

FEDERAL RAILROAD ADMINISTRATION
Grant Management Requirements for
Federal Railroad Administration
Grant Awards and Cooperative Agreements (“Awards”)
SUPPORTING JUSTIFICATION
OMB Control No. 2130-0519

This non-substantive change updates the recently approved information collection request (ICR), under OMB control no. 2130-0615. OMB last approved this ICR on January 14, 2025], with a new expiration date of January 31, 2028. Specifically, FRA seeks to modify the instructions and requirements for Form FRA F 217 (Categorical Exclusion Worksheet).

FRA proposes to remove the Environmental Justice (EJ) section from the worksheet and remove an outdated reference to the Council on Environmental Quality’s (CEQ) regulations. This change will reduce the public reporting burden, introduces no new questions or compliance data points, and does not alter the fundamental scope or statutory purpose of FRA’s National Environmental Policy Act (NEPA) compliance process.

Justification:

The Categorical Exclusion (CE) Worksheet (FRA F 6180.217) is used to ensure FRA meets the statutory requirements of NEPA and related laws and regulations. The information collected through this form is used to confirm that the project scope being funded through the grant meets FRA categorical exclusions, which allows for the completion of this form instead of a lengthier environmental assessment (EA) or environmental impact assessment (EIS). Absent the CE Worksheet, the same information would still need to be collected from the recipient, as required by CEQ regulations and FRA’s procedures for implementing NEPA found at 23 CFR Part 771. The CE Worksheet provides a logical and efficient way to collect the information FRA needs to meet its requirements under NEPA while minimizing over-reporting of information.

On January 20, 2025, President Trump issued Executive Order 14148, “Initial Rescission of Harmful Executive Orders and Actions,” which rescinded, among others, E.O. 14008 and 14096. Then, on January 21, 2025, the President issued E.O. 14173, “Ending Illegal Discrimination and Restoring Merit-Based Opportunity,” which rescinded E.O. 12898. These now-rescinded E.O.s required federal agencies to integrate achieving environmental justice into their mission, and as such, FRA had included environmental justice considerations in its environmental review process. As these E.O.s have been rescinded, FRA has removed such considerations from its process.

FRA’s Categorical Exclusion Worksheet was developed prior to the rescission of these environmental justice E.O.s, and requests information from applicants regarding environmental justice concerns. FRA is proposing to remove references to environmental justice from the worksheet to ensure applicants do not inadvertently undertake analysis that is no longer required.

In addition, on January 8, 2026, CEQ rescinded its regulations implementing NEPA. As these regulations are no longer in effect, FRA is proposing to remove an outdated reference from the Categorical Exclusion Worksheet.

Proposed Changes to the Collection Instrument

FRA will implement this change by modifying the worksheet to remove references to environmental justice and CEQ's regulations. A redline version of the worksheet is attached.

Impact on Public Burden Estimates

The currently approved public reporting burden for Form FRA F 217 is averaged at 156 hours per response. This estimate includes substantial time for applicants to pull local census data, research demographic profiles, and analyze minority or low-income populations for the EJ section.

FRA estimates that eliminating the requirement to complete the Environmental Justice section will save applicants an average of 6 hours per response.

- Current Approved Burden per Response: 156 hours
- Estimated Time Saved per Response: 6 hours
- Revised Proposed Burden per Response: 150 hours

With an estimated 75 respondents utilizing this form annually, this non-substantive change will result in a total annual public burden reduction of 450 hours.