage Liability Disclosure Requirements**

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice and request for comments.

**SUMMARY:** As required by the Paperwork Reduction Act of 1995 (PRA), the Surface Transportation Board (STB or Board) gives notice of its intent to seek approval from the Office of Management and Budget (OMB) for an extension of

the collection of Demurrage Liability Disclosure Requirements, as described below.

**DATES:** Comments on this information collection should be submitted by November 21, 2023.

**ADDRESSES:** Direct all comments to Chris Oehrle, PRA Officer, Surface Transportation Board, 395 E Street SW, Washington, DC 20423-0001, or to [PRA@stb.gov](mailto:PRA@stb.gov). When submitting comments, please refer to “Paperwork Reduction Act Comments, Demurrage Liability Disclosure Requirements.” For further information regarding this collection, contact Pedro Ramirez at (202) 245-0333 or [pedro.ramirez@stb.gov](mailto:pedro.ramirez@stb.gov). If you require an accommodation under the Americans with Disabilities Act, please call (202) 245-0245.

**SUPPLEMENTARY INFORMATION:** Comments are requested concerning each collection as to (1) whether the particular collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility; (2) the accuracy of the Board’s burden estimates; (3) ways to enhance

the quality, utility, and clarity of the information collected; and (4) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology, when appropriate. Submitted comments will be included and summarized in the Board’s request for OMB approval.

**Description of Collection**

*Title:* Demurrage Liability Disclosure Requirements.

*OMB Control Number:* 2140-0021.

*Form Number:* None.

*Type of Review:* Extension without change.

*Respondents:* Freight railroads subject to the Board’s jurisdiction.

*Number of Respondents:* Approximately 620 (including six Class I carriers).

*Estimated Time per Response:* One hour for each disclosure.

*Frequency:* On occasion. The existing demurrage liability disclosure requirement is triggered in two circumstances: (1) when a shipper initially arranges with a railroad for transportation of freight pursuant to the rail carrier’s tariff; or (2) when a rail

carrier changes the terms of its demurrage tariff.

*Total Burden Hours (annually including all respondents):* 1,330.7 hours. Consistent with the existing, approved information collection, Board staff estimates that: (1) six Class I carriers would each take on 18 new customers each year (108 hours); (2) each of the six Class I carriers would update its demurrage tariffs annually (6 hours); (3) 620 non-Class I carriers (which are already subject to the existing collection requirements, but which will not be subject to the new requirements) would each take on one new customer a year (620 hours); and (4) each of the non-Class I carriers would update its demurrage tariffs every three years (206.7 hours annualized). For the requirement that Class I carriers must directly bill the shipper for demurrage when the shipper and warehouseman agree to the arrangement and so notify the rail carrier, Board staff estimates that annually six Class I carriers would each receive 65 direct-billing agreements per year at one hour per agreement (390 hours).

The total hourly burdens are also set forth in the table below.

TABLE—TOTAL BURDEN HOURS  
[Per year]

Respondents	New customer burden (hours)	Tariff update burden (hours)	Burden for invoicing agreement (hours)	Total annual burden hours
6 Class I Carriers .....	108	6	390	504
620 Non-Class I Carriers .....	620	206.7	.....	826.7
Totals .....	728	212.7	390	1,330.7

*Total “Non-hour Burden” Cost:* There are no other costs identified. Any submissions may be submitted electronically.

*Needs and Uses:* Demurrage is subject to Board regulation under 49 U.S.C. 10702, which requires railroads to establish reasonable rates and transportation-related rules and practices, and under 49 U.S.C. 10746, which requires railroads to compute demurrage charges, and establish rules related to those charges, in a way that will fulfill the national needs related to freight car use and distribution and maintenance of an adequate car supply. Demurrage is a charge that serves principally as an incentive to prevent undue car detention and thereby encourage the efficient use of rail cars in the rail network, while also providing compensation to rail carriers for the expense incurred when rail cars are

unduly detained beyond a specified period of time (*i.e.*, “free time”) for loading and unloading. *See Pa. R.R. v. Kittaning Iron & Steel Mfg. Co.*, 253 U.S. 319, 323 (1920) (“The purpose of demurrage charges is to promote car efficiency by penalizing undue detention of cars.”); 49 CFR 1333.1; *see also* 49 CFR part 1201, category 106.

Under 49 CFR 1333.3, a railroad’s ability to charge demurrage pursuant to its tariff is conditional on its having given, prior to rail car placement, actual notice of the demurrage tariff to the person receiving rail cars for loading and unloading. Once a shipper receives a notice as to a particular tariff, additional notices are required only when the tariff changes materially. The parties rely on the information in the demurrage tariffs to avoid demurrage disputes, and the Board uses the tariffs to adjudicate demurrage disputes that

come before it. Class I carriers are required to include certain minimum information on or with demurrage invoices, take appropriate action to ensure that demurrage charges are accurate and warranted, and directly bill the shipper for demurrage when the shipper and warehouseman agree to that arrangement and so notify the rail carrier. This collection and use of this information by the Board enable the Board to meet its statutory duties.

The Board makes this submission because, under the PRA, a federal agency that conducts or sponsors a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public.

Under 44 U.S.C. 3506(c)(2)(A), federal agencies are required to provide, prior to an agency's submitting a collection to OMB for approval, a 60-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: September 19, 2023.

**Kenyatta Clay,**  
Clearance Clerk.

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**SURFACE TRANSPORTATION BOARD**

**60-Day Notice of Intent To Seek Extension of Approval of Collection: Waybill Sample**

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice and request for comments.

**SUMMARY:** As required by the Paperwork Reduction Act of 1995 (PRA), the Surface Transportation Board (STB or Board) gives notice of its intent to seek approval from the Office of Management and Budget (OMB) for an extension of the collection of Waybill Sample, described below.

**DATES:** Comments on this information collection should be submitted by November 21, 2023.

**ADDRESSES:** Direct all comments to Chris Oehrle, PRA Officer, Surface Transportation Board, 395 E Street SW, Washington, DC 20423-0001, and to [PRA@stb.gov](mailto:PRA@stb.gov). When submitting comments, please refer to "Paperwork Reduction Act Comments, Waybill Sample." For further information regarding this collection, contact Pedro Ramirez at (202) 245-0333 or [pedro.ramirez@stb.gov](mailto:pedro.ramirez@stb.gov). If you require an accommodation under the Americans with Disabilities Act, please call (202) 245-0245.

**SUPPLEMENTARY INFORMATION:** Comments are requested concerning each collection as to (1) whether the particular collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility; (2) the accuracy of the Board's burden estimates; (3) ways to enhance the quality, utility, and clarity of the information collected; and (4) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology, when appropriate. Submitted comments will

be included and summarized in the Board's request for OMB approval.

*Subjects:* In this notice, the Board is requesting comments on the extension of the following information collection:

**Description of Collection**

*Title:* Waybill Sample.

*OMB Control Number:* 2140-0015.

*Form Number:* None.

*Type of Review:* Extension without change.

*Respondents:* Respondents include any railroad that is subject to the Interstate Commerce Act and that terminated at least 4,500 carloads on its line in any of the three preceding years or that terminated at least 5% of the revenue carloads terminating in any state in any of the three preceding years. For the purposes of this analysis, the Board categorizes railroads required to report Waybill Sample data as either quarterly or monthly and as either sampling their own waybills or having a third party conduct their sampling. As a result, there are four categories of respondents, as shown in Table below.

TABLE—RESPONDENTS

Categories of respondents	Number of respondents
Railroads that conduct their own sampling and report monthly .....	5
Railroads that conduct their own sampling and report quarterly .....	3
Railroads that have a third party sample their waybills and report monthly .....	2
Railroads that have a third party sample their waybills and report quarterly .....	43
Total Respondents .....	53

*Number of Respondents:* 53.

*Estimated Time per Response:* The estimated hourly burden for waybill samples submitted to the Board varies depending on each respondent's particular circumstances. (Note: respondents that are identified as reporting monthly (Class I carriers) report monthly, quarterly, and annually (or 17 times per year). All other respondents (non-Class I carriers) report quarterly and annually (five times a year)).

*Frequency of Response:* Six respondents report monthly; and 46 other respondents report quarterly.

*Total Burden Hours* (annually including all respondents): 420 hours. This estimated total burden hours is shown in the Table below.

TABLE—TOTAL BURDEN HOURS

Categories of respondents	Total annual hours for samples submitted
Railroads that conduct their own sampling and report monthly .....	150
Railroads that conduct their own sampling and report quarterly .....	20
Railroads that have a third party sample their waybills and report monthly .....	30
Railroads that have a third party sample their waybills and report quarterly .....	220
Total Annual Burden Hours .....	420

*Total Annual "Non-Hour Burden" Cost:* There are no other costs identified because filings are submitted electronically to the Board.

*Needs and Uses:* The Board is, by statute, responsible for the economic regulation of common carrier rail transportation in the United States and collects rail-carload waybills for this purpose. The Board has authority to collect these waybills under 49 U.S.C. 11144, 11145, and the Board often uses the information in rail-carload waybills to carry out its responsibilities.

A rail-carload waybill is a "document or instrument prepared from the bill of lading contract or shipper's instructions as to the disposition of the freight, and [is] used by the railroad(s) involved as the authority to move the shipment and as the basis for determining the freight charges and interline settlements." 49 CFR 1244.1(c). From these carload waybills, the Board creates an aggregate compilation of the sampled waybills of all reporting carriers, referred to as the Waybill Sample. The Waybill Sample is the Board's principal source of data about freight rail shipments. The information in the Waybill Sample is used by the Board, other federal and state agencies, and industry stakeholders to monitor traffic flows and rate trends in the industry, and to develop testimony in Board proceedings. The Board's collection and use of this data enables it to meet its statutory duty to regulate the rail industry.

The Board makes this submission because, under the PRA, a federal agency that conducts or sponsors a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements that persons submit reports, keep